

Notice: All persons making use of this consolidation are reminded that it has no legal sanction; that the amendments have been embodied only for the convenience of reference; and that the original By-law and amendments should be consulted for all purposes of interpreting and applying the law.

**An Office Consolidation of
Text and Map Amendments for
The South Interlake Planning District
Development Plan
By-Law No. 3/10**

ISSUE # 5
April 20, 2016

Note:

Text within parenthesis [...] as well as a page footer have been added or amended for convenience and may include some interpretation.

ISSUE RECORD
OFFICE CONSOLIDATION
THE SOUTH INTERLAKE PLANNING DISTRICT
DEVELOPMENT PLAN - BY-LAW NO. 3/10

Community Planning Services Regional Office: Selkirk

Page: 1

ISSUE DATE: April 20, 2016 (Addition of B/L No. 1/14 and DP Version correction)		ISSUE # 5
ACTIVITY	Remove Page(s)	Insert Page(s)
• Issue Record Page	1	1&2
• Consolidation Title Page (amended Issue No. & Date)	Title Page	Title Page
• Record of Amending By-Laws	1	1
• Document text	Whole document	Whole document
• Record of Map Amendments	Pg 1 for Map 6	Pg 1 for Map 6
• Development Plan Consolidated (DPC) Map 6	DPC Map 6	DPC Map 6

ISSUE DATE: May 20, 2014 (Addition of B/L No. 3/13)		ISSUE # 4
ACTIVITY	Remove Page(s)	Insert Page(s)
• Issue Record Page	1	1
• Consolidation Title Page (amended Issue No. & Date)	Title Page	Title Page
• Record of Amending By-Laws	1	1
• Record of Map Amendments	Pg 1 for Map 8	Pg 1 for Map 8
• Development Plan Consolidated (DPC) Map 8	DPC Map 8	DPC Map 8

ISSUE DATE: April 10, 2014 (Addition of B/L No. 4/13)		ISSUE # 3
ACTIVITY	Remove Page(s)	Insert Page(s)
• Issue Record Page	1	1
• Consolidation Title Page (amended Issue No. & Date)	Title Page	Title Page
• Record of Amending By-Laws	1	1
• Record of Map Amendments	Pg 1 for Map 7	Pg 1 for Map 7
• Development Plan Consolidated (DPC) Map 7	DPC Map 7	DPC Map 7

ISSUE RECORD
OFFICE CONSOLIDATION
THE SOUTH INTERLAKE PLANNING DISTRICT
DEVELOPMENT PLAN - BY-LAW NO. 3/10

Community Planning Services Regional Office: Selkirk

Page: 2

ISSUE DATE: November 26, 2013 (Addition of B/L No. 1/13 and Minister Approved Minor Amendment)		ISSUE # 2
ACTIVITY	Remove Page(s)	Insert Page(s)
• Issue Record Page	1	1
• Consolidation Title Page (amended Issue No. & Date)	Title Page	Title Page
• Record of Amending By-Laws	1	1
• Document text	pp. 9, 11, & 20	pp. 9, 11, & 20

ISSUE DATE: June 19, 2012 (Addition of B/L No. 2/11)		ISSUE # 1
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• Initial preparation of Electronic Version (Up to DPA BL No. 2/11)	---	Whole Document

Record of Amending By-laws
South Interlake Planning District By-laws
Amending the South Interlake Planning District Development Plan (Adopting By-law No. 3/10)

Page: 1

Adopting By-law	Changes and Amendments	Content Affected		Remarks
		Text	Map	
2/11	<ul style="list-style-type: none"> Redesignated from "Industrial Area" to Residential Area" 		X	Appendix B: Map 7
Minister Approved Minor Amendment	<ul style="list-style-type: none"> Replaces a paragraph in Section 2.1 regarding CentrePort 	X		
1/13	<ul style="list-style-type: none"> Adds item #11 regarding aging population to section 2.2 Issues and Objectives Adds 2.3.10 General Residential Policies to section 2.3 General Policies. 	X		
4/13	<ul style="list-style-type: none"> Redesignated from "Highway Commercial Area" to "Residential Area" 		X	Appendix B: Map 7
3/13	<ul style="list-style-type: none"> Redesignated from "Restricted Agricultural Area" to "Residential Area" 		X	Appendix B: Map 8
1/14	<ul style="list-style-type: none"> Redesignated from "Residential Area" to "Commercial Area" 		X	Appendix B: Map 6

April 20, 2016

South Interlake Planning District Development Plan 2011

South Interlake Planning District

BY-LAW NO. 03/10

A By-Law of the South Interlake Planning District to adopt a Development Plan.

WHEREAS Section 40(1) of *The Planning Act* directs a Planning District to prepare a Development Plan for the entire District;

AND WHEREAS, Section 45 of the *Act* requires a board to adopt a Development Plan;

AND WHEREAS the Minister of Local Government approved the South Interlake Planning District Development Plan on _____;

NOW, THEREFORE, the Board of the South Interlake Planning District, in meeting duly assembled, enacts as follows:

1. The Development Plan, attached hereto and forming part of this By-Law, is hereby adopted;
2. This By-Law shall be known as The South Interlake Planning District Development Plan.
3. The Development Plan shall take force and effect on the date of third reading of this By-Law.

DONE AND PASSED this _____ day of _____, 2011 A.D.

Chairman

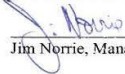
Administrator

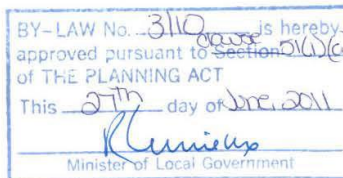
Read a First Time this 21st day of October A.D. 2010
Read a Second Time this 7th day of March A.D. 2011
Read a Third Time this 26th day of July A.D. 2011

South Interlake Planning District Development Plan

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*Certified to be a true and correct copy of By-Law 03/10
Having been given second Reading by the Board of the
South Interlake Planning District at a meeting duly
Assembled on March 7, 2011*


Jim Norrie, Manager



South Interlake Planning District Development Plan

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Appendix A: Definitions

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Part 1: Introduction

1.1 Area of the South Interlake Planning District

This Development Plan applies to the South Interlake Planning District (SIPD). The District is comprised of the Rural Municipalities of Rosser and Rockwood, and the Towns of Stonewall and Teulon. The District has an area of approximately 1,588 square kilometres with a total population of 14,556 (based on 2006 Statistics Canada Census).

The Planning District is located immediately north west of the City of Winnipeg along Provincial Trunk Highways No. 6 and 7 and abuts the municipalities of Headingley, St. Francois Xavier, Woodlands, Armstrong, Gimli, St. Andrews, East St. Paul and Winnipeg. Provincial Trunk Highways No. 67 and 101 (Perimeter Highway) serve as the major east-west transportation routes.

The Rural Municipality of Rockwood comprises an area of 121,317 ha (approximately 13.2 townships) and the Rural Municipality of Rosser comprises an area of 44,324 ha (approximately 4.8 townships).

The District is illustrated on Map 1, South Interlake Planning District.

1.2 Legal Authority

The Planning Act of Manitoba provides the legal basis upon which Development Plans are enacted by Manitoba planning districts and municipalities. Development Plans are a mandatory document for municipalities.

Section 40(1) of *The Planning Act* directs that:

“The board of a Planning District must prepare a Development Plan for the entire District.”

Section 45 of *The Act* provides that a District Development Plan must be adopted by By-Law of the District Board and provision is made in Section 46(1) that between first and second reading, the Board:

“...must hold a public hearing to receive representations from any person on the proposed Development Plan....”

1.3 Purpose of Development Plan

The purpose of SIPD Development Plan is to provide the legally adopted statement of the District Board’s policies toward land use management and development. It serves primarily a legal purpose but also provides a valuable reference document to the public on land use matters within the District.

The SIPD Development Plan establishes the guidelines for land use planning and development activities. It contains statements of the goals and objectives regarding land use and defines the policies by which land use compatibility and sustainability will be ensured. Each of the areas of the Provincial Land Use Policies has been addressed and subjected to modification to meet the specifics of the local environment and to reflect the priorities and objectives of the District.

The Development Plan also serves the purpose of providing policy direction to all other land use controls; including Zoning By-Laws, development agreements and subdivision approval requirements.

A companion document to the Development Plan is the “South Interlake Planning District 2009 – Background Report”. This report summarizes the resource and socio-demographic research that the District Board prepared to assist with formulating the policies that now comprise the Development Plan By-Law.

1.4 Requirements of Development Plan

The general requirements of a Development Plan are set out in Section 42(1), as follows:

“A Development Plan must

- a) set out the plans and policies of the Planning District or municipality respecting its purposes and its physical, social, environmental and economic objectives;
- b) through maps and statements of objectives, direct sustainable land use and development in the Planning District or municipality;
- c) set out measures for implementing the plan; and
- d) include such other matters as the minister or the board or council considers advisable. “

A specific requirement of Development Plans addresses the issue of livestock operations in Manitoba and is presented in Section 42(2):

“The Development Plan must include a livestock operation policy that guides Zoning By-Laws dealing with livestock operations by

- a) dividing the Planning District or municipality into one or more areas designated as follows:
 - i) areas where the expansion or development of livestock operations of any size may be allowed,
 - ii) areas where the expansion or development of livestock operations involving a specified maximum number of animal units may be allowed,

- iii) areas where the expansion or development of livestock operations will not be allowed; and
- b) setting out the general standards to be followed in the Planning District or municipality respecting the siting and setback of livestock operations.”

1.5 Format of Development Plan

This Development Plan By-Law is segmented into 5 Parts.

Part 1 describes the area affected by the plan, the legal authority underlying the By-Law, the purposes of a Development Plan and the legislated requirements regarding content.

Policies in all Parts of the plan are designed to be complementary and shall be interpreted within the context of overall By-Law.

Part 2 presents discussion and policies that have applicability to the District as whole, e.g. rural and urban areas.

Part 3 contains policy statements which have specific relevance to the rural areas of the District.

Part 4 contains policy statements which have specific relevance to the urban centres of the District.

Part 5 describes the various complementary measures and processes available to the District Board and member municipalities in successfully implementing the Plan.

In support of the Development Plan land use policies, a series of maps which identify the various land use designations are included in the By-Law. The boundaries of mapped land use designations in this plan should not be construed as being exact but should be considered as describing the general spatial relationships amongst the designations.

Part 2: General Issues, Objectives & Policies

2.1 Introduction and Background

This part of the Development Plan sets the general tone of the Plan and outlines objectives and policies which apply throughout the District, to both rural and urban areas.

