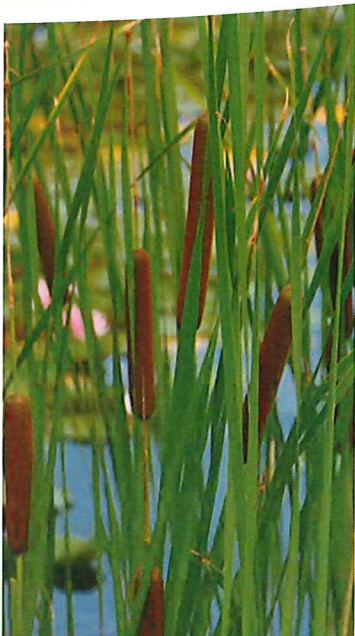


# WHITE HORSE PLAINS PLANNING DISTRICT

# DEVELOPMENT PLAN



“SCHEDULE A” TO BY-LAW NO. 1-2016



Prepared by:

 **LOMBARD NORTH GROUP**  
PLANNERS • LANDSCAPE ARCHITECTS • PROJECT MANAGERS



**WHITE HORSE PLAINS  
PLANNING DISTRICT  
DEVELOPMENT PLAN**

**September 2016**

Prepared for:

**White Horse Plains Planning District**

Prepared by:

**Lombard North Group Ltd.**

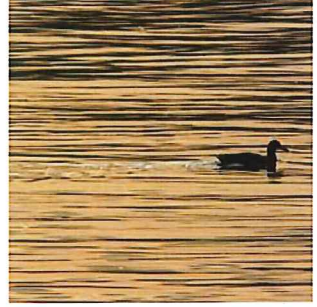
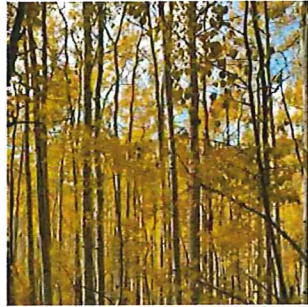
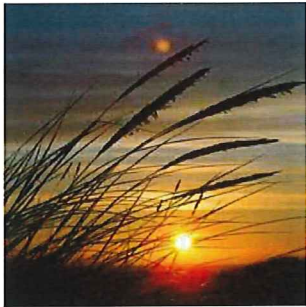
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# Part One

## Introduction



Part One provides important background information about the White Horse Plains Planning District Development Plan.

## 1.1 PURPOSE AND INTENT

A Development Plan is a statutory planning tool used by the public, the development community, Municipal Councils, the Planning District Board, and the Provincial government. It defines an overarching vision for how, where and when development should occur within a community. A Development Plan sets goals, objectives and policies to achieve this vision, and is the cornerstone from which planning and development decisions are made. The purpose of a Development Plan is to guide decision making respecting development, land use, conservation, essential services and infrastructure provision, and environmental stewardship.

The White Horse Plains District Development Plan (the Development Plan) contains policies on land use, transportation, recreation, economic activity, and the environment as they relate to growth and development. As the strategic planning document for the Planning District, this Development Plan provides clear direction to manage growth and development in a sustainable manner, while honouring the identity and history of the Planning District.

## 1.2 ENABLING LEGISLATION AND REGULATION

Municipal land use planning has its basis in *The Planning Act* of Manitoba, which makes provision for the preparation and adoption of development plans and zoning by-laws to guide and promote growth within a Municipality or Planning District. All development plans adopted in Manitoba must also be generally consistent with the *Provincial Planning Regulation*, specifically the *Provincial Land Use Policies (PLUP's)* contained within the Regulation (see the Framework of Planning in Manitoba in Figure 1). Both *The Planning Act* and the *Provincial Planning Regulation* are briefly detailed in turn, as follows:

### THE PLANNING ACT

This Development Plan has been prepared in accordance with Section 42(1) of *The Planning Act*, which states a Development Plan must:

- Set out the plans and policies of the planning district or municipality respecting its purposes and its physical, social, environmental and economic objectives;

- Direct sustainable land use and development in the planning district or municipality through maps and statements of objectives;
- Set out measures for implementing the plan; and
- Include such other matters as the minister or the board or council considers advisable.



Figure 1: Framework of Planning in Manitoba

### PROVINCIAL PLANNING REGULATION

The *Provincial Planning Regulation* provides guidance as to how land use planning and development should occur in Manitoba, and what a development plan should contain. This Development Plan is generally consistent with the PLUP's while being sensitive to the planning context of the Planning District. Once approved and adopted, this Development Plan replaces the PLUP's.

## 1.3 VISION AND PLANNING GOALS

The following Vision and Planning Goals will guide planning and development in the White Horse Plains Planning District:

### 1.3.1 VISION

*The White Horse Plains Planning District will be a thriving, diverse, connected and sustainable community offering a high quality of life where rural meets urban. Boasting vibrant communities, rich agricultural land and a robust economy, the Planning District is steeped in heritage while committed to progress, and will continually strive towards being age-friendly, accessible and active.*



### 1.3.2 PLANNING GOALS

The following goals were identified during the Development Plan Review process to inform objectives and policies contained within this Development Plan.

#### *Goal 1: Create Complete and Compact Communities*

Encouraging new residents and businesses to locate in the *Settlement Centre Policy Areas*, of Elie, St. Eustache, Springstein and the St. François Xavier Settlement Centre is the best approach to create complete and compact communities. Supporting existing settlement centres means residents will have improved access to services and facilities, travel distances will be reduced, and connections between where residents live, work, shop, and play will be improved. The Lido Plage area could serve as a centre for future growth if, or when, municipal services are provided.

#### *Goal 2: Protect Land Resources and Promote Sustainable Agriculture*

Agricultural lands and natural environments are important assets that contribute to quality of life, economic resilience, and sense of place. The Planning District is largely comprised of agricultural land uses and agriculture is a cornerstone of the local economy. Agricultural heritage, productive soils, and agricultural enterprises have shaped the Planning District into what it is today, and will continue to shape its future. To protect agricultural and natural assets promoting and planning for sustainable agriculture is essential. Planning for sustainable agriculture also includes sustainable livestock development practices.

#### *Goal 3: Manage Rural Residential Development*

Dispersed rural residential development serviced by wells and private wastewater services may not be sustainable over the long-term without a transition strategy that provides for the incorporation of municipal services and infilling. Furthermore, within the Capital Region there is an overall goal to limit the amount of lands re-designated for rural residential use. Policies promoting a more compact growth model can be effective in addressing the issues associated with rural residential sustainability, while continuing to provide a choice and variety of housing options within the Planning District.

#### *Goal 4: Plan for a Connected Planning District*

The White Horse Plains Planning District is strategically located approximately 20km west of Winnipeg. The St. François Xavier Settlement Centre and Lido Plage area are within commuting distance of the City with convenient highway access on PTH 1. Potential upgrades to the PTH1/PTH26 intersection and the proposed PTH1/Headingley By-pass will likely create demand and opportunity for increased commercial and residential development southeast of the St. François Xavier Settlement Centre. The Planning District is already connected to the Capital Region, but these strategic highway connections have the potential to increase development opportunities and pressures. Planning for a “connected Planning District” involves collaborative efforts to protect Provincial highway infrastructure, and plan for future infrastructure projects and associated development.

#### *Goal 5: Plan Sustainably*

Sustainability has been identified as a priority for future development within the White Horse Plains Planning District. Planning sustainably addresses the natural environment, flood risks, social issues, environmental concerns, socio-economic development potential, fiscal responsibility, and transportation issues. Factors ranging from the location and type of new housing developments, to how wastewater is managed, to how infrastructure improvements are financed, all contribute to the Planning District’s level of sustainability and quality of life. Planning sustainably also involves planning for climate change and reducing GHG emissions. Land use decisions directly influence total GHG emissions created, and as such, planning can play a vital role ensuring the long-term sustainability of the Planning District.

#### *Goal 6: Plan for Active and Connected Communities*

Communities offering a variety of parks, recreation, and natural areas have many economic, ecological, and social benefits. Parks improve residents’ physical and psychological health, strengthen communities, and make neighborhoods more attractive and vibrant places to live, work, and play. Walking and cycling benefit public health, reduce GHG emissions, and create more livable neighborhoods. From economic, environmental, community, and public health perspectives, the development pattern of the Planning District should allow for safe and convenient walking and cycling opportunities for residents and visitors.

*Goal 7: Plan for Age-Friendly Communities*

Creating age-friendly communities involves respecting, supporting, and planning for residents of all ages and abilities. Ensuring places that are accessible, safe, equitable, and making the appropriate provisions for seniors to age in place are important planning considerations. The Municipality of St. François Xavier is a member community of Age-Friendly Manitoba. The local community will embrace this designation and carry out age-friendly objectives throughout the Planning District.

*Goal 8: Plan for a Robust and Diverse Economy*

Economic growth is dependent on several factors including investment in the regional transportation system, municipal infrastructure, and a nurturing business climate where land is accessible and affordably priced for a variety of enterprises. The continued population growth of the Capital Region coupled with future upgrades to the regional highway network could position the Planning District for significant growth and development. By looking at planning issues from a regional perspective, opportunities exist to take advantage of the Planning District's location and competitive advantages for economic success.

*Goal 9: Address Changing Climate and Flooding Concerns*

Flooding occurs periodically in Southern Manitoba, particularly in the Red River Valley and along the Assiniboine and La Salle Rivers. Recent increases in the frequency and severity of flooding events may be tied to climate uncertainty. The Assiniboine River has recently experienced two major flooding events, in 2011 and 2014. The 2011 flood set a new record for the Assiniboine and both 2011 and 2014 were major flood events.