The Background Report to the SIPD development plan contains detailed information on the physiographic and socio-economic characteristics of the District. A brief summary of this information follows:

- Soils in the district are of glacial origin; calcareous loamy tills dominate in the north, with lacustrine deposits more prevalent in the south and east. Soil capability for agriculture is rated high throughout Rosser and approximately 60% of the lands in Rockwood also share the “prime agricultural land” categorization.
- Much of the natural vegetation and land characteristics have been altered by the clearing of land, the development of manmade drainage networks and the growth of urban centres.
- The SIPD is underlain by bedrock consisting of limestone and dolostone inter-layered with several argillaceous units. The limestone and dolostone form a major fresh water aquifer, which is the primary source of water in the district. Supply and quantity of groundwater is generally good.
- The R.M. of Rockwood and the northeast portion of Rosser fall within the Netley-Grassmere Watershed, while the balance of Rosser drains into Sturgeon Creek. Drainage problems exist to some extent throughout the district and overland flooding can be a problem.
- The R.M. of Rockwood and to a lesser extent, the R.M. of Rosser, contains high quality deposits of aggregate, particularly crushed limestone. These deposits are critical to supplying building material to the Capital Region.
- Agricultural land uses dominate on over 85% of Rosser’s land area and 55% of Rockwood’s area. The number of farms has declined dramatically over the past 2 decades, but total acreage farmed has remained fairly stable.
- The Oak Hammock and Grants Lake Wildlife Management Areas and the Norris Lake Provincial Park are provincially designated natural areas in the district.
- District population trends show steady growth over the past several censuses. Stonewall accounts for the great majority of growth but growth has also occurred in rural Rockwood, including its small settlement centres.
- SIPD municipalities are on sound financial footing, with growing assessment bases and manageable levels of capital debt.
- The area of Rosser lying within the Perimeter Highway falls within the defined area of CentrePort Canada (Manitoba’s inland port development). The mechanisms for future land use controls in this area are under review by the Province of Manitoba at the time of this Development Plan preparation.

The South Interlake Planning District shares many of the characteristics of much of Manitoba's "Capital Region" as is exemplified by the points noted above.

Agricultural land uses continue to dominate in the district, but the influence of Winnipeg can be found in SIPD's growing urban centres and in the demand for small centre and/or rural residential development to accommodate daily commuters driving to and from the City for employment purposes.

Special considerations in the district include its unique natural resource contributions as a source of major groundwater aquifers and aggregate supplies that are regional in their importance. These resources must be protected, but also offer their own constraints to development.

CentrePort: Until such time as a planning and development framework for CentrePort Canada has been established, the policies and guidelines set out in Provincial Planning Regulation Man. Reg. 81/2011 apply to any proposed development on the CentrePort lands. In order to be approved, a proposed development must be consistent with the vision of CentrePort as a transportation, trade, manufacturing, distribution, warehousing and logistics centre.

Minister
Approved
Minor
Amendment

In the section which follows, the district identifies those of the above issues which are of relevance to the district as a whole and defines objectives and policies to guide existing and future land use developments as they relate to those matters.

Once adopted, the provisions of this Plan replace the Provincial Land Use Policies within the District. It is important to note however that provisions of other land use related Provincial Acts and Regulations continue to apply and that adherence to the requirements of those documents is mandatory.

In particular, development proponents are encouraged to make themselves aware of provincial requirements that may affect agricultural activities (e.g. livestock operations), surface and groundwater systems, quarrying and the provincial transportation system. Readers should also be advised that referenced names of Provincial and Federal government departments/agencies, as well as the titles and content of statutes and regulations, are current at the time of enactment of the Plan, but may be subject to change over the duration of its term.

2.2 Issues and Objectives

The Provincial Land Use Policies are defined by regulation under the Planning Act, They identify from a provincial perspective the major issues and priorities surrounding land use in the Province. District development plans must address each of the issues identified in the Provincial Land Use Policies regulation. Development plan policies must not be in conflict with the provincial policies, but can augment them in a manner that best recognizes the local land use pattern and the local prioritization of issues. The provincial policies speak to the following issues:

- General Development – guiding the development of safe, efficient, economic, environmentally sustainable, and compatible land use patterns

- Agriculture – prime agricultural land and viable lower class land should be maintained for sustainable and environmentally sound agricultural use and development.
- Renewable Resources – environmentally sound economic development should be encouraged based on the protection, management, production, and sustainable use of renewable resources.
- Water and Shoreland – development should complement the sustainability of waterways, waterbodies, shoreland and groundwater having major environmental, economic, recreational or cultural significance.
- Recreational Resources – economically sustainable and environmentally sound recreational development shall be encouraged, particularly on high quality recreation lands and in areas of high demand such as large Urban Centres. Such development shall be healthy, safe, and protect the public from un-necessary costs. An existing recreational development of local, regional, or provincial significance shall be protected from land uses which may detract from the social and economic opportunities that the existing recreational development affords.
- Natural Feature and Heritage Resources – significant natural features and heritage resources, and areas required to sustain threatened or endangered plants and animals, shall be protected.
- Flooding and Erosion – the development of lands subject to significant flooding, erosion or bank instability should be sustainable, minimizing risks to health, the environment and land uses.
- Provincial Highways – lands in the vicinity of existing or proposed provincial highways shall be planned to complement the highway system’s function as an important component of Manitoba’s sustainable development policies; to minimize environmental impacts attributed to highway operations; and to protect the public investment in highways from development which may jeopardize their safe and economical operation or the implementation of improves which enhance safe operation.
- Mineral Resources – economically valuable mineral and oil and gas resources shall be protected from land uses that would restrict mineral and oil and gas exploration and development. Ongoing and future development of the province’s mineral and oil and gas resources shall be encouraged.

The policies put forward in this development plan are supportive of the goals of the provincial land use policies. Complementing the issues of provincial interest, certain local priorities have been singled out by the District Board as deserving special consideration or emphasis. These include:

- In addition to prioritizing the preservation of the prime and viable lower class agricultural lands for sustainable production, the plan must address the land use compatibility issues that are occurring as non-farm population and land uses continue to expand in the district.

- The presence in the district of groundwater aquifers that are of local and regional importance dictates a need for a high level of attention to policies that will protect this critical resource.
- The 3,000 hectare area of near- surface limestone bedrock in Rockwood municipality, along with other scattered sites of aggregate potential in the District, pose unique economic and land use challenges and opportunities to the District. Clear policy direction will be necessary to provide guidance on land use matters that affect, or are affected by, the utilization of this natural resource.
- There is a growing demand and opportunity for combined residential/recreational land use developments in the district. Traditional land use designations will require flexibility to provide adequate opportunity and guidance to such developments.

In seeking to address the land use issues of defined provincial interest as well as the identified areas of enhanced local interest, the following overall objectives will guide land use development in the South Interlake Planning District:

1. Ensure that development occurs in a manner which is consistent with the principles and guidelines of sustainable development as outlined in the Provincial Land Use Policies.
2. Protection of surface and groundwater resources will be a primary objective in planning for land use developments, present and future.
3. Protect the prime agricultural soils of the district, be supportive of existing farm enterprises and encourage opportunities for growth and diversification of the agricultural industry.
4. Allow limited rural residential, commercial, industrial, and recreational development where appropriate and guide such development so as to be in compliance with the overall objectives of this plan.
5. Allow the growth of existing rural settlement centres in an orderly and economical fashion, with the intent of supporting a lifestyle option distinct from that offered by urban centres or rural residential development.
6. Protect and facilitate the various functions, including commuter transportation, of the road system within the District in order to move traffic safely and efficiently.
7. Protect areas which are capable of supporting high and medium quality aggregate extraction, encourage the orderly development of new quarries taking into account local land use, drainage and transportation implications and promote plans for long term rehabilitation of depleted extraction sites.

8. Establish policy linkages through which land use, subdivision control and capital works programs can be implemented.
9. Promote the provision of diversified recreational amenities within the district.
10. Support the social and economic development of the District through sound land use decision making to enhance the well-being and quality of life of its inhabitants.
11. Ensure the sustainability of the environment and natural resources and promote compatible relationships between the environment, resources and the use of land.
12. SIPD is experiencing a gradual shift in its demographics toward an aging population. Residential policies in particular should be cognizant of this fact.
Residential policies will be supportive of a variety of housing types and affordability options, including the demand for “aging in place” opportunities.

B/L No. 1/13

2.3 General Policies

In support of the above Objectives, the land use policies in this Part apply throughout the South Interlake Planning District.

2.3.1 Utilities Policies

1. With the exception of Wind Farms, which are dealt with in Part 3 - Rural Areas, essential activities of public and private utilities shall be permitted in any land use designation, subject to requirements in member municipality Zoning By-Laws. Such uses should be located and developed in a manner which will minimize any incompatibility with neighbouring land uses.
2. Cooperation and liaison will be maintained 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 and to minimize conflict with the orderly provision of municipal sewer, water and roadway services.
3. Existing public and private utilities shall be protected from incompatible land uses which may threaten or adversely affect their operation. Other cooperative and inter-municipal servicing initiatives will be encouraged, as appropriate and feasible throughout the District.

2.3.2 Energy Conservation Policies

The use of renewable and alternative energy systems is encouraged in accordance with the goals and policies of this plan and to the extent they comply with relevant Federal and Provincial requirements.

1. Energy conservation shall be encouraged through, community and site planning design and the use of energy-efficient materials and landscaping.
2. When development applications are reviewed, consideration may be given to energy conservation measures such as the solar orientation of streets and buildings, increased densities, and the use of landscaping and building materials.
3. The retention of forests and promotion of tree planting will be encouraged as a means of improving air quality and reducing energy use through shading, sheltering and screening.

2.3.3 Hazardous Uses Policies

Facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials, will be governed by the following:

1. Wherever possible, these facilities should be separated from urban areas and buildings used for human occupation;
2. Hazardous facilities should not be located closer to dwellings or provincial highways than permitted or recommended by the appropriate Provincial government department and more specifically, anhydrous ammonia facilities shall not be located within 100 metres of the right-of-way of a provincial highway; and
3. Where development of a potentially hazardous use is proposed, information may be required of the applicant 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.

2.3.4 Hazard Lands, Flooding & Erosion Policies

1. Development will generally be directed away from hazard lands. 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 or a flood specified by the Manitoba Department of Water Stewardship in areas affected by flood control works;
 - 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 waterbody;

- c) Lands subject to other hazards such as landslides or subsidence, e.g. those lands where actual effects of such hazards have occurred or have been predicted.
 - d) Under the authority of the “Rockwood Sensitive Area Regulation”, established under “The Environment Act” (C.C.S.M. c. E125), restrictions are placed on the drilling, maintenance and abandonment of wells in the defined area as outlined on the appropriate maps of this By-law..
2. Low intensity cropping, grazing, forestry or open space recreational activities 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, flood or erosion prone 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) Existing tree, vegetation cover and near-shore aquatic habitat should be preserved where appropriate to maintain bank stability and to reduce erosion and the amount of nutrients entering surface water.
 4. Development proposals in flood plain hazard areas should be referred to the Department of Water Stewardship for review prior to approval by member municipalities.
 5. Development proposals on hazard lands 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. Such studies will be at the expense of the applicant.