A series of flood protection facilities are in place along the Assiniboine River, including the Portage Diversion and a network of dikes, but planning and development along the Assiniboine and La Salle Rivers must be mindful of the impacts of flood events. The lands adjacent to the Assiniboine River are not currently governed by Designated Flood Area policies, as is the Red River Valley, thus local municipalities and planning districts must establish standards for flood protection and damage mitigation measures.

**1.4 CONTEXT**

This Development Plan recognizes the distinct context of the Planning District. The overarching vision, goals and policy direction provided herein are cultivated from an understanding of the Planning District's unique context. The context described in the following paragraphs was informed by the *White Horse Plains: State of the Region Background Study* which reviewed demographics, servicing levels and capacities, municipal finance, existing policy documents, building statistics, and mapping. It was also informed by a Strategic Planning Framework which outlined a variety of goals and objectives to guide and shape this Development Plan.

Local context was largely shaped by obtaining input from a variety of stakeholders including: Planning District Board members, residents from both member municipalities, the Municipality of Cartier Council, the Municipality of St. François Xavier Council, Administration from both Councils, and Provincial agencies and departments.

**1.4.1 REGIONAL CONTEXT**

The White Horse Plains Planning District is located in the Central Plains Region of Manitoba and is part of Census Division 10. Located in the northern portion of the Red River Valley, the Planning District is largely comprised of rich farmland. The Planning District is bordered by six Rural Municipalities including: The Rural Municipality of Macdonald, the Rural Municipality of Grey, the Rural Municipality of Portage La Prairie, the Rural Municipality of Woodlands, the Rural Municipality of Rosser and the Rural Municipality of Headingley (the Study Region).

In 2011, the Study Region had a combined population of approximately 22,918, compared to the White Horse Plains Planning District's population of approximately 4,393 (population of 1,240 for Municipality of St. François Xavier, population of 3,153 for the Municipality of Cartier). Elie is the primary settlement centre and service centre for the Municipality of Cartier. The Lido Plage area of Cartier and the settlement centre of St. François Xavier are located in close proximity to the City of Winnipeg and Headingley, and thus have few services despite significant populations.

**1.4.2 PLANNING CONTEXT**

The White Horse Plains Planning District is located within the Manitoba Capital Region and is comprised

of the Municipality of Cartier and the Municipality of St. François Xavier. While both municipalities are in the Capital Region, only St. François Xavier is considered to be within the Winnipeg Census Metropolitan Area (CMA), meaning at least 50% of workers commute into Winnipeg.

The Planning District's first Development Plan was enacted via By-Law 1-2008. This Development Plan replaced the Municipality of St. François Xavier Development Plan and the Municipality of Cartier Basic Planning Statement. Cartier and St. François Xavier each have their own municipal zoning by-laws. The St. François Xavier Settlement Centre is also governed by a secondary plan, which was completed in 2010.

#### 1.4.3 LAND USE CONTEXT

Land use in the Planning District is primarily agricultural, with over 95% of the area devoted to agricultural production. According to land use policy designations 86.3% of the Planning District is Rural General, 9.6% is Rural Limited, 1.3% is Settlement Centre, 0.52% is Rural Centre, 0.53% is Rural Residential and 0.26% is Business. In order to protect the agricultural integrity of the Planning District, future growth should be focused away from prime agricultural lands wherever possible.

#### 1.4.4 HERITAGE AND HISTORICAL CONTEXT

The Municipality of St. François Xavier and Cartier each possess a rich heritage, having been incorporated in 1880 and 1914 respectively. The Municipality of Cartier was created when it split from the then-larger Municipality of St. François Xavier in 1914. The Planning District is home to approximately 38 historic sites (19 in each municipality) as recognized by the Manitoba Historic Resources Branch and the Manitoba Historical Society. Furthermore, the Planning District is located in Treaty One territory and there exists a long history of peoples on these lands pre-dating surveys, settlement and cultivation.

#### 1.4.5 SOCIO-DEMOGRAPHIC CONTEXT

Both municipalities are experiencing population growth, which is a general trend in the Winnipeg Capital Region. In the Study Region the municipalities of Headingley, Macdonald and Woodlands experienced growth whereas the municipalities of Rosser and Portage La Prairie saw small declines in population. The Planning District's median age of

36.6 years is lower than the regional average of 38.5. At 34.6 years, the Municipality of Cartier has one of the lowest median ages in the Study Region.

Population projections were presented in the *White Horse Plains: State of the Region Background Study* to forecast the amount of land required to meet the growth needs of the Planning District. Two separate projections were modeled for the Municipality of St. François Xavier and the Municipality of Cartier in order to address the distinct growth issues in each jurisdiction. These projections were based on past growth figures and each municipality was assigned a low, moderate and high growth scenario. These population projections were used to inform supply and demand models which project the amount of residential building lots and associated number of acres required in each municipality to accommodate future growth.

#### 1.4.6 ECONOMIC CONTEXT

The agricultural sector is the dominant economic driver and a major employment sector within the Planning District. The Planning District is in close proximity to the City of Winnipeg and will therefore see continued development pressure in some areas, especially in the east in close proximity to the Trans-Canada Highway (PTH 1). As such, agricultural uses should be protected and preserved to ensure the sector's long-term viability.

The growth of the Winnipeg Capital Region and the proposed PTH 1/Headingley By-pass may present opportunities for population growth in the Planning District. The aforementioned proposed Bypass will reduce commute times to north Winnipeg, provide a direct connection to CentrePort and create new opportunities for highway commercial services at the intersection of PTH 1 and PTH 26, which could benefit from being upgraded to an interchange. These opportunities for growth and development must be balanced with adequate protection of agricultural lands and the provision of water and wastewater services.

Providing a variety of housing types and tenure options to appeal to a broad spectrum of lifecycles and lifestyles is an integral component of the Planning District positioning itself to attract business and industry. This will not only provide housing to an aging population, but will ensure adequate options for young adults and families.

#### 1.4.7 ENVIRONMENTAL CONTEXT

The White Horse Plains Planning District lies within the upper Red River Valley and is thus characterized by very flat topography with slopes less than 2%. The topography gently slopes from the west to the east from an elevation of approximately 243 metres above sea level to 238 metres above sea level. This flat topography coupled with soil types that are generally impermeable creates conditions in which water pools on the land during wet conditions. Furthermore, the Planning District is also affected by the flood cycles of the Assiniboine River, which have been more frequent and severe in recent years.

One of the most significant challenges facing the Planning District may be the threat of climate change, and the need to mitigate and adapt to potential change. Extreme weather events and difficulty growing certain crops pose an immediate threat to the Planning District's agricultural base. Furthermore, the relationship between warmer climates, extreme weather and flooding events may have a distinct impact. This Development Plan endeavors to articulate the environmental context of the Planning District, and proactively addresses potential threats of climate change, specifically in regards to agriculture, flooding and floodplain development.

#### 1.4.8 AGRICULTURAL CONTEXT

According to Canada Land Inventory (CLI) analysis, 98% of the land area in the White Horse Plains Planning District is comprised of prime agricultural land (CLI Classes 1, 2 and 3). The majority of Class 1 lands are found near the St. François Xavier settlement centre, on both sides of the Assiniboine River. The largest concentration of lower quality soils is found in the Municipality of Cartier north of St. Eustache (Class 6). There is a small area of Class 7 soils in the Municipality of St. François Xavier.

#### 1.4.9 SERVICES AND INFRASTRUCTURE CONTEXT

The Planning District is in close proximity to the City of Winnipeg, and as such, a full range of commercial and social services are not provided within the Planning District. However, educational, emergency and limited social and commercial services are present. The Planning District also boasts a wide variety of recreational opportunities and infrastructure, providing residents with all-season recreation options.

Major road routes in the Planning District fall under the classification of Provincial Trunk Highways (PTH) and Provincial Roads (PR). The Planning District encompasses one major highway: the Trans-Canada Highway (PTH 1), which is a limited-access 4 lane expressway which is high-speed and high-capacity. Additional Provincial Collector routes include PTH 26, which travels generally east-west from the Trans-Canada Highway to Portage La Prairie and provides access to development north of the Assiniboine River. Along the south side of the Assiniboine River, from the eastern boundary of the planning district to the intersection of PR 248 is PR 424, a Collector route. The primary north-south route through the Planning District is PR 248, with a Collector classification by Manitoba Infrastructure. PR 332 is a gravel-surfaced Secondary Arterial route that runs north-south between Dacotah and Starbuck in the Rural Municipality of Macdonald.

A map of the road and transport network in the White Horse Plains Planning District is included as Reference Map 10 in Part Six.

### 1.5 DEVELOPMENT PLAN STRUCTURE

This Development Plan is comprised of six inter-related parts. Each part provides information and direction with regards to land use decisions in the Planning District. A description of the parts contained within this Development Plan is as follows:

#### *Part One: Introduction*

This Part provides an overview of the Planning District, discusses background information, planning context, sets goals and provides a vision for how development should occur.

#### *Part Two: General Policies*

The general policies contained within this Part apply to all designated land use policy areas as identified in Parts Three and Four of this Development Plan.

#### *Part Three: Rural Policy Areas*

This Part provides objectives and policies to guide land use and development within the rural areas of the Planning District including: Rural General, Rural Limited, Rural Residential, Rural Centre and Business Policy Areas. Objectives and policies contained within this Part are supported by the land use maps found in Part Six.

*Part Four: Urban Policy Areas*

Settlement Centres represent the primary population centres and economic engines of the Planning District. Settlement Centres include St. François Xavier, Elie, Springstein and St. Eustache. The PTH #1 Secondary Planning Area is intended to provide fully-serviced development opportunities in proximity to the proposed PTH 1/Headingley By-pass and any potential upgrades to an interchange at PTH 1 and PTH 26, without compromising the efficiency or safety of any Provincial highway infrastructure. Objectives and policies contained within this Part are supported by the land use maps found in Part Six.

*Part Five: Implementation*

This Part provides an overview of the available tools used to implement this Development Plan.

*Part Six: Land Use Maps*

The land use maps within this Part denote the location of designated land use policy areas as identified in Parts Three and Four of this Development Plan.

## 1.6 HOW TO USE THE DEVELOPMENT PLAN

The White Horse Plains District Development Plan provides a roadmap to guide future decisions made by the Planning District Board and local Councils. The Development Plan contains objectives, which are intended to inform and provide context for the policy statements.

The Development Plan also contains policy and reference maps. The policy maps contained in Part Six spatially illustrate the policy areas affected by policy statements. The reference maps also contained in Part Six provide conceptual layouts for land use, transportation corridors, and key infrastructure improvements. A reference map's concepts are for illustrative purposes only and are provided to inform future development decisions based upon the policies within this Development Plan.

For ease of use this Development Plan uses the term "Municipal Council" to mean the Council of either the Municipality of Cartier or the Municipality of St. François Xavier, with jurisdiction over the subject lands for the proposed development. Furthermore, the term "Zoning By-law" refers to the applicable By-law from the municipality with jurisdiction over the subject lands for the proposed development.

The following is a general guide intended to assist the reader in navigating this Development Plan in relation to a proposed development, a proposal, or particular issue:

*Step 1*

Review the Land Use Maps in Part Six to determine how the subject land is designated;

*Step 2*

Review the policies in Parts Three and Four in relation to the subject lands current and proposed designation;

*Step 3*

Review the General Policies in Part Two;

*Step 4*

Review the Reference Maps in Part Six to determine potential future infrastructure improvements on the subject lands; and

*Step 5*

Evaluate the proposal based upon all the policies in the Development Plan and make an assessment as to whether a given project or proposal conforms to the intent, objectives and policies herein.



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# Part Two

## General Policies



Part Two defines the overarching objectives and policies respecting all land use and development within the Planning District. In addition to the policy provisions contained in Parts Three and Four that are applied to specific land use areas, the objectives and policies contained herein should be reviewed with respect to all proposed development. The following General Policies are described in Part Two:

- 2.1 Sustainable, Liveable and Resilient Communities
- 2.2 Age-Friendly Development
- 2.3 Hazard Lands, Riparian Areas and Erosion
- 2.4 Flood Risk Areas
- 2.5 Surface and Groundwater
- 2.6 Waterways
- 2.7 Drainage
- 2.8 Recreation and Natural Areas
- 2.9 Natural Resources
- 2.10 Heritage Resources
- 2.11 Utilities
- 2.12 Municipal Services and Infrastructure
- 2.13 Transportation
- 2.14 Hazardous Uses
- 2.15 Urban Design and Community Improvements

## 2.1 SUSTAINABLE, LIVABLE AND RESILIENT COMMUNITIES

### OBJECTIVES

- 2.1.1 To consider and encourage the three pillars of sustainable development (Economic, Environmental, Social) within the context of land use and development.
- 2.1.2 To proactively address potential threats of climate change through sustainable building construction, development, and planning practices.
- 2.1.3 To ensure communities are livable and developed in a manner which facilitates healthy lifestyles.

### POLICIES

The following policies support sustainable land use and development in the Planning District:

- 2.1.4 The use of low-flush toilets, and energy efficient appliances will be encouraged for all new buildings and retrofits to existing structures to conserve water and energy.
- 2.1.5 Building and site configurations are encouraged to take advantage of passive solar orientation.
- 2.1.6 The use of renewable energy sources such as solar, wind and geothermal will be encouraged for all new and retrofitted buildings.
- 2.1.7 A compact and integrated development pattern that makes provision for a variety of active transportation options will be encouraged for all new development to reduce transportation energy use.
- 2.1.8 Proposed land use(s) will be developed in a manner that will eliminate or minimize conflicts with adjacent land uses.
- 2.1.9 All proposed land uses shall be directed to the most appropriate designated Policy Areas, and urban-like land uses shall be directed to *Settlement Centre Policy Areas*. Upon the re-designation of land, the completion of a Secondary Plan, and the extension of municipal services, urban land uses may be directed to the *PTH #1 Secondary Planning Area*, should urban land uses be prescribed by

the Development Plan and Secondary Plan as a suitable land use (see 4.3.8).

- 2.1.10 Consideration should be given to the current and projected demand for proposed developments.
- 2.1.11 Subdivisions shall not be permitted unless they conform to the general intent of this Development Plan and *The Planning Act*.
- 2.1.12 Proposed land uses should be located on sites in which the land is physically suited for the purpose intended, particularly that the soil and drainage conditions are suited for the proposed development.

## 2.2 AGE-FRIENDLY DEVELOPMENT

### OBJECTIVES

- 2.2.1 To ensure that private and public spaces, both indoor and outdoor, are universally accessible and free of barriers that limit opportunities for individuals with disabilities to participate actively in society or to access vital health and social services.
- 2.2.2 To acknowledge that planning should consider the needs of all residents and visitors to the Planning District, regardless of age and ability.
- 2.2.3 To provide safe and accessible roadways, sidewalks, and paths that are well-kept, with quality urban design and signage that is understandable and promotes easy way-finding.

### POLICIES

The following policies shall guide development with respect to age-friendly development within the Planning District:

- 2.2.4 The Planning District should continue to actively work with the Age-Friendly Manitoba initiative to pursue age-friendly planning and development solutions.
- 2.2.5 The Planning District shall encourage universal design measures for all development in the public and private realms.
- 2.2.6 The Planning District should encourage compact, connected communities that offer active mobility options for all residents.



## 2.3 HAZARD LANDS, RIPARIAN AREAS AND EROSION

### OBJECTIVES

- 2.3.1 To protect the riparian areas adjacent to natural waterways and water bodies within the Planning District.
- 2.3.2 To ensure development does not occur in high risk areas. Development may occur in areas where the hazard can be protected against when adequate mitigation measures are taken to reduce negative impacts or increase the capability of the land to support the proposed development.

### POLICIES

The following policies shall guide development with respect to waterways, water bodies and hazard lands within the Planning District.

- 2.3.3 Hazard lands include areas subject to flooding, water erosion, bank instability, landslides or subsidence. More specific criteria defining hazard lands include:
1. Lands subject to water erosion are all lands that would, within a 50-year flood period, be eroded or become unstable due to the action of water contained in an adjacent waterway or waterbody; and
  2. Lands subject to other hazards such as landslides or subsidence are those lands where actual effects of such hazards have occurred or have been predicted by an accredited source such as a Provincial or Federal government agency.
- 2.3.4 Lands subject to other hazards such as landslides or subsidence are those lands where actual effects of such hazards have occurred or have been predicted by an accredited source such as a Provincial or Federal government agency.
- 2.3.5 Development will adhere to the regulations under *The Water Protection Act* and will be encouraged to occur in a manner that ensures waterways and groundwater resources are sustained.
- 2.3.6 Land subject to flooding, erosion or bank stability shall generally be left in its natural

state or only developed for low intensity uses such as open space recreation and wildlife habitat. At the discretion of the Municipal Council or Planning District Board, some developments may be permitted, however, development within the floodway will be restricted. Any said developments will be subject to the policies of Section 2.4.

- 2.3.7 In areas where a specific flood risk has not been identified, buildings shall be set back from all waterways a distance of at least 10 times the height of the bank above the ordinary high water mark (OHWM) or 60 metres (200 feet), whichever is greater. These limits may be reduced, at the discretion of the Municipal Council or Board, if verified by an engineering analysis.
- 2.3.8 Minimum setback regulations may be established in the applicable Zoning By-law for developments in proximity to active waste disposal grounds, sewage treatment lagoons, energy generating systems, natural gas and hydro transmission line rights-of-way, railway rights-of-way and other public utilities, as appropriate.
- 2.3.9 Development proposals on hazard lands shall require the completion of environmental, geotechnical, or hydrological engineering studies to determine if the land has potentially hazardous slopes or could be subject to other hazards, such as flooding. The said studies shall address means to eliminate risks or reduce risks to acceptable standards, as determined by the applicable Provincial authority, the Planning District Board and/or Municipal Council.

## 2.4 FLOOD RISK AREAS

The Assiniboine and La Salle Rivers have seen instances of severe flooding in recent decades, with notable floods occurring in 1976, 1979, 1995, 2011 and 2014. While a substantial amount of Provincial flood protection infrastructure exists in the Lower Assiniboine River Watershed, the Planning District has experienced significant disruption during recent flood events. The Development Plan contains policies to mitigate the physical and financial impacts of flood events and to protect human lives, property, livestock and natural resources. The intent of the following policies is to protect permanent

development along the waterways by using a Flood Protection Level of either the 200 year flood or the flood of record, whichever is greater, plus 0.61 metres (2 feet) of freeboard as determined by the applicable Provincial authority.

### OBJECTIVES

- 2.4.1 To minimize personal hardship and inconvenience, adverse effects on public health, and loss of life and safety.
- 2.4.2 To minimize property damage and public expenditure for flood relief and/or flood protection.
- 2.4.3 To restrict activities that could hinder the effectiveness of existing, or prevent the development of new, flood control works.
- 2.4.4 To ensure existing uses undertake adequate flood-protection measures in cases of expansion or improvement.
- 2.4.5 To maintain the natural capability of streams to convey flood flows.
- 2.4.6 To restrict activities that could negate the benefits derived from existing flood control works.