2.3.5 Water & Shoreland Policies

1. Development will be encouraged in a manner which ensures that waterways, water bodies, shoreland areas, and drinking and groundwater resources are protected to the satisfaction of planning authorities. Such development must also be in accordance

with the goals of the Province of Manitoba as provided in The Water Protection Act (including the Nutrient Management Regulation), The Water Rights Act (e.g. licensing provisions), and other related Acts and regulations thereunder. Development proponents are encouraged to review current provincial guidelines before submitting proposals to the Planning District. In addition, the District Board shall actively seek to work in concert with the goals of the East Interlake Conservation District as such goals may be published from time to time and shall be supportive of watershed management and source water protection initiatives in the District.

2. Waterways, water bodies and shorelands in the District require protection to limit adverse impacts of development. 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 and degree of protection adopted. The Planning District shall consult and cooperate with the East Interlake Conservation District in implementing this policy. The intent will be to manage development in such a way so as not to affect water quality, degrade the aquatic ecosystem, or remove/alter the riparian area habitat. Where the District Board determines that special studies will be required to ensure that the objectives of this policy are not endangered by a proposed development, such studies will be funded by the applicant. As well, proposed developments that are deemed to have the potential to impact waterways and water bodies may be referred to Manitoba Department of Water Stewardship, Manitoba Conservation, and, as appropriate, the Department of Fisheries and Oceans Canada for review.
3. The Planning District, in order to protect riparian areas, encourages the establishment and maintenance of native vegetation areas located upslope from the ordinary high water mark and adjacent to all waterbodies and waterways connected to the provincial surface water network. In these areas:
 - A 15-metre undisturbed native vegetation area is encouraged for lands located adjacent to first and/or second order drains;
 - A 30-metre undisturbed native vegetation area is encouraged for lands located adjacent to third and/or higher order drains and/or waterbodies;
 - Alteration within this undisturbed native vegetation area is limited to an approximate maximum of 25 % of the shoreline length (for example: 25 metres per 100 metres of shoreline length) of each lot for a path, dock, or other structure; and
 - Proposed alterations within this native vegetation area may be referred to Manitoba Conservation and/or the East Interlake Conservation District for their review and comment prior to approval.
4. No development should occur within any 99 foot crown reserve on surface water within a member municipality that does not meet all criteria established by this

Development Plan, supporting Zoning By-Laws and relevant provincial legislation/regulation. Permanent vegetation will be encouraged on such lands to prevent erosion, siltation, and reduce the amount of nutrients entering the surface water.

5. For project proposals requiring self-supplied water, the proponent is directed to contact Manitoba Water Stewardship to determine if their water use needs require licensing under The Water Rights Act. If a license is required, development approval may be withheld until such time as either a groundwater exploration permit or surface water development authorization is issued by Manitoba Water Stewardship.
6. Where a development or activities that may cause groundwater pollution under normal operating conditions or by accident is proposed, the proponent may be requested to undertake a study (at their expense) of the groundwater conditions within the proposed development area and present a report on the study. The report will include an assessment of the risk of groundwater quality impacts occurring from the proposed development and, if the risks should prove significant, the operational or engineering measures that will be employed to minimize this risk or respond to a contamination incident should it occur.
7. Residents and other owners of on-site water supply and wastewater management systems shall be encouraged to properly construct, maintain and abandon/decommission these systems to minimize the potential for contamination of local surface water and groundwater resources.

2.3.6 Transportation Policies

1. Private aircraft landing strips should be located away from conflicting uses, such as settlement centres or rural residential development.
2. New development should have legal access to an all-weather road of sufficient standard and capacity, unless the proponent makes an agreement with a member municipality to upgrade an existing road or develop new road access to a standard agreed upon by the municipality. The proponent may be responsible for part or all of the costs of this roadway construction.
3. Land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic should be encouraged to locate in proximity to major roadways, including provincial roads and provincial highways, if appropriate. Direct access to the provincial highway system should be discouraged; access should be via the municipal road system to the provincial system.
4. 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.

5. In considering development proposals which have the potential to generate significant vehicle traffic, preference will be given to designs that incorporate internal road systems, as opposed to frontage roads.
6. Commercial uses which primarily serve the travelling public should be encouraged to locate in planned areas where there is access available from major roadways, and where the efficiency and safety of the adjoining roadway are not jeopardized.
7. New development that is proposed in the control areas of provincial roads and provincial trunk highways under provincial authority will be subject to the approval of the Manitoba Infrastructure and Transportation and/or the Highway Traffic Board prior to District approval.
8. Where a member municipality has control over roadways, consideration of new development adjacent to such roadways will include a review by Council, as the traffic authority.
9. The location and construction of an access to a provincial road will be subject to approval by Manitoba Infrastructure and Transportation; and for a provincial trunk highway, approval by the Highway Traffic Board, except for those portions of highways within communities where the local jurisdiction is the traffic authority.
10. Where a member municipality 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.
11. Proposed developments which may be adversely affected by noise, dust and fumes from roadways (e.g., 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.
12. Where an area of development is bordered on one side by a major transportation corridor, a proposed right-of-way, or a facility such as a highway, new development should be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
13. Municipal road allowances should normally be maintained for public access. Any clearing, cultivation, grazing or cropping of unimproved road allowances should be approved by the municipality.
14. The local road or street network associated with any type of proposed development should be designed to conform to both the existing and planned road and street system of the neighbouring areas.

15. Development which contributes to the evolution of a row of lots, each relying on direct access to the highway shall not be permitted. Exceptions may be considered where adjacent development has already developed to the extent that this Policy cannot be fully applied.
16. Development that may have a detrimental impact on the safe operation of the provincial highway system shall not be allowed unless mitigation measures acceptable to the Province are incorporated into the development.
17. Subdivisions and/or development will not be permitted in areas designated for highway widening or expansion unless provisions acceptable to the Province are made to accommodate future widening or expansion.
18. Municipal roads may be improved at the discretion of Council by way of development agreement. Cost-sharing of the improvement of unimproved road allowances, or upgrading of existing improved roads, may be required if the road is intended primarily for non-agricultural land uses.
19. The costs of any highway improvements deemed necessary by Manitoba Infrastructure and Transportation to accommodate a proposed development will be the responsibility of the developer.

2.3.7 Heritage Resources Policies

1. The South Interlake Planning District and member municipalities shall encourage and facilitate the identification of heritage resources in the district.
2. Heritage resources should be protected where:
 - (1) Buildings or landscapes have received municipal and/or provincial heritage designation;
 - (2) Buildings or landscapes are in the process of receiving or are being considered for municipal and/or provincial heritage designation; and,
 - (3) Buildings or landscapes have been developed and operate as heritage sites.
3. The South Interlake Planning District and member municipalities shall endeavour to preserve and protect their heritage resources through the judicious use of statutory prohibitions in demolition, restrictive zoning by-laws, subdivision control procedures, issuance of development permits, design regulation by-laws, and designation of heritage sites under the Heritage Resources Act.
4. Existing heritage resources should be protected from incompatible or potentially incompatible land uses which may threaten their integrity or operation.

5. The development, designation and preservation of heritage resources should be coordinated with other heritage and recreational resources in the region, existing and proposed, to maximize interpretive and tourism potential.

2.3.8 Aggregate Mineral Policies

In regulation outlining “Provincial Land Use Policies” under the Planning Act, the Province of Manitoba has recognized the importance of lands containing aggregate mineral resources. The land use policy dealing with aggregate resources provides direction; to encourage the exploration, development and extraction of valuable deposits; to ensure that these deposits be protected from conflicting or potentially conflicting land uses, and; to guide the progressive rehabilitation of sites as they approach closure. The SIPD policies on aggregate minerals are in concert with those of the Province and reflect the importance of these resources to the economic well-being of the District, as well as to the overall construction industry in the Winnipeg region.

It is recommended that all proponents of development related to aggregate minerals in the SIPD district familiarize themselves with the appropriate provisions of the *Mines and Minerals Act* and the *Quarry Minerals Regulation*, passed under that Act, before approaching the SIPD for a development permit.

The Province has recently updated their mapping of lands with mineral and aggregate potential in the South Interlake Planning District. This information is presented in Maps 2A, 2B and 2C in this Plan. Additional relevant information can be found in “The Rockwood Quarry District Technical Study – Background and Recommendations” prepared for the R.M. of Rockwood in 2010 by the Rockwood Quarry Advisory Committee.

Development of sites with provincially-identified aggregate mineral potential are required to comply with all relevant provincial legislation/regulation, the provisions of this Development Plan, and zoning by-laws passed thereunder. A number of the “Implementation” tools identified in Part 5 of this Plan, e.g. Development Agreements, will be utilized in ensuring compliance with the policies contained herein.

The SIPD aggregate mineral policies are as follows:

1. Areas designated by the Province as being of “High” aggregate and mineral potential shall be protected from incompatible and potentially incompatible land uses that would restrict exploration, development and extraction.
2. In areas designated by the Province as being of “Medium” aggregate and mineral potential, incompatible and potentially incompatible land uses may be permitted following review and approval by Board and the appropriate Provincial Department.