### POLICIES

#### GENERAL POLICIES

- 2.4.7 Development within Flood Risk Areas is generally discouraged in the Planning District. At the discretion of the Municipal Council or Planning District Board exceptions may be made, subject to engineering studies and flood protection measures being implemented.
- 2.4.8 Flood Risk Areas are all lands that would be flooded by a 200 year flood, or the flood of record, whichever is greater, specified by the applicable Provincial authority in areas of protected flood control works.
- 2.4.9 The applicable Provincial authority will assist in reviewing all development proposals in the Planning District to determine whether they are within the Flood Risk Areas.
- 2.4.10 Development proposals in the Flood Risk Areas shall require the completion of

environmental, geotechnical or hydrological engineering studies to determine if the land has potentially hazardous slopes or could be subject to other such hazards as flooding. These studies shall include recommendations regarding preventative and mitigating measures, based on consultation with the applicable Provincial department which:

1. Eliminate the risk; or
  2. Reduce the risk to an acceptable level; and
  3. Restore or rehabilitate damage that may occur.
- 2.4.11 In areas where the specific hazard has not been determined, buildings shall be set back from all waterways a distance of at least 10 times the height of the bank above the Ordinary High Water Mark (OHWM) or 60 metres (200 feet), whichever is greater, unless an engineering investigation shows that these limits may be reduced.
  - 2.4.12 Development proposals for lands located in the Flood Risk Areas shall be referred to the applicable Provincial authority for review and comment.
  - 2.4.13 As a matter of best practice, it is recommended that all habitable buildings, permanent structures and services, including animal housing facilities, in the Flood Risk Areas should have driveway access constructed to a grade elevation equal to the 50 year flood level.
  - 2.4.14 Low intensity uses such as some agriculture or open space recreational activities may be acceptable within the Flood Risk Areas.
  - 2.4.15 Lands within the Flood Risk Areas which are vacant, or not subdivided or designated for non-farm development, shall be left in a natural state, where possible, or maintained for limited low intensity uses.
- #### EXISTING USES
- 2.4.16 Uses in existence prior to the adoption of this Development Plan will be permitted to expand or rebuild, and new permanent structures may be constructed on appropriately-zoned existing parcels, subject to meeting the

following criteria:

1. All habitable buildings and private and municipal waste water services shall be protected to a grade elevation at least equal to the Flood Protection Level;
2. Animal housing facilities shall be protected to a grade elevation at least equal to the Flood Protection Level;
3. Permanent accessory structures, including machine shops and detached garages shall be protected to a grade elevation at or above the 200 year flood level as determined by the applicable Provincial authority (not less than 0.61 metres (2 feet) below the Flood Protection Level);
4. Flood protection may be achieved by either raising the building sites or constructing ring-dikes using clean, impervious fill, or other means based upon an engineering analysis, as approved by the Municipal Council or District Board;
5. Development shall not adversely alter, obstruct or increase water flow, flood velocities or flood stages and should adhere to all Provincial regulations and by-laws;
6. There shall be no added risk to life, health or safety;
7. Activities such as dumping, excavating and clearing, which could accelerate erosion or bank instability shall be prohibited; and
8. Natural vegetation, including trees and ground cover shall be maintained to prevent erosion and increase bank stability.

2.4.17 Existing facilities which may have a detrimental effect on water quality, including intensive livestock production operations, private wastewater lagoons, solid waste disposal sites, septic systems, commercial and chemical fertilizer storage facilities, fuel tanks, and similar, may be required to update said facilities to the Flood Protection Level if said facilities are receiving upgrades and/or improvements.

#### NEW USES

2.4.18 New development is not recommended within the Flood Risk Areas. However, at the discretion of the Municipal Council or the Planning District Board, it may not be practical or desirable for economic or social reasons to restrict new development within these areas of the Planning District. New developments shall, however, be carefully controlled to ensure that they are compatible with the risks or that the hazard has been eliminated or protected against. Where such exceptions are made, the following criteria shall be applied:

1. All habitable buildings and private and municipal waste water services, shall be protected to a grade elevation at least equal to the Flood Protection Level;
2. Animal housing facilities shall be protected to a grade elevation at least equal to the Flood Protection Level;
3. Permanent accessory structures, including machine shops and detached garages shall be protected to a grade elevation at or above the 200 year flood level as determined by the applicable Provincial authority (not less than 0.61 metres (2 feet) below the Flood Protection Level);
4. Flood protection may be achieved by either raising the building sites or constructing ring-dikes using clean, impervious fill, or other means based upon an engineering analysis, as approved by the Municipal Council or District Board;
5. Development shall not adversely alter, obstruct or increase water flow, flood velocities or flood stages and should adhere to all Provincial regulations and by-laws;
6. There shall be no added risk to life, health or safety;
7. Activities such as dumping, excavating and clearing, which could accelerate erosion or bank instability shall be prohibited; and
8. Natural vegetation, including trees and ground cover shall be maintained to prevent erosion and increase bank stability.

## 2.5 SURFACE AND GROUNDWATER

### OBJECTIVES

- 2.5.1 To protect surface and groundwater within the Planning District.

### POLICIES

The following policies shall guide development with respect to surface and groundwater within the Planning District:

- 2.5.2 Developments requiring significant water consumption shall only be permitted in areas where they will not cause a reduction in water supply for existing users. If groundwater is to be used as a source of water supply, it shall be done in a sustainable manner and comply with *The Water Rights Act* and *The Groundwater and Water Well Act*.
- 2.5.3 Wells shall be developed in a manner that will not have a detrimental impact on aquifers and abandoned wells shall be capped.
- 2.5.4 Development proposals, including irrigation and livestock operations, requiring more than 25,000 litres/day of self-supplied water require a water rights license under the provisions of *The Water Rights Act*. All self-supplied industrial and community well distribution systems also require a water rights license.
- 2.5.5 Developments or activities that may cause pollution or negatively impact drinking water sources, groundwater, aquatic life, or aquatic habitats will be directed away from major surface water bodies such as the Assiniboine River. Where this is not feasible or practical, such uses or activities may be considered adjacent to major surface water bodies provided:
1. It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the surface or groundwater supply;
  2. Appropriate precautionary measures have been taken to sufficiently mitigate the risk of endangering the quality of the water supply for domestic potable water supply purposes; or

3. The Planning District Board or Municipal Council has referred major developments proposed near waterways and water bodies to applicable Provincial and Federal authorities for review prior to approval.

- 2.5.6 Sources of public drinking water shall be protected by limiting certain uses and activities that could include, but are not limited to, agricultural fertilizer or pesticide application, cattle accessing the area, on-site waste water systems, and industrial and residential development, subject to appropriate Provincial regulation and at the discretion of the Planning District Board or Municipal Council.

- 2.5.7 Adherence to all Provincial regulations developed under *The Environment Act*, *The Water Protection Act*, *The Water Rights Act* and other pertinent documents will be required for proposed developments.

## 2.6 WATERWAYS

### OBJECTIVES

- 2.6.1 To maintain the natural capacity of waterways and waterbodies to convey flows.
- 2.6.2 To preserve and maximize the capability of waterways and waterbodies to be used for a variety of purposes including drinking water, irrigation and recreation.
- 2.6.3 To maintain and manage key shorelands to meet recreation, public access, erosion protection and water table retention requirements and to ensure the viability of critical environments for local flora and fauna.
- 2.6.4 To ensure that developments do not impact fish habitat, aquatic ecosystems or water quality.

### POLICIES

The following policies shall guide development with respect to waterways and waterbodies within the Planning District:

- 2.6.5 Land shall be developed in a manner which ensures waterways, waterbodies, aquatic ecosystems and shoreland areas

are sustained. The Planning District Board or Municipal Council may consult with appropriate Provincial or Federal government agencies in this regard.

- 2.6.6 Identification of waterways, waterbodies, groundwater and shorelands requiring protection or enhancement will be achieved through ecological programs at the Provincial, Planning District and Municipal levels. The extent of the required protection or enhancement will be directly related to the characteristics of the local situation such as, but not limited to: size and configuration of the waterway, waterbody, shoreland or groundwater; the need for public access; erosion rates; and recreation potential. Shoreland reserves or specific setback regulations may be created to protect shoreland, waterways or waterbodies. Where appropriate, public acquisition may occur by direct purchase, dedication through the subdivision approval process, easement, lease or a combination thereof.
- 2.6.7 Development shall occur in a manner that sustains the yield and quality of water from significant aquifers.
- 2.6.8 Public access to water and shore land areas shall be encouraged to foster appreciation for, and enjoyment of, nature. Access and activity levels shall not exceed the capability of the area to sustain the ecosystem.
- 2.6.9 The preservation and rehabilitation of native vegetation will be promoted in order to stabilize banks, filter run-off and protect surface water quality.
- 2.6.10 Development proposals requiring significant volumes of surface water and/or groundwater, shall be required to investigate the need for a Water Rights License. Development approval shall be withheld until such time as the need for a Water Rights License has been finalized.
- 2.6.11 Stream and shoreline alterations shall not be undertaken without the approval of the appropriate Provincial and Federal government departments.
- 2.6.12 Any proposed development adjacent to fish habitats, spawning sites and fish nursery areas shall conform to the following development criteria:
1. Measures to limit nutrient and sediment inflow shall be implemented before, during and after development;
  2. The construction of dikes is preferred to channel deepening and straightening;
  3. Land shall not be cleared, cultivated or developed to the water's edge; and
  4. Organic loading or siltation from agricultural run-off shall be prohibited.
- 2.6.13 Any approval requirements shall be obtained from applicable Provincial or Federal government departments.
- 2.6.14 In order to reduce nutrient loading to the Assiniboine and La Salle rivers, the Planning District will maintain riparian vegetation, support the use of non-phosphorus based lawn fertilizers and promote the proper maintenance of septic fields and tanks.
- 2.6.15 Lands should not be cleared or developed to the water's edge of creeks, streams and lakes. In order to maintain wildlife habitat and protect aquatic ecosystems and species the following buffers shall be retained, or if applicable, restored:
1. For first and second order drains a 15.00m (49.21 ft.) buffer of undisturbed native vegetation, upslope from the high water mark;
  2. For third order drains or higher order drains, natural waterways and natural waterbodies a 30.48m (100.00 ft.) buffer of undisturbed native vegetation, upslope from the high water mark; and
  3. Where indicator fish species, or identified species at risk are present, or the water body provides spawning, nursery, feeding or migratory habitat, a 30.48m (100.00 ft.) buffer, upslope from the high water mark.
  4. Within said buffer areas, shoreline alteration (e.g. pathways, docks and boat houses) should cover less than twenty-five percent (25%) of the land area.
- 2.6.16 Proposed major subdivisions and zoning amendments adjacent to waterways

and water bodies shall be forwarded to the appropriate Provincial and Federal government departments for comment and review.