3. No permanent structures other than mining infrastructures may be placed upon known high and medium quality quarry deposits, nor shall these deposits be otherwise rendered non-useable for extraction without prior consultation with the Mines Branch in co-operation with the Board of the District.
4. In applying the “Aggregate Mineral Policies” of this Plan within the R.M. of Rockwood, the SIPD will give consideration to the content of “The Rockwood Quarry District Technical Study – Background and Recommendations” prepared for the R.M. of Rockwood in 2010 by the Rockwood Quarry Advisory Committee.
5. Land uses in close proximity to sites of active mineral extraction operations, and which may be sensitive to the impact of surface mining, will not be permitted.
6. Sand, gravel, and quarry mineral extraction operations may be treated as conditional uses in Zoning By-Laws. The municipalities may, in consultation with the appropriate provincial departments, establish setback controls and conditions for operation including provision for visual buffering, noise and dust protection, public safety and the rehabilitation of the site upon completion of excavation. The Rockwood Zoning By-law will define a “Mineral Extraction Area” wherein aggregate extraction operations may be defined as a permitted land use.
7. Extraction of aggregate material under road allowances may be permitted by private contractual agreement with member municipalities, where Council determines that it is in the interests of the municipality, in consideration of:
 - a) land rehabilitation and the sequence of post mining land use development,
 - b) the impact on local traffic, and
 - c) monetary compensation to the municipality for the underlying minerals.
8. Quarry excavation shall not be permitted within one half mile of the closest right of way limit of Provincial Highway #67 and Provincial Highway #7.
9. Quarry expansion and new quarry development shall be contingent on the submission of operation plans showing safe ingress and egress of all traffic consistent with modern highway engineering standards.
10. The minimum standard of rehabilitation will be restoration of agriculturally productive soil conditions and a vegetation cover in accordance with the policies of the Provincial Aggregate Rehabilitation Program, leaving the post mining landscape in a condition that is safe, environmentally stable and compatible with adjoining residential and farm lands.
11. Post-mining land uses other than agriculture that take advantage of the potential in the rehabilitated landscape shall be encouraged where they:

- a) pose no environmental problems,
- b) are compatible with adjoining land uses, and
- c) offer economic benefits in terms of tax and employment opportunities.

12. Pasture and cropping agricultural activity shall be allowed in Aggregate Extraction Zones. Other post-mining land use activities shall require re-zoning approval.

13. Individual operators shall be required to coordinate their plans for rehabilitation and shaping of their respective properties to achieve maximum recovery of arable farmland and to leave the post mining landscape in a condition which is safe, environmentally stable, and compatible with the adjoining lands.

14. To encourage progressive rehabilitation of unused post-mining lands, a financial penalty may be incorporated into a development agreement as a function of the area of derelict land and the length of time since mining was discontinued on the property.

2.3.9 Sewer, Water, & Waste Services

Water supply, sewage collection, sewage treatment, surface drainage, and solid waste management are essential components of the public health system and are also integral to the stated objective of safeguarding the surface and groundwater resources and public health of the SIPD. Policies in Parts 3 and Part 4 of this plan provide specific guidance for provision of these services in the rural and urban areas of the district respectively.

2.3.10 General Residential Policies

1. In keeping with the overall objectives of this development plan, a range of housing types, densities and affordability options will be encouraged throughout the SIPD, as compatible with the more specific residential policies contained in Parts 3 and 4 of the Plan.
2. Member municipality zoning by-laws may contain provisions to allow for secondary suite development on existing single family residential sites.

B/L No. 1/13

Part 3: Rural Areas

3.1 Introduction

Part 3 of this plan provides direction through land use policies and guidelines that are applicable specifically to the designated rural areas of the District. Maps 3, 4 and 5, the Rural Land Use designation maps, provide a view of this area. Although the Objectives and Policies in Part 3 are directed only to the rural areas, they are intended to be complementary to the General Objectives and General Policies for the entire District.

From the perspective of acreage occupied, agricultural activities are the dominant use in the rural area. The SIPD agricultural land policies protect existing agricultural activities

and wherever feasible provide policy support for enhancing those activities. In the policies below, two categories of land designated primarily for agricultural uses are established. Areas designated **A** (Agricultural Area) will generally allow the full unrestricted range of agricultural activities, while other areas, with greater potential for land use conflict, may be designated **RA** (Restricted Agriculture). The latter designation precludes new or expanded livestock operations.

Designations for residential development in rural areas are also provided. The **RR**, Rural Residential, designation refers to the traditional large lot, self-serviced sites that are designed to accommodate residents desiring this rural lifestyle.

The SIPD district includes a number of viable rural settlement centres. These small unincorporated communities provide a lifestyle option quite different from either the rural residential areas or the urban centres. The designation **RSC** identifies these communities on the land use designation maps and policies to guide their development follow in this Part of the Plan.

An additional policy designation for Rural Commercial/Industrial (**RCI**) development is addressed in this part to accommodate those instances where such development is warranted. Provincially-designated natural and conservation areas are also recognized on the rural land use classification maps.

3.2 Objectives

The Development Plan objectives of the SIPD for the Rural Area are articulated below:

1. To support and strengthen agricultural activities on both prime and viable lower class land, with greatest emphasis placed on protecting the more feasibly productive lands.
2. To provide specific policy direction for the maintenance, expansion and/or establishment of livestock operations within the District.
3. To encourage flexibility and opportunity for farm operations to diversify in order to allow farmers to take maximum advantage of marketing and economic factors.
4. To encourage and direct appropriate and compatible residential and commercial/industrial development in rural areas.
5. To ensure development and growth is environmentally sustainable and efficiently uses land, road and public utility networks.
6. To promote development which is compatible with adjacent land uses, both existing and anticipated.
7. To maintain the character and quality of life presently enjoyed in rural areas.
8. To conserve and enhance those areas of aesthetic, scenic, recreation, wildlife or historic significance.
9. To support the conservation activities and policies of the East Interlake Conservation District.
10. To encourage growth and development in rural areas in a manner which is compatible with the objectives and policies for Urban Areas.

3.3 Rural Area Policies

In addition to the applicable general policies in Part 2 of this Plan, the following policies will guide land use in the rural areas of the planning district.

3.3.1 Agricultural Area Land Policies

1. Lands designated as Agricultural Area (A) shall allow the full range of agricultural activities, subject to limitations posed by provincial legislation and regulations and the R.M. of Rockwood and R.M. of Rosser Zoning By-laws.
2. Prime lands and viable lower class agricultural lands in the A area should not be developed for non-agricultural uses.
3. Prime lands and viable lower class agricultural lands shall be protected from fragmentation into smaller parcels. In areas where large parcel agricultural uses are dominant, the general intent will be to encourage minimum parcel sizes of 160 acres. A more specific guidance on the minimum parcel size may be stipulated in the respective Zoning By-laws, taking into account the agricultural characteristics and capabilities of the area, proximity to incompatible land uses and the degree of fragmentation of land holdings that may already exist.
4. Small land holdings for commercially-oriented small-scale or specialized agricultural operations, such as apiaries, market gardening, greenhouses, nurseries, etc., may be considered for approval, provided that such proposals are compatible with other existing agricultural operations and the size of the proposed parcel is appropriate for the intended use.
5. Existing agricultural enterprises which operate within generally accepted practices of farm management and in conformance with the Farm Practices Guidelines and other relevant provincial regulations should be protected from new development which might unduly interfere with their continued operation.

6. Livestock Operation Policies

Within the land use responsibilities assigned to municipalities under The Planning Act, this Plan provides below a series of policies to guide both existing and proposed livestock operations. These policies are intended to be complementary to Provincial Land Use policies and provincial legislation governing the siting and setback of livestock operations, as well as the “Nutrient Management” Regulation under the Water Protection Act.

- (a) In Agricultural Area A, expansion or development of livestock operations of any size will be considered subject to the above noted Provincial “Siting and Setback of Livestock Operations” requirements.

(b) New or expanding livestock production operations of 300 animal units or more will be conditional uses and subject to the procedures and requirements for conditional uses specified in *The Planning Act* and in the Rockwood and Rosser zoning by-laws. Development applications will be evaluated on the basis of recommendations of reviews conducted by the Provincial Technical Review Committee.

(c) Livestock operations of less than 300 animal units in the A area will not be subject to the Provincial Technical Review Committee processes under this Development Plan. Compliance with the provincial *Livestock Manure and Mortalities Management Regulation*, the above noted “Siting and Setback of Livestock Operations”, the Nutrient Management regulation and other related Manitoba legislation and regulation would continue to be required.

(d) Applications for new or expanding livestock operations of 300 AUs or more will be processed in accordance with the following:

- 1) An application for the establishment or expansion of a livestock operation of 300 AUs or more shall be made to council. Upon receipt of an application, a copy shall be sent to the Minister and forwarded to the Technical Review Committee (TRC) for review as per Part 7, Division 2 of *The Planning Act*.
- 2) After holding a public hearing, council will make an order:
 - a. Rejecting the application; or
 - b. Approving the application, with or without conditions, if the proposed livestock operation:
 - i. receives a favourable report from the TRC,
 - ii. will be compatible with the general nature of the surrounding area,
 - iii. will not be detrimental to the general health and welfare of the people living and working in the area or negatively affect other property or potential development in the area; and
 - iv. conforms to the applicable provisions in the SIPD Development Plan and the R.M. of Rockwood and R.M. of Rosser Zoning By-laws.
- 3) Planning District member Councils may impose the following conditions on an application:
 - a. measures to ensure conformity to the applicable provisions in the SIPD Development Plan and member municipality Zoning By-laws.
 - b. measures to implement recommendations of the TRC.
 - c. one or both of the following measures intended to reduce odours from the operation:
 - i. requiring cover on manure storage facilities; and/or
 - ii. requiring shelterbelts to be established

- d. require the applicant to enter into a development agreement regarding one or more of the following matters:
 - i. the timing of construction;
 - ii. the control of traffic;
 - iii. the construction and maintenance of roads, fencing, landscaping, drainage works, shelterbelts; and/or
 - iv. the payment of a sum of money to council to be used to construct any of the items mentioned in clause iii above.
- (e) Within the **A** Agricultural Area, the replacement (modernization or fire replacement) of livestock operations established prior to the adoption of this by-law, at the same size and location, may be permitted and the expansion of existing livestock operations will be considered based on the provincially established separation distances and other relevant provisions established in this development plan and accompanying zoning by-laws.
- (f) New or expanded livestock operations will only be allowed in areas designated as **A**.
- (g) Mutual separation distances between all livestock operations, individual residences and areas with designated land use classifications will normally be the same as the minimum separation distances provided for in provincial legislation governing the siting and setback of livestock operations.
- (h) Subdivisions of parcels containing livestock operations shall result in lots of such size and configuration so as to maintain a minimum setback between the new property lines and the area where livestock are confined and the manure storage facilities are located in accordance with the Manure and Mortalities Management Regulation.

7. The subdivision of existing farmstead sites for residential purposes in the **A** area will generally be allowed under the following conditions:

- (a) a retiring farmer who has been actively farming for a substantial time period wishes to retain the farm residence for retirement purposes,
- (b) Where a residence is required for an individual who is actively involved in the farm operation and with the intention of deriving significant income from it,
- (c) A bonafide farmstead site, i.e., a site that has existed for at least the prior 20 year period preceding the subdivision application, has been rendered surplus due to the amalgamation of farm operations and the continued existence of the farmstead site will not have a negative impact on the adjacent farm operation.
- (d) Farmstead site subdivisions, as provided for in (a)-(c) above, should not include cultivated land, should be contained to an existing shelter belt, be efficiently and effectively serviced to a rural standard, accommodate

sustainable on-site sewage disposal and include the residence, buildings and facilities, or remnants thereof, normally associated with a farming operation.

8. In certain instances, where additional housing is required for an individual who is actively involved with the farm is necessary for the success of the farm enterprise, but subdivision of land is not desired, such accommodation may be considered on a temporary basis on the farm as part of the farmstead. At such time as the additional housing is no longer required, it shall be removed. Additional housing of this type shall be treated as a conditional use in the local zoning by-law.

9. One or two lot subdivisions for non-farm rural residential purposes to accommodate physically isolated parcels of land and infill opportunities may be allowed in the Agricultural Area without a Development Plan amendment, provided that they abide by the criteria listed under Section 3.3.3.1 (a)-(h) Rural Non-farm Residential Policies, and in addition, adhere to the following:

- (a) The subdivision of land in the Agricultural Area 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 impractical. The maximum site area allowed shall be specified in the zoning by-law. Subdivisions of this type must comply with the mutual separation distances for existing livestock operations. The proposed use should not restrict agricultural cropping practices such as working fields, spraying, harvesting crops, etc.
- (b) The proposed subdivision will not require services (e.g., roads, drainage, or other infrastructure services) beyond the municipal standard for their area.
- (c) The proposed subdivision should not be wasteful of agricultural land but should include all the land area isolated by the road, creek, or natural land feature. Re-subdivision of said land will not be allowed.
- (d) In addition, the subdivision of land for non-farm rural residential purposes may be permitted if the proposed development qualifies as infill development between existing rural residential or farm residential dwellings in those instances where continued use for conventional agricultural activities is considered impractical. Zoning by-laws may provide criteria as to appropriate distances that qualify as infill, with distances of no greater than 150 metres between dwellings being encouraged.

10. As a measure to support those engaged in agricultural activities with other economic activities to improve the viability of the farm operation in a manner compatible with the rural area while maintaining agriculture as their principal activity, the following policies are provided:

- (a) Small scale industrial uses may be permitted in the Agricultural Area as part of a farm operation in accordance with the overall objectives and policies for the rural areas. The range and / or intensity of such small scale industrial uses may be limited and they shall be treated as conditional uses in the agricultural / rural area. Where these uses are proposed to be located in the vicinity of a provincial highway, the District shall circulate the conditional use application to Manitoba Infrastructure and Transportation.
 - (b) Approval of small scale industries shall consider the following and may require supporting information provided by and at the expense of the proponent:
 - (i) The size and type of operation;
 - (ii) Compatibility with the rural neighbourhood in which it is located;
 - (iii) Traffic implications;
 - (iv) The requirement for provisions of municipal services;
 - (v) Environmental impact including effects on surface and groundwater, air quality and noise levels;
11. Home-based businesses may be considered in agricultural / rural areas in Part 3 of this Plan. They are secondary to a primary residential use and are 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, if and when the business grows and the level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the rules as a Conditional Use in a zoning by-law. For home based business requests that are proposed to be located within the vicinity of a provincial highway, the District shall circulate the conditional use application to Manitoba Infrastructure and Transportation.
12. Wind Farms developments may be permitted in the Agricultural Area designation, subject to requirements and policies of this Plan, Provincial statutes and regulations and the respective Rockwood and Rosser Zoning By-laws. They will be identified as Conditional Uses in those zoning bylaws. Wind Farms should be located and developed in a manner which minimizes any incompatibility with neighbouring land uses, the transportation system, and the ability to carry out normal agricultural activities.

3.3.2 Restricted Agriculture Policies

In certain areas of the SIPD, agricultural activities remain a major or even dominant land use, but due to their proximity to areas designated for other land use activities, it is considered necessary to restrict new or expanded livestock activities and wind farms. In such areas, lands may be designated as **RA**, Restricted Agriculture. The intent of the

restrictions placed on land uses in the **RA** areas is to reduce the likelihood of land use conflicts in the future as adjoining areas of the District continue to exist as, or evolve into, non-agricultural designated land uses, e.g. Urban or Rural Residential.

1. No new livestock operations or wind farms will be allowed in the **RA** areas. Expansion of existing livestock operations in **RA** areas will be limited to a ceiling of the maximum Animal Units of their immediately pre (considered to be the Year 2003) Bovine Spongiform Encephalopathy (BSE) size.
2. With the exception of Sections 3.3.1.1, 3.3.1.6 (subsections a, b, and d), and 3.3.1.12 which are not applicable, the remaining policies as noted previously for lands designated as **A** will also apply to areas designated as **RA**.

3.3.3 Rural Non-farm Residential Policies

In limited instances, it may be possible to accommodate multi-lot (i.e. more than 2 lots) non-farm residential development in the Rural Area. Such development areas shall be designated **RR** on Rural Land Use Classification Maps. The intent of policies underlying potential non-farm residential development in the Rural Area is to assist in meeting the occasional demand for small scale rural residential development, so long as that development meets requirements to minimize conflict with existing and potential future agricultural activities in the surrounding area. In applying these policies the Planning District will encourage the consideration of remnant parcels and infill opportunities.

The policies for Rural Residential development are as follows:

1. Developments shall be considered subject to the following:
 - (a) Non-farm residential development areas shall be directed away from prime agricultural land and viable lower class lands wherever possible. Non-farm residential development shall be directed to areas where agriculture is less dominant due to a combination of: a diversity of landscape features, a predominance of lower class land, a high degree of land fragmentation, the presence of wooded areas and the existence of a mixture of land uses
 - (b) Where **RR**, rural residential development, is considered appropriate, it shall be encouraged to develop in a pattern which efficiently uses land, infrastructure and public services, while maintaining the rural character of the area. Concept plans may be required of the proponent in order to demonstrate satisfactory compliance. Lot sizes for such developments shall be guided by provisions in the local zoning by-law.

- (c) New **RR** development will be directed away from the periphery of the existing urban areas, where such development might impede the orderly expansion of these centres.
 - (d) New developments will be encouraged to locate where there is an adequate supply of potable water.
 - (e) The location and size of building lots should reflect the capability of local soils to adequately support an approved on-site waste treatment.
 - (f) In order to avoid the unwarranted fragmentation of land, a development proponent shall be required to demonstrate that there is sufficient demand for the proposed residential development.
 - (g) Developments shall be sufficiently separated from existing livestock operations in accordance with the livestock operation policies of this plan, including those which may be specifically outlined in the zoning by-laws.
 - (h) All sub-division applications, in the “Part 3- Rural Area” of this Plan, regardless of proposed land use type, shall be referred to the East Interlake Conservation District for comment and recommendations.
2. When new multi-lot non-farm residential development is proposed, such development shall, where feasible, be directed to existing designated **RR** areas. Where this is not feasible, approval of such proposals will require amendment to the Development Plan, designating them as a Rural Residential Area (**RR**) and in considering such proposals, the district will be guided by the criteria identified above.
 3. In those instances where Rural Residential proposals involve a water orientation and / or recreational focus, additional attention shall be paid to the policies dealing with hazard lands and water and shore land protection.
 4. The keeping of animals shall be treated as a Conditional Use in areas designated **RR**, with definitions and criteria to be spelled out in the appropriate zoning by-law.
 5. Home-based businesses may be considered in **RR** areas. They are accessory to a primary residential use and are 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 the level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the rules as a Conditional Use in a zoning by-law. For home based business requests that are proposed to be located within the vicinity of a provincial highway, the District shall circulate the conditional use application to Manitoba Infrastructure and Transportation.

3.3.4 Rural Settlement Centres

For the purpose of this Development Plan, the term “Rural Settlement Centres” refers to

the unincorporated communities of Rosser, Meadows, Argyle, Grosse Isle, Gunton, Komarno and Balmoral. They are identified by the designation **RSC** on the rural land use designation maps.

The importance of these centres is realized in their contribution to the provision of an alternative lifestyle to that offered in either rural residential areas or larger urban centres. It is desirable to maintain the rural character and nature of the communities while ensuring that they comply with the Plan's overall objectives regarding safe, efficient, economic, environmentally sustainable, and compatible land use patterns.

Policies to guide development in Rural Settlement Centres are listed below:

1. The primary purpose of the Rural Settlement Centres is to accommodate residential development. Some commercial/industrial and community (e.g. recreation facilities, seniors housing, care homes, etc.) development designed to service the daily needs of residents may be considered, but the overall intent will be to limit such development so as not to compromise the viability of the service function of the District's Urban Centres. Commercial and industrial uses in Rural Settlement Centres will be treated as conditional uses in the R.M. of Rosser and R.M. of Rockwood municipal Zoning By-laws.
2. Where larger undeveloped parcels of land are being considered for future development, or re-development, concept plans and/or secondary plans shall be requested of the developer in order to illustrate how they can be efficiently developed in a well planned manner. Concept plans should show the arrangement of future roadways, building lots, the site's major physical features, surface drainage plans, and open spaces. The concept plan shall show how the proposed parcel of land is integrated into the existing roadways and services of the area. The plan shall conform to the municipality's engineering and planning standards.
3. The growth of the unincorporated centres bordering on one side of a major highway will be restricted to the same side of that highway. Access to such highways will be limited and where possible an internal road or a service road for purely local traffic will be provided.
4. Where demand can be proven to warrant it, growth of the unincorporated centres of Rosser, Meadows, Grosse Isle, Argyle, Gunton, Balmoral, and Komarno may necessitate their expansion onto adjacent lands. Expansion of unincorporated centres shall be directed away from prime agricultural land, shall be cognizant of the planning authority's livestock operations setback provisions, shall protect aggregate resource areas (including the high quality limestone deposits around Gunton) and shall avoid incompatibilities with surrounding land uses or environmentally sensitive areas.
5. In Rural Settlement Centres which have been, or are planned to be, serviced by water and/or sewer systems, all new developments will be required to be connected to these systems as they become available.
6. Lots in un-serviced rural settlement centres shall be of such dimensions as to accommodate an approved method of disposal of domestic effluent. The Board

may request that information be provided, or studies undertaken, to show that on-site sewage disposal methods will not pose a risk of groundwater pollution.

7. New subdivisions shall be contiguous to existing subdivision areas where feasible.

8. The subdivision of land for rural non-farm residential development will not be allowed on the periphery of an unincorporated centre.

9. Infilling of vacant lots will be encouraged as a means to accommodate new development in the unincorporated centres.

10. Mobile homes shall be considered as an integral part of the residential environment and shall be restricted by location only to the extent that conflicts with other uses are minimized. Further guidelines may be established in this regard under local zoning by-laws.

11. Home-based businesses may be considered in Rural Settlement Centres. They are accessory to a primary residential use and are 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, if and when the business grows and the level of commercial activity increases, it may be more appropriate to relocate to a commercial area. For home based business requests that are proposed to be located within the vicinity of a provincial highway, the District shall circulate the conditional use application to Manitoba Infrastructure and Transportation.