## 2.7 DRAINAGE

### OBJECTIVES

- 2.7.1 To ensure drainage issues are addressed in a coordinated manner with input from applicable government departments and agencies, and adjacent municipalities.

### POLICIES

The following policies shall guide development with respect to drainage in the Planning District:

- 2.7.2 The Planning District will adhere to Provincial drainage guidelines and work cooperatively with the applicable Provincial authorities and adjacent municipalities to address any regional drainage issues.
- 2.7.3 Overall storm drainage plans for undeveloped areas may be required prior to development. Where development may increase storm flows and drainage into the Provincial highway system, the applicable Provincial authority must provide authorization. Costs associated with drainage into a Provincial highway drainage system will be the responsibility of the developer.

## 2.8 RECREATION AND NATURAL AREAS

### OBJECTIVES

- 2.8.1 To encourage the protection of a wide variety of recreational and scenic resources.
- 2.8.2 To prevent overuse and consequent degradation of recreational resources.
- 2.8.3 To ensure that land uses are compatible with adjacent Provincial recreation and resource areas.
- 2.8.4 To protect natural areas and habitats from incompatible or potentially incompatible uses including rare or endangered flora and fauna that have received designation and protection under *The Manitoba Endangered Species Act* or *The Federal Species At Risk Act*.

- 2.8.5 To recognize, protect and ensure the sustainability of Provincial Parks, wildlife protection zones and protected areas.

- 2.8.6 To minimize the impacts of development upon aquatic ecosystems, wetland environments and riparian areas.

### POLICIES

The following policies shall guide development with respect to recreation and natural areas within the Planning District:

- 2.8.7 Proposed subdivision or development on, or in proximity to, lands with significant capability for recreation shall only be permitted after the applicant has proven there will be no adverse effects on those lands, or that the development cannot practically be located elsewhere, to the satisfaction of the Planning District Board or the Municipal Council. The Planning District Board or Municipal Council may consult with appropriate Provincial government agencies in this regard.
- 2.8.8 Public access to recreation and natural areas shall be encouraged to foster appreciation for and enjoyment of nature, however such access shall not lead to levels of activity that will exceed the capability of the area to sustain the ecosystem and recreational integrity.
- 2.8.9 Development of a recreation area shall be limited to a level of intensity that permits the sustainable use of the recreational resource.
- 2.8.10 Recreational development shall be planned to be compatible with the natural environment, resource-related uses and other adjacent uses.
- 2.8.11 The Province may identify areas that are representative of major natural regions and may protect them from land uses that would negatively affect their ecological integrity. Natural areas and habitats shall be protected from incompatible or potentially incompatible uses where:
1. Rare or endangered flora and fauna have received Provincial designation and protection under *The Manitoba Endangered Species Act* or *The Federal Species At Risk Act*;

2. Lands have received Provincial designation and protection under *The Protected Area Initiative*;

3. Lands have been identified as Wildlife Management Areas or Provincial Parks; or

4. Private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.

2.8.12 Developments that would drain or fill any significant wetland or marshland area shall be prohibited, unless appropriate remedial measures have been or will be taken that are acceptable to the Province to sufficiently mitigate environmental risks.

2.8.13 The retention of tree cover shall be encouraged on unused road allowances, other municipal lands, lands along watercourses and land having low agriculture capability as a means to control erosion and wind damage and protect significant wildlife and aquatic habitat areas. Tree cover and wildlife shall also be protected by clustering developments separated by treed open space, and retaining natural drainage ravines to act as corridors for wildlife.

2.8.14 The Planning District Board or the Municipal Council shall encourage private landowners to seek advice from an applicable Provincial authority with respect to habitat removal and wildlife depredation and will support educational programs undertaken by the applicable Provincial authority.

2.8.15 Appropriate and compatible zoning will be applied to all lands that are adjacent to, or border, designated Crown Lands.

2.8.16 Development may be prohibited in areas that have received designation or protection under *The Manitoba Endangered Species Act* or *The Federal Species at Risk Act*. If development is permitted it shall be in accordance with the terms and conditions established by the applicable Provincial authority.

2.8.17 The Municipal Council may request a public reserve be added to subdivisions in order to provide active and passive recreation areas for residents and preserve natural and riparian areas.

## 2.9 NATURAL RESOURCES

### OBJECTIVES

2.9.1 To protect natural resources, including known sand and gravel deposits, from conflicting land uses which may prevent the economic extraction of minerals.

2.9.2 To rehabilitate, in accordance with applicable Provincial government regulations, lands disturbed by mineral exploration, development and production to a condition that is environmentally safe, stable and compatible with adjoining lands.

### POLICIES

The following policies shall guide development with respect to natural resources within the Planning District:

2.9.3 The Province designates areas of "High", "Medium" and "Low" mineral, quarry mineral, metallic mineral and oil and gas potential on maps for all regions of Manitoba. The following development status criteria shall be used:

1. Within an area designated as "High", no potentially incompatible land uses shall be allowed. Uses shall be limited to general agriculture, temporary uses or other uses that will permit access to the resource;
2. Within an area designated as "Medium", with input from the Mines Branch, a potentially incompatible land use may be permitted; and
3. Within an area designated as "Low", potentially incompatible land uses are permitted.

2.9.4 Aggregate and other quarry mineral deposits shall be protected from conflicting and potentially conflicting land uses.

2.9.5 Lands disturbed by mineral, quarry mineral or metallic mineral exploration or development shall be rehabilitated by the owner/operator in accordance with Provincial government legislation to a condition that is environmentally safe, stable and compatible with adjoining lands.

2.9.6 Minimum setback regulations shall be established in the applicable Zoning By-law for extraction operations and adjacent land uses.

2.9.7 Extraction operations shall be a Conditional Use in the applicable Zoning By-law. Conditions may include a site plan showing the staging of extraction, proposed buffering measures, a rehabilitation plan, a letter of credit related to proposed rehabilitation works, or cost-sharing of municipal infrastructure improvements.

2.9.8 Extraction operations shall require the acquisition of a permit under *The Mines and Minerals Act*.

## 2.10 HERITAGE RESOURCES

### OBJECTIVES

2.10.1 To protect known heritage resources in the Planning District from incompatible development and land uses that may threaten their integrity or operation.

### POLICIES

The following policies shall guide development with respect to heritage resources within the Planning District:

2.10.2 Subdivisions or developments that will endanger any site or structure with historic, architectural, or archeological significance as designated by applicable Provincial authority shall not be permitted.

2.10.3 Sites with heritage potential will be considered for designation as a municipal heritage site under *The Heritage Resources Act*.

2.10.4 The Planning District Board shall encourage and facilitate the identification of heritage resources in the Planning District.

2.10.5 The Planning District Board shall endeavour to preserve and protect its heritage resources through the judicious use of statutory instruments such as the applicable Zoning By-law, subdivision procedures, development permits, design by-laws and demolition by-laws.

## 2.11 UTILITIES

### OBJECTIVES

2.11.1 To work collaboratively with utility companies on all land development issues to ensure the sustainable provision of services within the Planning District.

2.11.2 To protect local and regional investments in infrastructure and utilities.

### POLICIES

The following policies shall guide development with respect to utilities and provision of related services within the Planning District:

2.11.3 Essential activities of government, public and private utilities will be permitted in any land use designation subject to requirements of the applicable Zoning By-law. Such uses should be located and developed in a manner that will minimize any incompatibility with neighbouring land uses.

2.11.4 The Planning District Board shall continue to work closely with all utility companies in planning compatible land uses along existing and proposed utility corridors. Developments will be approved on the basis of maximizing the utilization of existing utility systems and distribution networks.

2.11.5 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses that may threaten or adversely affect their operation.

## 2.12 MUNICIPAL SERVICES AND INFRASTRUCTURE

### OBJECTIVES

2.12.1 To ensure the provision of sustainable municipal services in the Planning District.

2.12.2 To promote water conservation and the economical and efficient delivery of municipal services in the Planning District.

2.12.3 To protect local and regional investments in infrastructure and utilities.



## POLICIES

The following policies shall guide development with respect to water, wastewater, solid waste management and provision of related services within the Planning District:

2.12.4 No new or expanded development shall be permitted in areas where essential services such as potable water supply, wastewater collection and disposal, storm water and drainage systems, public roadway access and communications cannot be provided or extended in a sustainable manner.

### WATER AND WASTEWATER

2.12.5 All development shall protect drinking water sources within the Planning District, including the Assiniboine River.

2.12.6 Land use patterns and development concepts that promote the provision of sustainable water and wastewater infrastructure shall be prioritized.

2.12.7 Where municipally operated water or wastewater services are provided within any developed area, new developments shall be required to connect to these services.

2.12.8 Where piped water or wastewater services are not available in the Planning District, development should be planned to efficiently and economically accommodate future provision of said services.

2.12.9 The Municipal Council or Planning District Board may implement, via development agreement, measures to allow for efficient and economical provision of water or wastewater services, such as siting houses on a lot in a manner which allows for future subdivision. The extension and/or improvement of piped water and wastewater services should be implemented so as to efficiently and economically service proposed development areas. Development patterns shall be established, and developments approved in a manner that supports district and regional solutions to water and wastewater service delivery.