3.3.5 Rural Area Commercial and Industrial Policies

Commercial and industrial development will generally be directed towards the District's Urban Centres and, to a limited extent, the Rural Settlement Centres. The policies outlined below provide guidance to those circumstances under which such development might be considered in the Rural Area.

In addition to the policies noted below, the siting policy statements provided previously for Rural Residential (See 3.3.3-1.) shall also apply to rural commercial and industrial development uses.

Proposals outside of the designated Business Park (see below) for individual lot Rural Commercial or Industrial development may require amendment to the Development Plan, designating them as a Rural Commercial / Industrial Area (**RCI**). Proposals for multi-lot Rural Commercial or Industrial development outside of the Business Park shall require such an amendment as a condition of approval.

Further policies include:

1. Non-agriculture or resource related commercial or industrial development should only be considered in rural areas where no suitable sites exist in an urban centre or a designated Business Park, or where such developments:

- (a) are deemed hazardous or incompatible in an urban or business park setting; or
- (b) serve the needs of the traveling public, or
- (c) are linked directly to a rural resource, such as a mineral deposit.

2. Commercial and industrial development may be considered in rural areas where such development is directly related to the maintenance and/or development of agricultural activities.

3. Commercial and industrial developments in rural areas should be encouraged to locate at appropriate and in the case of multi-lot developments, designated, locations with safe and efficient access to major roadways and provincial highways. Direct access to the provincial highway system should be discouraged. Access should be via the municipal road system to the provincial system. Compliance with the Transportation Policies (See section 2.3.6) of this Plan will be required.

4. Commercial and industrial developments should be encouraged to provide enough land for potential expansion, while not wasting land.

5. New commercial and industrial developments will be encouraged to locate where there is an adequate supply of potable water.

6. A residence may be permitted in conjunction with a rural commercial or industrial use for the owner or custodian and may be part of the principal building or a separate detached building, as regulated in a Zoning By-Law.

In addition to the commercial and industrial developments to be guided by the policies above, there are 2 other unique related designations in this Plan. These are:

(a) The ‘*Special Industrial Area*’ north-east of Stony Mountain is the site of Bristol Aerospace facility. Bristol Aerospace holds several sections of land which are retained as a buffer for their rocket propellant plant.

(b) The “*Stony Mountain Business Park*” is intended to provide opportunities to encourage business and industrial uses to be centralized in a rural community setting. Policies to guide development within the Business Park include:

- (1) A requirement to mitigate the effects of noise, vibration, dust, odours or particulate matter that will be detrimental to other businesses or the amenity of neighbouring areas.

(2) Provide landscaping on yards adjacent to any public street or adjoining property to the Business Park including screening of loading, parking, storage or service areas.

(3) Treating the boundary between the Business Park and present or future residential lands with landscaping, fencing or other measures to minimize nuisance impacts;

(4) Where the zoning by-law permits outside storage as a use associated with a business on a property in the Business Park, the outside storage will:

- generally be located within the rear yard; and
- be well screened by fencing or landscaping where viewed from adjacent streets, highways and neighbouring land uses.

3.3.6 Natural, Recreation Area and Environmental Conservation Policies

Although the majority of the South Interlake Planning District has been cleared for annual crop production, the SIPD Board is supportive of sustainable land use activities that will protect and complement its remaining natural environment. Policies to reflect these concerns are outlined below.

1. The SIPD and its member municipalities support the programs of the East Interlake Conservation District and will coordinate their policies, regulations and actions with the Conservation District to conserve the natural resources of the area.
2. Natural areas and habitats should be protected from incompatible or potentially incompatible uses which may adversely affect the sustainability of the land or the resident flora and fauna where:
 - a) Rare or endangered flora and fauna have received provincial or federal designation and protection under the Manitoba Endangered Species Act or the federal Species at Risk Act, respectively;
 - b) Lands have been designated as Wildlife Management Areas (Oak Hammock Marsh and Grants Lake), Provincial Park (Norris Lake), Provincial Forest or Community Pasture;
 - c) Lands have been designated with Protected Areas status; and
 - d) Private or public lands have been voluntarily protected by landowners.
3. The identification and protection of natural areas and habitats will be encouraged within the District.

4. Public access to designated natural areas and to wildlife 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 use.
5. Proposed developments located near waterways and water bodies that have the potential to alter, disrupt or destroy aquatic habitat; including wetlands and riparian areas, may be referred to Manitoba Water Stewardship and/or Manitoba Conservation for review prior to consideration by the District.
6. Protection will be afforded to provincial, or locally, identified significant natural areas and sensitive environmental areas. Where the potential for human activities to stress these environmental areas is significant the SIPD may require designating these activities /developments as conditional uses in the local Zoning By-Laws.
7. While there is a desire to provide for conservation areas, there is also a concern that these areas should be balanced with other interests. Therefore, where privately initiated habitat conservation land leases or land transfers are proposed for consideration to Manitoba Conservation, the Manitoba Habitat Heritage Corporation, or similarly mandated agencies, those agencies will be encouraged to consult with the Planning District and appropriate member municipality prior to approving the designation of a private habitat conservation area.
8. The clearing of trees from lands in the rural areas of the District will be at the discretion of the landowner. The Planning District Board encourages landowners who wish to clear trees from land for agricultural or other productive purposes to be mindful of potential related riparian impacts on the lands in question. The Board recommends that only Canada Land Inventory Class 1-4 agricultural lands be considered for tree clearing. It is also recommended that land owners interested in clearing land of trees seek advice from the East Interlake Conservation District as well as Manitoba Conservation and Water Stewardship prior to undertaking any tree clearing projects.
9. Developments and the use of land adjacent to designated provincial parks, wildlife management areas or other protected areas (1 mile radius) will be referred to Manitoba Conservation for review and comment on whether the future development or changes in land use might adversely affect the sustainability of the area or the resident flora and fauna.
10. Seasonal or year-round resort cottage developments will be considered “Rural Non-Farm Residential” development and the policies of this Plan regarding Rural Non-Farm Residential development shall apply.

11. The development of areas for hiking, skiing, snowmobiling, orienteering, trail-biking, shall be encouraged where done in conjunction with local landowners, the District Board and appropriate provincial agencies.

Part 4: Urban Centres

4.1 Introduction

For the purpose of this Development Plan, the term “urban centre” refers to the Town of Stonewall, the Town of Teulon and the community of Stony Mountain.

The SIPD recognizes the importance of strong urban centres in providing focal points for residential development, employment opportunities and essential services through their commercial and industrial sectors, and the essential quality of life ingredients that come with the educational, social, cultural and recreation amenities available to local and regional residents in these centres.

4.2 Objectives

The development plan Objectives in providing land use policy direction for the Urban Centres includes the following:

1. To encourage the location in urban centres of those proposed district developments that are truly urban in nature.
2. To ensure that maintenance, development and growth in the urban centres can occur in an orderly, sustainable, efficient, economic and healthy manner.
3. To protect and strengthen the Central Business District of each urban centre to ensure the continued functioning of the communities as local and regional centres for commercial, business, cultural and social activities.
4. To promote development in the centres that will enhance employment opportunities and foster a broad range of commercial, business, industrial, and community facilities.
5. To ensure land use compatibility between neighbouring land uses in the centres

6. To encourage long range plans for the development and maintenance of municipal infrastructure systems, including plans for “active transportation networks” of sidewalks, trails, paths, and walkways.
7. To ensure that development approval will be premised on the ability to provide efficient and economical municipal servicing to the areas of growth.
8. To emphasize the provision of ample open space and varied recreation facilities within the centres as a key quality of life component.
9. To ensure that an available reserve of lands exists that is adequate to meet the mid-term expansion needs of the varied land uses of the community.
10. To restrict haphazard and fringe development adjacent to the urban centres.

4.3 Policies

In addition to the applicable general policies in Part 2 of this Plan, the policies which follow below will assist the SIPD Board in achieving the stated objectives for the urban centres. See Maps 6, 7 & 8 for designated areas within the respective centres.

4.3.1 General Urban Policies

1. The growth of existing urban centres will be encouraged and the establishment of new settlement centres will not be permitted.
2. ‘Urban-like’ uses such as commercial, industrial, indoor recreational, intensive outdoor recreational, institutional, public and small lot residential uses shall be encouraged to locate in existing urban centres.
3. The growth of urban centres shall be directed so as to allow the provision of municipal infrastructure (including sewer, water and streets) services in an efficient and economic manner.
4. Urban centres shall plan for an appropriate mix of residential, commercial, institutional, recreational, industrial and public uses, in quantities reasonably related to demand.
5. Urban centres will encourage the infilling of vacant and under-utilized lots in order to make maximum use of existing services.
6. A buffer zone extending 1 mile outward from an urban centre boundary shall be established adjacent to each urban centre limiting the range and intensities of

land use activities (as defined in the appropriate zoning by-law) which may be detrimental to the long term logical expansion of those centres.

7. Subject to the policies of this plan, lands presently used for agricultural purposes within the urban centres shall normally be allowed to continue with such uses until such time that these lands are required for urban development. The interim development of these lands shall be regulated so as to facilitate an economic conversion to urban use.

8. While no specific land use category has been designated for institutional uses, with the exception of the Stony Mountain Institution, the policy will be to consider these uses in any use category.

9. Industrial, Business Park and Commercial uses within the urban communities of Stonewall, Teulon, and Stony Mountain in addition to the policies in this Part, will also generally be guided by the policy direction found in Parts 2.0 and 3.0 of this Plan where deemed appropriate by the District.

4.3.2 Urban Residential Area Policies

1. Residential development shall occur in such a manner as to minimize conflict with adjacent land uses and maximize the efficiency of municipal services.

2. Infilling of vacant lots in the designated residential areas will be encouraged.

3. Where undeveloped, or re-developed, parcels of land are being considered for future multi-lot residential development, concept plans shall be prepared by and at the cost of the developer, in order to illustrate how the lands can be efficiently developed in a well planned manner. Concept plans should show the arrangement of future roadways, building lots, the site's major physical features, drainage pattern, and open spaces. Development proponents will be encouraged to protect existing treed areas within their development wherever possible. The concept plan shall show how the proposed parcel of land will be integrated into the existing roadways and services of the area. The plan shall conform to the municipality's engineering and planning standards.

4. Senior citizens housing units shall be located in close proximity as possible to necessary community facilities, particularly central commercial ones.

5. The construction of the full range of high, medium and low density housing developments will be encouraged.

6. Mobile homes shall be required to locate in a mobile home subdivision or mobile home park zoned for this purpose.

7. Notwithstanding #6. above, a Mobile Home shall be considered as a Conditional Use throughout the Urban Residential area in the Town of Teulon.

8. The area designated for Urban Residential use east of P.T.H. No. 7 in the Town of Teulon, shall be limited to subdivision development with a minimum lot size no smaller than the smallest existing parcel size.

9. Home-based businesses are accessory to the primary residential uses and shall not have undesirable effects on neighbouring land uses or the provision of municipal services. Home-based businesses shall be regulated by the municipality's zoning by-laws.

10. Within urban centres, strategically located, un-serviced lands may be identified as reserved for future urban development by designation as "**Urban Residential Hold Area**". Such lands may be zoned in a Municipal Zoning By-law as "Limited Agriculture", "Open Space", or such similar other land uses which may be compatible with their eventual conversion to urban uses.

11. The conversion of un-serviced lands to serviced lands within an Urban Residential Hold Area will require:

- a) An Urban Expansion Development Strategy illustrating the types, distribution, relationships and organization of urban land uses to be established within the planned **Urban Residential Hold Area** and how they will be phased and integrated with the development of the urban centre;
- b) Completion of an Urban Servicing Strategy to guide the efficient extension of municipal services including roadways, any required on-highway improvements to the existing connections onto the provincial highway system, water, waste-water sewer and land drainage services;
- c) Coordination of a community stakeholder and provincial agency review of the proposed Urban Expansion Development Strategy and Urban Servicing Strategy by the municipality; and
- d) Complementary amendments to the municipal zoning by-law to provide additional guidance to land use development within the area being removed from the **Urban Residential Hold Area**.

12. In addition to the above, the conversion of un-serviced rural lands to serviced urban uses lands contained within a designated Urban Residential Hold Area will be subject to the residential, neighbourhood commercial, open space/park/institutional and transportation policies, as may be applicable, in the District Development Plan.

4.3.3 Commercial Area Policies

Central Business Districts

1. The Central Business District (CBD) will be developed and maintained as the main commercial, business and cultural centre of each urban centre.
2. CBDs shall be planned in a manner so as to enhance the attractiveness of the communities' main commercial District.
3. CBD land uses shall be developed in a compact and efficient manner.
4. New commercial development will be encouraged to locate in those areas of the CBD which are currently vacant, or alternatively, to expand the CBD in a contiguous manner wherever feasible.
5. Certain types of institutional developments will be encouraged within the CBD, including government offices, museums, social and cultural facilities.
6. Development design will be encouraged to incorporate attractive streetscaping (following local municipal standards or guidelines where adopted), nodes of open space, and architectural styles that are complementary to the character of the area.
7. Through landscaping programs and/or such concepts as “mini-parks”, open space in CBDs shall be planned in a manner so as to enhance the attractiveness of the communities' main commercial District.
8. Existing land uses that are incompatible with the CBD, due to noise, site area, hazardous uses, etc., will be encouraged to relocate to appropriate areas.

Highway Commercial Areas

1. Only those uses rendered unsuitable for downtown locations by virtue of the generation of heavy traffic flow, large site requirements, fire or nuisance hazards, and those uses that directly serve the motoring public shall be allowed to locate in designated highway commercial areas.
2. Highway Commercial development will be subject to the provisions of Section “2.3.6 Transportation Policies” of this Plan and in addition shall be located in areas which:
 - a) are adjacent to and well serviced with regard to major traffic corridors, and
 - b) do not detract from the viability of the CBD.

3. Approval of Highway Commercial development will take into account and may require information from the developer on, but not limited to, the following:

- a) parking requirements,
- b) site area requirements,
- c) entrance and exit approaches,
- d) landscaping,
- e) signs,
- f) building design,
- e) environmental impacts, such as noise, and
- f) effect on the transportation system.

Neighborhood Commercial - Activities such as convenience stores or other services to the immediate area may be considered outside of the CBD commercial areas within other designated land use areas, providing there is a demonstrated need, and:

- 1. the development does not detract from the viability of the CBD; and
- 2. design standards are employed which ensure the use is compatible with surrounding properties and neighbourhood.

4.3.4 Industrial Area Policies

- 1. All new industrial development in urban centres shall be directed into those areas designated as Industrial Development (I) on the urban area maps forming part of this by-law.
- 2. Incompatible existing industrial developments shall be encouraged to relocate into the designated industrial areas.
- 3. Where an industrial area, or use, abuts a more restrictive designated land use area, a buffer should be developed to minimize the impact on that use. Other measures to minimize any detrimental impact on adjoining land uses may be required at the discretion of Council.
- 4. Industrial development proposals shall be reviewed in terms of but not limited to the following criteria:

- a) effect on the transportation system;
 - b) effect on groundwater pollution;
 - c) emissions of odours, dust, smoke, noise, etc;
 - d) effect on residential areas or park and open space areas;
 - e) the feasibility of the provision of sewer and water and other municipal services; and
 - f) Contribution to the creation of jobs and expansion of the tax base.
5. Industries whose wastes are incompatible with the capabilities of existing municipal services may be held responsible to treat or safely dispose of their wastes.
6. Industrial uses which may not require municipal sewer or water hook-up (e.g. trucking depots, warehouses, etc.) may be considered in un-serviced parts of designated industrial areas in accordance with the policies of this plan and the accompanying zoning by-laws.
7. Those industries which may be obnoxious by reasons of noise, smoke, odour, etc. shall be treated as a “conditional use” under the local zoning by-law.

4.3.5 Streets and Transportation Policies

1. The local transportation system shall be efficiently designed and maintained to:
 - a) meet present and future traffic volumes;
 - b) provide for adequate parking, access and loading;
 - c) provide for safety, and
 - d) encourage the development of active transportation networks, e.g. sidewalks, trails, pathways, and walkways.
2. Where deemed appropriate, a hierarchy of streets (e.g. Local, Collector, & Arterial) may be established to assist in developing an efficient vehicular traffic system.
3. Rights-of-way for future street extensions should be designated and protected in order to provide for an efficient use of land and to ensure a proper alignment with the existing street system.

4. Urban Centre streets and transportation systems and related developments shall also comply with Part 2.3.5 Transportation Policies of this Development Plan.

4.3.6. Municipal Services

1. In instances where new development is proposed, information to be provided by, and at the expense of, the developer may be required in order to address the potential impact of the proposed development on existing or planned municipal or provincial infrastructure. This information shall include, but not be limited to; an analysis of the proposal's implications to sewer and water treatment and collection/distribution systems, storm water and surface drainage matters, traffic impacts, and soil suitability.
2. All urban development shall be connected to municipal services such as sewer and water where available.
3. Where wells are permissible,
 - a) well owners should continue to monitor their safe operation and maintenance, and,
 - b) all new wells should be constructed and old wells properly sealed to standards recommended by Provincial authorities to prevent groundwater contamination.
4. The availability and timing of the municipal servicing system extensions shall help direct the staging of future developments.
5. The scheduling of necessary improvements and expansion to the municipal sewage and water systems shall take into consideration such items as updated population projections, building activity and industrial development trends, in order that the system is not suddenly overburdened.
6. Sewer and water system maintenance and expansion shall generally be in accordance with municipal 5-year capital budget plans.
7. Reserve land for the potential expansion of the sewage lagoons in the District shall be maintained through appropriate setbacks, etc.
8. Provision shall be made for the environmentally acceptable disposal of all community and industrial wastes.

4.3.7 Parks, Institutional and Open Space

1. Planning and development of open space and parks in the urban communities shall accommodate the respective needs of individual neighbourhoods, the community as a whole and the region served by the community.
2. Dedication of land for public open space shall be required of major developments, for use as parks and playgrounds, in accordance with the provisions of *The Planning Act*.
3. The Board shall encourage the combined use and operation of school recreational sites with the School Board.
4. Non-compatible land uses shall not be allowed to develop in close proximity to existing recreational areas.
5. Areas in concept plans shall be identified to accommodate present and future land requirements for schools, health care facilities, and community recreation facilities. Such institutional uses shall be subject to the provisions of the municipal zoning by-laws.
6. The location of institutions shall be guided by their compatibility with the surrounding neighbourhoods in terms of convenience to users, traffic, noise, architectural design and proposed landscaping.

4.3.8 Fringe Area Development

1. In areas that are urbanizing, or urbanized, adjacent to incorporated urban centres, in addition to the application of the land use policies of this Plan, programs of inter-municipal cooperation such as tax-sharing or joint servicing will be encouraged so that orderly and efficient growth can be accommodated when urban demand warrants.

Part 5: Implementation

5.1 Basic Implementation Measures

The following measures and methods will implement the policies outlined in the South Interlake Development Plan:

5.1.1 Adoption of Development Plan

Adoption of this Development Plan by By-Law will give the plan the force of law. Once adopted any development or land use change must be generally consistent with the Development Plan (See Section 65, *The Planning Act*). Section 65 of the *Act* also states that adoption of a Development Plan does not require a board or council to undertake any proposal suggested in the plan.

5.1.2 Adoption of Zoning By-Law

Following adoption of the Development Plan, the member municipalities will enact Zoning By-Laws, which will set out specific regulations for land use and development.

Zoning By-Laws designate areas for certain types of development. Permitted and conditional uses 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.

Where conditional use applications for small scale industries and home based occupations occur within ½ mile of provincial highways, a copy of the conditional use notice and application will be circulated to the Department of Infrastructure and Transportation for their consideration.

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.

5.1.5 Development Permits

New development generally requires a development permit issued by the municipal council.

Before a permit is issued, proposals will be reviewed to determine their conformance with the Development Plan and Municipal Zoning By-Laws.

5.1.6 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 District approving authority, the municipal Council, and other relevant entities (Part 8 of *The Planning Act*).

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

A subdivision proposal cannot proceed without the approval of municipal Council and the District approving authority.

Council and/or the District approving authority may attach conditions to a subdivision approval in accordance with Section 135 of *The Planning Act*.

5.1.7 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.

5.1.8 Review & Amendment

The Development Plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the District. The Development Plan may be amended at any time when considered appropriate or necessary by the District. Section 43 of The Act provides that the Development Plan may set out the date by which the board must complete a review of it or within 5 years in accordance with Section 59(1).

5.1.9 Secondary Plans

Secondary Plans as provided for in The Planning Act may be adopted for a part of the District dealing with subdivision, design, road patterns, building standards or other land use and development matters; or, respecting economic development or the enhancement or special protection of heritage resources or sensitive lands.

5.2 Additional Measures

In addition to the measures outlined above, a municipality may also utilize the following.

5.2.1 Acquisition & Disposal of Land

A municipality 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

A municipality 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, including the accommodation of recommendations received from Provincial departments, 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, traffic impact and general risk to health and the environment.