2.12.10 Water supply and wastewater management systems, where provided, must be developed and operated in accordance with applicable

Provincial standards, including *The Environment Act*, *The Public Health Act* and *The Drinking Water Safety Act*.

2.12.11 The Planning District Board or Municipal Council may require additional analysis, at the expense of the applicant, to determine the impact of proposed development on existing and future infrastructure systems and related servicing requirements. This analysis may include, but is not limited to, storm water management plans, drainage studies, soil suitability analysis, water modeling and treatment analysis, sewer capacity and/or sewage lagoon capacity analysis.

2.12.12 All onsite wastewater management systems proposed in the Planning District shall ensure that the design and construction is suitable for the soil conditions and the lot size proposed for the development and shall comply with all requirements under the *MR 83/2003-Onsite Wastewater Management Systems Regulation* and must be registered with the applicable Provincial authority prior to installation.

2.12.13 Buffer areas, as established in the applicable Zoning By-Law, will be maintained around sewage treatment facilities to prevent the establishment of non-compatible land uses such as residential development.

2.12.14 Buffer areas, as established in the applicable Zoning By-Law, will be maintained around wastewater stabilization ponds and solid waste disposal sites, limiting land use to agricultural, industrial and specific open space or recreational uses that will not be adversely affected by these facilities.

2.12.15 Developments requiring significant water consumption shall only be permitted in areas where they will not negatively impact the instream flow of the river, cause a reduction in water supply for existing users and/or do not require the unnecessary expansion of existing water treatment and distribution infrastructure.

### SOLID WASTE MANAGEMENT

2.12.16 The Planning District will encourage the provision of waste management programs, such as for recycling and composting, and provide facilities for household hazardous waste disposal.

## 2.13 TRANSPORTATION

### OBJECTIVES

- 2.13.1 To provide and maintain safe and efficient vehicular transportation routes in the Planning District.
- 2.13.2 To encourage vehicular traffic to utilize the most appropriate transportation routes and generally direct large volumes of commercial, industrial and automobile traffic outside of residential areas.
- 2.13.3 To protect Provincial and Municipal investments in transportation infrastructure.
- 2.13.4 To minimize disruption to future local development and minimize acquisition costs for future transportation improvements.
- 2.13.5 To establish a road hierarchy within the Planning District.

### POLICIES

The following policies shall guide development with respect to roads and vehicular transportation networks within the Planning District:

### ACCESS

- 2.13.6 New development shall have legal access to an all-weather road of sufficient standard and capacity, unless the applicant makes an agreement with the Municipal Council in which the development is located to upgrade an existing road or develop new road access to an appropriate standard. The applicant may be responsible for part or all the costs of any necessary roadway construction.

### ROAD HEIRARCHY

- 2.13.7 The Planning District is comprised of a road system that includes municipal roads and Provincial roads and highways. These roads are illustrated in Reference Map 10 and policies specific to both municipal and Provincial roads are contained in this Section. The following road classifications have been assigned, as illustrated in Reference Map 10:

### ARTERIAL ROADS

- 1. Arterial roads are designed for large traffic volumes and high speed limits. Provincial Roads (PR's) and Provincial Trunk Highways (PTH's) are considered arterials within the Settlement Centres of the Planning District. Direct access to arterials should be via collector roads, and private driveways or access points should be limited.

### COLLECTOR ROADS

- 2. Collector roads are designed to collect traffic from local roads and distribute this traffic to arterial roads. Access to collector roads should be via local roads, and private driveways or access points should be limited. Collector roads are illustrated in Reference Map 10. For proposed collector roads within the Settlement Centre of St. Francois Xavier refer to *By-law 13-2010 St. François Xavier Secondary Plan*.

### LOCAL ROADS

- 3. Local roads are designed for low traffic volumes and speed limits. They connect private properties such as those located in the *Settlement Centre Policy Areas* with collector roads. Connections between new local roads and arterial roads should be avoided. Local roads represent the majority of municipal roads in the settlement centres of the Planning District.

### MUNICIPAL ROADS

- 2.13.8 Municipal roads shall be improved at the discretion of the Municipal Council and cost-sharing of improvements to unimproved road allowances or upgrading to existing improved roads may be required.
- 2.13.9 The location and construction of accesses to municipal roads shall be subject to the approval of the Municipal Council.
- 2.13.10 Applicants for major new developments, as determined by the Municipal Council and in consultation with its Public Works Department, shall where appropriate and feasible:

1. Provide their own collector road systems so as not to impose increased traffic on adjoining local streets;

2. Design the local road network in accordance with both existing and planned road systems of neighbouring areas. Where neighbouring lands do not have planned road networks, consideration shall be given to interconnectivity for the road network and active transportation routes;

3. Locate and construct accesses to municipal roads subject to the approval of the Municipal Council;

4. Provide through-routes that are direct, safe and pleasant for residents to walk and cycle to neighbours, schools, shops and related community services;

5. Provide mid-block crossing opportunities on major roads to improve residents' access to commercial and community service areas;

6. Enter into cost-sharing agreements, if necessary, to fund off-site improvements; and

7. Prepare transportation concepts, secondary plans and/or traffic impact studies, as required.

2.13.11 A setback distance for all buildings, structures, hedges, or similar obstructions adjacent to municipal roads, shall be specified in the applicable Zoning By-Law. Setbacks for buildings and structures and access to Provincial Trunk Highways and Provincial Roads are subject to Provincial jurisdiction and shall be in accordance with *The Highways Protection Act* and *The Highways and Transportation Act*.

2.13.12 The accommodation of vehicular, bicycle and pedestrian traffic along major traffic routes, either though shared or separated means, shall be promoted by the Planning District Board and Municipal Council, as appropriate.

2.13.13 The responsibility for internal roads associated with bare land condominium developments shall be stipulated in the development agreement between the applicant and the

Municipal Council, pursuant to *The Planning Act*.

#### PROVINCIAL ROADS AND HIGHWAYS

2.13.14 Developments may be permitted to locate near a Provincial highway (PTH and PR) only if the efficiency and safety of the adjoining highway is not jeopardized and the criteria listed in 2.13.15 are met.

2.13.15 Development near a PR or PTH shall be subject to the following design and siting criteria:

1. Strip development along the highway, whereby direct connections to the highway are relied upon for providing access to abutting properties, shall not be permitted;

2. Subdivision or development will not be permitted in areas designated for highway widening or expansion unless provisions suitable to the applicable Provincial authority are made to accommodate said future works;

3. Applicant may be responsible for the cost of highway improvements deemed necessary by applicable Provincial authority to accommodate a proposed development;

4. A permit and approval is required from the applicable Provincial authority for any new, modified or relocated access to all Provincial roads and Provincial trunk highways in the Planning District.

5. A permit and approval is required from the applicable Provincial authority or any construction / structure / signage above, below or at ground level for all Provincial roads and highways. A permit is also required for a change in use of land, structures and access within the control areas for Provincial Trunk Highways; and

6. Where a development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, new development should, where appropriate, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.

2.13.16 New development, which has the potential to generate significant vehicle traffic, shall be directed away from those areas and land uses where such levels of traffic could endanger public safety. Proposed developments that may be adversely affected by noise, dust and fumes from roadways and railways shall be located where there is adequate separation from these corridors or shall incorporate measures such as sound barriers or landscaped buffers to mitigate the conflict.

2.13.17 The location and construction of an access to a PR will be subject to approval by the applicable Provincial government authority. Access to a PTH will be subject to approval by the Highway Traffic Board.

2.13.18 The draining of any water into the highway drainage system shall require the approval of the applicable Provincial authority. Any improvements required to upgrade the existing highway drainage system, which are directly associated with a development, shall be the responsibility of the applicant.

#### RAILWAYS

2.13.19 Development on lands adjacent to existing active rail corridors in the Planning District should be adequately buffered from rail related uses and conform to the minimum setbacks required by applicable Provincial or Federal authorities.

2.13.20 Development should occur in a manner that minimizes the number of new at-grade rail crossings.

#### AIRPORTS

2.13.21 Development on lands adjacent to existing airports or airfields that could impede or negatively impact their use and operation shall not be permitted.

2.13.22 Development or land uses that could be hazardous to the occupants of land adjacent to existing airports or airfields due to regular airport operations will generally not be permitted.

#### ACTIVE TRANSPORTATION

2.13.23 Pathways, sidewalks and roadways which can safely accommodate pedestrians and cyclists

should be provided throughout the Planning District.

2.13.24 New development shall be encouraged to make provision for active transportation options or alternatives to private automobile use.

2.13.25 The continued use of PTH 26 for recreational cycling shall be accommodated.

## 2.14 HAZARDOUS USES

### OBJECTIVES

2.14.1 To reduce and prevent adverse and nuisance impacts of incompatible land use and development.

### POLICIES

The following policies shall guide hazardous uses in the Planning District:

2.14.2 Hazardous uses refer to facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials. New hazardous use facilities are generally not encouraged within the Planning District and shall not locate:

1. Within, or in proximity to, any *Settlement Centre Policy Area, PTH #1 Secondary Planning Area, Rural Centre Policy Area or Rural Residential Policy Area*; or
2. Any contemplated hazardous use should be separated from incompatible uses such as lands or buildings used primarily for human occupation or directed to an appropriately designated area.

2.14.3 The proposed expansion of an existing facility shall require Planning District Board or Municipal Council approval, as provided in the applicable Zoning By-law.

2.14.4 Anhydrous ammonia facilities shall not locate:

1. Within, or in proximity to, any *Settlement Centre Policy Area, PTH #1 Secondary Planning Area, Rural Centre Policy Area or Rural Residential Policy Area*;

2. In closer proximity to dwellings in other Policy Areas than is permitted or recommended by Provincial regulations and guidelines; and
3. In closer proximity to Provincial highways than is permitted or recommended by Provincial regulations and guidelines.

2.14.5 A site-specific groundwater pollution hazard appraisal may be required prior to the approval of a proposed new development or expanded facility.

2.14.6 Where development of a potentially hazardous use is proposed, further analysis may be required relating to the adverse impacts of the use such as the nature of any potential discharges, the nature of outside storage, the compatibility of surrounding land uses, and plans for buffering such activities from adjacent uses and human activities. Any required environmental or engineering studies may be the responsibility of the applicant.

2.14.7 Development or activities that could cause pollution under normal operating conditions may not be permitted in an identified groundwater pollution sensitivity area, as identified by the applicable Provincial authority, unless:

1. It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the groundwater supply; or
2. Appropriate remedial measures have been or will be taken to sufficiently mitigate the risk of endangering the potability of the groundwater supply.

## 2.15 URBAN DESIGN AND COMMUNITY IMPROVEMENTS

### OBJECTIVES

- 2.15.1 To promote and maintain an attractive and well-designed appearance in the Planning District.
- 2.15.2 To recognize the importance of quality design and benefits to residents and visitors provided by aesthetically pleasing environments.

### POLICIES

2.15.3 The Municipal Council, at their discretion, may impose design requirements and/or consult design professionals to recommend design requirements for major development proposals, such as multi-lot subdivisions, multi-family, commercial, industrial, institutional or recreation facility developments. Design considerations may include:

1. Building siting;
2. Exterior finishing materials;
3. Landscaping, fencing, screening and buffering;
4. Proposed development's relationship with neighbouring properties;
5. Preservation of existing natural features;
6. Visibility of public utilities or mechanical and electrical equipment;
7. Accessibility of site and buildings; and
8. Other matters considered pertinent by the Municipal Council.



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# Part Three

## Rural Policy Areas



Part Three contains policies governing rural areas, which comprise the majority of the Planning District's land area. The Rural Policy Areas within the White Horse Plains Planning District are:

- 3.1 Rural General Policy Areas & Rural Limited Policy Areas
- 3.2 Rural Residential Policy Areas
- 3.3 Rural Centre Policy Areas
- 3.4 Business Policy Areas

### 3.1 RURAL LAND USE POLICY AREAS

#### OBJECTIVES

- 3.1.1 To preserve the Planning District's natural assets including food-production lands, watersheds and natural habitat areas.
- 3.1.2 To protect agricultural lands in the *Rural Limited Policy Areas* and *Rural General Policy Areas* from non-farm rural residential uses and other forms of incompatible development.
- 3.1.3 To provide direction for livestock development within the Planning District, and ensure new operations or expansions to existing operations are planned to limit land use conflicts.
- 3.1.4 To provide buffer areas between potentially incompatible uses.
- 3.1.5 To support the agricultural sector as a key economic driver of the Planning District.
- 3.1.6 To ensure land uses are compatible with adjacent areas.
- 3.1.7 To ensure development occurs on lands suitable for said development.

#### POLICIES – GENERAL

In addition to the general policies described in Part Two, the following objectives and policies shall guide agricultural uses and development in the Planning District:

#### RURAL DESIGNATIONS

- 3.1.8 Agricultural uses shall be encouraged in areas designated *Rural General Policy Area*, and *Rural Limited Policy Area* as identified in their entirety on Policy Maps 1 and 2 of this Development Plan. The following policies guide planning and development in the designated Rural Policy areas.

#### RURAL GENERAL POLICY AREA

- 3.1.9 All lands within the *Rural General Policy Area* shall be preserved or utilized for the widest range of agricultural activities, including livestock operations, excepting those lands and uses which meet the provisions contained herein. Uses that are not agricultural in nature,

such as rural residential and recreational development will be kept to a minimum. Non-intensive recreational uses such as trails shall be permitted, whereas uses such as golf courses, playing fields and other intensive recreational uses shall be directed to other appropriately designated areas. To minimize the fragmentation of the agricultural land base, the minimum parcel size in the *Rural General Policy Area* shall be 80 acres.

#### RURAL LIMITED POLICY AREA

- 3.1.10 Agricultural activities within the *Rural Limited Policy Area* shall be limited to activities which do not have the potential to create land use conflicts with urban development within the Planning District. Examples of appropriate agricultural activities in this Policy Area include cropping, market gardening, tree nurseries, or other legitimate specialized agricultural operations as determined by the Planning District Board and Municipal Council. To minimize the fragmentation of the agricultural land base, where practical, the minimum parcel size in the *Rural Limited Policy Area* shall be 80 acres.

#### ALL RURAL POLICY AREAS

- 3.1.11 Unless specifically noted, the objectives and policies contained herein will apply to both the *Rural General Policy Area* and *Rural Limited Policy Area*.

#### NON-AGRICULTURAL USES

- 3.1.12 Any non-agricultural uses shall be subject to the following criteria:
  1. Non-agricultural uses shall not restrict existing livestock operations or cropping practices;
  2. Non-agricultural uses shall not cause expenses for road, drainage or other infrastructure services not generally related to local agricultural needs;
  3. Non-agricultural uses shall not be located in a manner that may interfere with the use or expansion of established solid waste management sites, sewage treatment lagoons, or other private/public utilities and services;



4. Non-agricultural development should be directed away from prime agricultural land, viable lower class land and livestock operations; and
5. Home occupations will be accommodated, subject to compliance with the standards set forth in the applicable Zoning By-law, and provided they are compatible with the adjacent uses.

#### EXISTING USES

- 3.113 Uses lawfully established prior to the adoption of this Development Plan, whether agricultural or non-agricultural, should be protected and new uses may be restricted, or may not be approved where they may conflict with these established uses.

#### EROSION

- 3.114 The Municipal Council shall support the protection of soil from wind and water erosion by encouraging the retention of existing, and the development of new, shelterbelts and other conservation measures.

#### WASTEWATER MANAGEMENT

- 3.115 All on-site wastewater management systems proposed in the designated rural areas shall ensure that the design and construction is suitable for the soil conditions and the lot size proposed for the development, shall comply with all requirements under the *MR 83/2003-Onsite Wastewater Management Systems Regulation* and must be registered with the applicable Provincial authority prior to installation.

#### REMOVAL OF TOPSOIL

- 3.116 The removal of topsoil, or other organic surface material on lands designated for agricultural use shall not be permitted unless approval has been granted by the Planning

District Board. This is not intended to restrict excavation for the purposes of drainage ditches, dikes, road construction, building sites or similar work, or gaining access to aggregate and other quarry minerals.

#### POLICIES – LIVESTOCK

- 3.117 Livestock operations are not permitted in the *Rural Centre Policy Area, Rural Residential Policy Areas, Settlement Centre Policy Areas or Business Policy Areas*. Within the *Rural Limited Policy Areas* new or expanding livestock operations shall be allowed to establish up to a maximum of 200 animal units as a conditional use (see Table 1).

- 3.118 *Rural General Policy Areas* shall be preserved and protected for a full range of agricultural activities and livestock operations with no maximum size limits subject to meeting Provincial government regulations and municipal zoning provisions.

- 3.119 Within *Rural General Policy Areas*:

1. New or expanding operations less than 300 animal units shall be allowed as a permitted use (see Table 1) in the *Rural General Policy Area* subject to meeting Provincial regulations and municipal zoning provisions;
2. New or expanding operations of 300 animal units or greater shall be considered as a conditional use in the *Rural General Policy Area* (see Table 1), shall be referred to the Technical Review Committee for Provincial review and shall follow procedures in accordance with *The Planning Act*; and
3. Notwithstanding (1) and (2) above, in recognition of existing land use patterns in portions of the Municipality of St. François Xavier, the Municipal Council, through the applicable Zoning By-law,

	UP 200 ANIMAL UNITS	201 – 299 ANIMAL UNITS	300 OR MORE ANIMAL UNITS
<b>Rural Limited Policy Areas</b>	Conditional Use	Not Permitted	Not Permitted
<b>Rural General Policy Areas</b>	Permitted	Permitted	Conditional Use

Table 1: Livestock Animal Unit Thresholds

may lower the threshold for conditional use applications in the *Rural General Policy Areas* provided sufficient rationale exist, such as proximity to residences, sensitive lands and drainage.

3.1.20 The applicable Zoning By-law shall apply the following to areas coinciding with *Rural Limited Policy Areas*:

1. New or expanding livestock operations to a maximum of 200 animal units shall be allowed as a conditional use (see Table 1) in the Agricultural Limited Zone subject to meeting Provincial regulations and municipal zoning provisions.

3.1.21 Minimum mutual separation distance(s) will be maintained in the *Rural Limited Policy Areas* and *Rural General Policy Areas* between new or expanding livestock operations, including confinement facilities and manure storage facilities, and designated *Settlement Centre Policy Areas*, *Rural Centre Policy Area*, *Rural Residential Policy Areas* and Provincial Parks, and those residences not accessory to the livestock operation. These mutual separation distances shall be established in the applicable Zoning By-law and shall be fifteen percent (15%) higher than the recommended Provincial setback standards for livestock operations which recognizes the semi-rural nature of the communities that also includes urban centres, water bodies and rural residential areas. The Municipal Council may, pursuant to *The Planning Act*, vary the mutual separation distance(s) as provided for in the applicable Zoning By-law.

3.1.22 Any new or expanding livestock operation in the *Rural Limited Policy Areas* and *Rural General Policy Areas* shall be subject to the following development criteria:

1. The livestock operation shall not locate in areas identified by detailed soil survey information at a scale of 1:50,000 or better to have an agricultural capability of Class 6, 7, or unimproved organic soils. In an area identified as Class 6, 7 or unimproved organic soils based on reconnaissance scale mapping, the applicant may be required to submit detailed soil survey for the site acceptable to the Province at a scale of 1:50,000 or better;

2. The livestock operation shall comply with the policies of the Flood Risk Areas, if applicable, as detailed in Section 2.4;

3. Management of livestock manure and mortalities shall comply with all applicable Provincial statutes and regulations; and

4. Where the livestock operation is within the vicinity of a Provincial highway or other designated Crown Lands (i.e. Provincial Park/Protected Area), a copy of the proposal shall be sent to all appropriate/applicable Provincial authority for review and comment.