5.2.4 Public Works

The capital works program and public improvements of a member municipality 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

Councils should consult the Development Plan when revising their annual five (5) year capital expenditure program.

5.2.6 Strategic Plans for Economic Development

As outlined in Section 258 of *The Municipal Act*, municipalities may adopt a strategic plan for economic development. Strategic plans should be consistent with the Development Plan. Communities should also take into account and build upon existing or proposed community vision statements and action plans prepared as part of the community round table process to ensure consistent objectives, policies and programs.

5.2.7 Municipal Cooperation

Implementation of the Development Plan may benefit from or require cooperation between one or more municipalities. Sections 259, 260 and 295 of *The Municipal Act* provide for tax sharing agreements, service sharing agreements and cost sharing agreements between municipalities.

5.3 Interpretation

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

Appendix A

DEFINITIONS

For purposes of this Development Plan, the definitions provided below and in the Provincial Land Use Policies shall normally apply. Further guidance may be obtained as necessary by reference to additional definitions provided as part of The Planning Act.

“agricultural operation” means an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward, and includes:

- (a) the tillage of land,
- (b) the production of agricultural crops, including hay and forages,
- (c) the production of horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs and greenhouse crops,
- (d) the raising of livestock, including grazing,
- (e) the production of eggs, milk and honey,
- (f) the raising of game animals, fur-bearing animals, game birds, bees and fish,
- (g) the operation of agricultural machinery and equipment,
- (h) the process necessary to prepare a farm product for distribution from the farm gate,
- (i) the application of fertilizers, manure, soil amendments and pesticides, including ground and aerial application, and
- (j) the storage, use or disposal of organic wastes for farm purposes;

“animal unit” means the number of animals of a particular category of livestock that will excrete 73 kg of total nitrogen in a 12 month period.

“aquifer” means a water bearing geological formation that is capable of producing water to wells or springs in quantities that are economically useful;

“Canada Land Inventory” means a series of maps prepared by the governments of Canada and Manitoba showing an evaluation of the capability of the land to support agriculture, forestry, wildlife (including ungulates and waterfowl), and recreation;

“development” means

- (a) the carrying out of the construction, erection or placing of any building or excavation or other operation on, over or under land, or
- (b) the making of any change in the use or intensity of use of any land or buildings or premises;

“Development Plan” means a plan, policy and program, or any part thereof, approved under The Planning Act, covering any area of land defined therein, designed to achieve stated objectives and to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts, maps or illustrations describing the program and policy;

“exploration” means a search for minerals or oil and gas by prospecting, by geological, geophysical or geochemical surveys, by trenching, stripping, excavating or drilling or by any other method;

“farmstead site” means that portion of the land of an agricultural operation on which is located a residence normally associated with the operator;

“gas” means natural gas that

- (a) contains methane and other paraffinic hydrocarbons, and might contain nitrogen, carbon dioxide, hydrogen sulphide, helium or minor impurities,
- (b) is recovered or recoverable through a well from a reservoir, and includes any fluid hydrocarbon, before and after processing, that is not oil or condensate;

“groundwater” means water below the surface of the ground;

“group camp” means a property consisting of a tract of land and any tents, vehicles, buildings or other structures that may be pertinent to its use, and any part of which may be occupied by persons for the purpose of **outdoor or indoor organized activities**.

“heritage resource” means,

- (a) a heritage site,
- (b) a heritage object, and
- (c) any work or assembly of works of nature or of human endeavour that is of value for its archaeological, palaeontological, prehistoric, historic, cultural, natural, scientific or aesthetic features, and may be in the form of sites or objects or a combination thereof;

“highway commercial” – includes land uses such as service stations, roadside restaurants and cafes, motels and hotels and uses of like character that provide essential uses to the highway user.

“land use plan” means a basic planning statement, Development Plan, Zoning By-Law, conservation District management plan, Crown land plan, park plan, street or highway plan, utility plan, subdivision plan or any other plan adopted by a municipality, District, the Province or a Crown corporation that directs land use in a specified area;

“livestock” means animals or poultry not kept exclusively as pets, excluding bees.

“livestock operation” means a permanent or semi-permanent facility or non-grazing area where at least 10 animal units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities, but does not include an auction mart.

“metallic mineral” means a mineral deposit from which a metal or metals can be extracted;

“mine” means an opening or excavation in the ground that is established or maintained for the purpose of mining and includes:

- (a) a quarry,
- (b) machinery, plant, buildings, premises, stockpiles, storage facilities, waste dumps or tailings, whether below or above ground, that are used for, or in connection with mining,
- (c) a crusher, mill, concentrator, furnace, refinery, processing plant or place that is used for, or in connection with, washing, crushing, sifting, drying, oxidizing, reducing, leaching, roasting, smelting, refining, treating or conducting research on mineral bearing substances, and

(d) an abandoned mine and abandoned mine tailings;

“mineral” means a non-living substance that is formed by natural processes and is found on or under the surface of the ground, irrespective of chemical or physical state and before or after extraction, and includes peat, peat moss and substances that are prescribed as minerals for purposes of The Mines and Minerals Act but does not include agricultural soil, oil, natural gas or any other gas, any surface or ground water or other substance that for purposes of The Mines and Minerals Act is prescribed not to be a mineral;

“mobile home” means a portable dwelling which is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has at any time such wheels attached, or is jacked up or skirted and which conform to the structural standards of the “Buildings and Mobile Homes Act”, Chapter B93, CCSM and amendments thereto.

“mobile home park” means an area of land upon which mobile home spaces are provided and have been approved by the Council.

“oil battery” means a facility to remove impurities, such as water and sand, from heavy oil. Oil is either flowlined or trucked into the battery facility.

“one hundred year flood” means a flood that can be expected to occur, on average, once in 100 years, or specifically a flood that has a one percent chance of being equalled or exceeded in any year;

“ordinary high water mark” means the level at which the water in a water body or waterway has been held for a period sufficient to leave a mark on the vegetation and/or soil along the bank; the line identified in a plan of survey as “O.H.W.M.” or “Ordinary High Water Mark”, or the line on a plan of survey delineating the bed of a water body or waterway;

“prime agricultural land” means land composed of mineral soil determined by Manitoba Agriculture to be of dryland Agricultural Capability Class 1, 2 or 3 and includes a land unit of one quarter section or more or a river lot, 60% or more of which is comprised of land of dryland Agricultural Capability Class 1, 2 or 3. In certain circumstances, land composed of organic soil determined by Manitoba Agriculture to be of dryland Agricultural Capability Class 01, 02 or 03 or land determined by Manitoba Agriculture to be of Irrigation Suitability Class 1A, 1B, 2A or 2B may also be considered prime agricultural land;

“provincial highway system” means highways declared to be provincial trunk highways and highways declared to be provincial roads, under The Highways and Transportation Act, and that have not been abandoned;

“public services” includes potable water; sewage and solid waste collection, handling, storage, treatment and disposal; storm and other surface water drainage; electrical generation, transmission and other distribution facilities; telephone and other public communication facilities; pipelines; roads, airports and

other public transportation facilities; parks and other recreational facilities; schools; health and social services; police, fire protection and other emergency services;

“quarry minerals” means minerals (contained in either surface or subsurface deposits or both surface and subsurface deposits) obtained by quarrying including aggregate (sand, gravel, crushed rock) shale, kaolin, bentonite, gypsum, clay, silica-rich sand, peat, salt, coal, and rock or stone used for any purpose other than as a source of metal, asbestos, potash, oil and natural gas;

“recreational development” means a development of a recreational nature, including campground development, canoe routes, cottages, summer resorts, and trails;

“rehabilitate” means, in respect of a project site or an aggregate quarry, the actions taken for the purpose of:

- (a) protecting the environment against adverse effects resulting from operations at the site or quarry,
- (b) minimizing the detrimental impact on adjoining lands of operations at the site or quarry,
- (c) minimizing hazards to public safety resulting from operations at the site or quarry, and
- (d) leaving the site or quarry in a state that is compatible with adjoining land uses and that conforms, where applicable, to a land use plan and to the specifications, limits, terms and conditions of a license issued under The Environment Act in respect to the project;

“residential development” means dwellings used permanently or occasionally including cottages unless otherwise specified;

“renewable resources” includes living things such as fish, wildlife, trees and other plants, and surface and groundwater;

“resource-related use” means a use or development that is directly dependent on the land’s resource base including agricultural operations, mining, forestry, fishing and trapping;

“rural areas” means all areas other than Urban Centres;

“rural residential” means Non-farm, single family residential development in rural areas excluding cottages;

“shoreland” means land within 300 m of the ordinary high water mark of a water body, or land within 90 m of the ordinary high water mark of a waterway;

“significant natural features” means landforms, flora and fauna that are unique to or characteristic of a region and are in danger of becoming scarce (for example, tall grass prairie in the Winnipeg area, Carberry Sandhills, and small prairie wetlands);

“sustainable use” means a level of use that a resource can permanently sustain without degradation;

“threatened or endangered plants and animals” means plants and animals indigenous to Manitoba declared endangered species or declared threatened species under The Endangered Species Act;

“Urban Centre” means incorporated cities, towns, villages, unincorporated village Districts and includes any settlement recognized as an Urban Centre by the government of Manitoba;

“viable lower class land” means land that is not prime agricultural land but that is used for agriculture or has the potential to be used for agriculture.

“water body” means a lake, pond or reservoir either naturally or artificially created that intermittently or continuously contains water;

“waterway” means open, defined channel, river, stream, drain or ditch, either naturally or artificially created, that intermittently or continuously contains moving water;

“wetlands” means depressional lowlands one-half acre or more in area including sloughs, potholes, marshes, oxbows and fringed open water containing temporary, seasonal or permanent water and supporting emergent vegetation such as cattails, bulrushes, bluejoint, whitetop and phragmites and submerged and floating aquatic plants such as water milfoil, bladderwort, pondweeds and waterlily;

“wildlife” means a vertebrate animal of any species or type that is wild by nature in the province, but does not include fish.

Appendix B

List of Maps

Map 1 – Regional Setting

Map 2A – Aggregate Resources – R.M. of Rockwood (South half)

Map 2B – Aggregate Resources – R.M. of Rockwood (North half)

Map 2C – Aggregate Resources – R.M. of Rosser

Map 3 – R.M. of Rockwood (South Half) – Land Use Classifications

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Map 6 – Town of Stonewall – Land Use Classification

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Map 10 – Rosser Settlement Centre

Map 11 – Meadows Settlement Centre

Map 12 – Grosse Isle Settlement Centre

Map 13 – Argyle Settlement Centre

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