3.1.23 Where an application for a Conditional Use approval for a new or expanding livestock operation in the *Rural Limited Policy Areas* is required, the said application shall be accompanied by the following information:

1. A detailed description of the proposed livestock operation;
2. The corporate identity and proof of property ownership;
3. A legal description of the land on which the proposed development is to occur, by lot, block, subdivision and registered plan numbers;
4. The owner's (and applicant if different from owner) name, address, signature and interest in the land;
5. A site plan showing the location of housing, storage and other facilities relative to the boundaries of the site;
6. Servicing needs; and
7. The appropriate application fee.

3.1.24 When considering approval of new or expanding livestock operations that require a Conditional Use permit, the Municipal Council will consider the following:

1. Application specific details including:
  - a. The type (i.e. cattle, hogs, etc.) and size (i.e. the total number of Animal Units, cumulative across the species) of the livestock operation and its location in relation to neighbouring land uses;

- b. Water supply (i.e. its source and consumption levels);
  - c. The nature of the land base (i.e. soils, crop practice, proximity to surface water, location within Flood Risk Areas, etc); and
  - d. Provincial guidelines and regulations governing livestock operations.
2. Reports from applicable Provincial review agencies (including the Technical Review Committee for operations of 300 AU or greater);
  3. Local resident concerns;
  4. The potential impacts generated by the livestock operation on the Provincial highway and municipal road systems;
  5. The need for a development agreement to be entered into between the applicant and the municipality dealing with the affected property and any contiguous land owned or leased by the owner, on one or more of the following matters:
    - a. The timing of construction of any proposed building;
    - b. The control of traffic;
    - c. The construction or maintenance - at the owner's expense or partly at the owner's expense - of roads, traffic control devices, fencing, landscaping, shelter belts or site drainage works required to service the livestock operation;
    - d. The payment of a sum of money to the municipality to be used to construct anything mentioned in subclause (c) at the expense of the applicant; or
    - e. Requiring shelterbelts to be established.

## POLICIES – SUBDIVISION

### SUBDIVISION FOR RESIDENTIAL USES

3.1.25 The subdivision of land for residential purposes in the *Rural General Policy Area* and the *Rural*

*Limited Policy Area* may be considered based on the following circumstances, and the requirements of the applicable Zoning By-law:

1. A single lot subdivision is proposed for a retiring farmer who wishes to subdivide an existing farm residence from the agricultural operation and retain it for retirement purposes;
2. A single lot subdivision is proposed when a bona fide farmstead site contains a farm residence that is rendered surplus due to the amalgamation of farm operations for purposes of farm enlargement;
3. A single lot subdivision that is contiguous with the existing farmstead site is proposed for an individual who significantly participates in the agricultural operation on an ongoing basis and derives an income from it;
4. Where a farm is incorporated and it is necessary to establish a separate residential site from the farm holdings for business or mortgaging purposes;
5. A single lot subdivision is proposed for a parcel that is isolated by a creek, drain, road or natural land feature and is of a size and shape that makes cultivation of the land physically impractical;
6. A single lot subdivision is proposed from an existing well-defined yard site which is a minimum of 5 acres and meets the following criteria:
  - a. The property is on lands originally established using the Dominion Land Survey System and is not a river lot;
  - b. Is contained within a mature shelterbelt;
  - c. Has frontage on an existing all-season municipal road;
  - d. Does not require a new road access/ driveway;
  - e. Does not contain any pasture or cultivated land nor results in net loss to agriculturally productive land;

- f. Will not result in any additional net costs to the municipality; and
  - g. Is in compliance with Provincial regulations for on-site wastewater management systems.
7. A subdivision is proposed as infill within the boundaries of the Pigeon Lake Infill Area as identified on Policy Map 9, whereas:
- a. The area proposed for subdivision is constrained on three sides by lands (including roadways and well established yard sites) that have not been farmed for a number of years;
  - b. The area proposed for subdivision is of a size and shape that cannot easily be farmed because of the constraining lands;
  - c. Any new and residual lots created as a result of the proposed subdivision will be a minimum of 2 acres and will be a size and shape that is generally consistent with other surrounding rural residential development; and
  - d. All homes in the Pigeon Lake Infill Area are located within the designated agricultural areas, and as such, agriculture is the prevailing use and the separation distances for individual residences will apply for all existing, expanding or newly constructed livestock operations.

3.1.26 The subdivision of land in the *Rural General Policy Area* and the *Rural Limited Policy Area* for residential purposes shall be subject to the following criteria:

1. Only one subdivision per 80 acre title may be permitted, with the exception of those subdivisions undern 3.1.25.7;
2. The proposed subdivision shall not be allowed on cultivated land and should be directed to tree covered areas or be located within a well-defined and existing mature shelterbelt that forms part of a farmstead site, not to generally exceed 10 acres, and must not be wasteful of agricultural lands;

3. The proposed subdivision must be capable of accommodating an on-site wastewater management system and have an adequate supply of potable water;
4. Municipal services such as drainage, school busing, fire protection shall be available to the subdivision site or can be provided without undue cost to the municipality;
5. The proposed subdivision must have legal access to a public road. Direct access to a Provincial highway is discouraged. Access should be via an all-weather municipal road where service improvements and/or extensions are minimized;
6. The proposed subdivision location shall comply with the mutual separation distances between livestock operations and dwellings;
7. The proposed subdivision of large agricultural parcels must leave a residual parcel that complies with the minimum site area and width established in the applicable Zoning By-law; and
8. The proposed subdivision shall not be subject to flooding, erosion or bank instability as defined in 2.3 and 2.4.

#### **SUBDIVISION FOR SPECIALIZED AGRICULTURAL USES**

3.1.27 The subdivision of land for specialized agricultural uses in the *Rural General Policy Area* and the *Rural Limited Policy Area* may be considered based on the following circumstances, and the requirements of the applicable Zoning By-law:

1. A single lot subdivision for specialized agricultural operations such as tree nurseries, apiaries, market gardens and other bona fide agricultural operations may be allowed on parcels of land that are less than the minimum area specified in the applicable Zoning By-law provided the operation has already been established, or if it is supported by a business plan or arrangements acceptable to the Municipal Council and applicable Provincial authority.

### SUBDIVISION FOR COMMERCIAL OR INDUSTRIAL AGRICULTURAL USES

3.1.28 The subdivision of land for certain commercial or industrial agricultural uses in the *Rural General Policy Area* and the *Rural Limited Policy Area* may be considered based on the following circumstances, and the requirements of the applicable Zoning By-law:

1. A single lot subdivision is proposed for an agricultural commercial or industrial use that provides services, machinery, equipment or goods specifically required by agricultural operations. The proposed agricultural commercial or industrial use may need to be supported by a business plan; and
2. A single lot subdivision is proposed for an agricultural commercial or industrial use that provides storage or processes products grown or raised by an agricultural operation. The proposed agricultural commercial or industrial use may need to be supported by a business plan.

3.1.29 The subdivision of land in the *Rural General Policy Area* and the *Rural Limited Policy Area* for specialized agricultural, commercial and industrial uses shall be subject to the following criteria:

1. The location and siting of the proposed development will not create land use conflicts, and where possible, be directed away from prime agricultural land. Developments shall make provisions for adequate buffering or screening to mitigate against potential noise, dust or visual conflicts with adjacent uses. The applicable Zoning By-law will specify which uses will be considered as permitted, conditional, or prohibited;
2. The location and siting of the proposed development will be adjacent to existing developments of a similar nature and preferably be located in clusters rather than strips;
3. The location and siting of the proposed development will be restricted to the same side of a Provincial highway facility

where existing development has already occurred. Wherever possible, frontage roads or access roads will be utilized to limit direct access to the Provincial highway system; and

4. Areas contemplated for uses listed in 3.1.27 and 3.1.28 shall require a re-zoning to an appropriate zone identified in the applicable Zoning By-law. These uses shall be listed as either permitted or conditional uses. Any dwelling constructed on the subject lands shall be accessory to the specialized agricultural or commercial and or industrial agricultural use.

### SUBDIVISION FOR BOUNDARY ADJUSTMENTS

3.1.30 The subdivision of land for the readjustment of farm boundaries affected by rivers, streams, highways, large drains and other such features may be permitted in both the *Rural General Policy Area* and the *Rural Limited Policy Area*, if it is deemed necessary to accommodate agricultural practices. Consolidation of titles is recommended and will be required when the subdivision is on cultivated land or where the parcel is within the minimum separation distance of a livestock operation.

## 3.2 RURAL RESIDENTIAL POLICY AREAS

*Rural Residential Policy Areas* provide an alternative to urban living in the *Settlement Centre Policy Areas* of the Planning District or other urban areas of the Capital Region. While it is recognized that demand exists for rural residential development in the Planning District, sprawling, ill-planned rural residential development serviced by onsite wastewater management systems may not be sustainable over the long-term without a transition strategy that provides for the incorporation of municipal wastewater services. Policies promoting compact, clustered rural residential development are effective in addressing the issues associated with rural residential sustainability, while continuing to provide a choice and variety of housing options within the Planning District. When new *Rural Residential Policy Area* designations occur, rural residential development should be addressed in a sustainable manner.

Within the Capital Region, the Province discourages planning authorities from identifying new Rural

Residential designations if there is an existing supply of undeveloped designations in the area. As an alternative, the Province encourages municipalities and planning districts to consider rebalancing the supply of designated lands if certain lands are deemed better suited for such development.

### OBJECTIVES

- 3.2.1 To ensure rural residential development does not infringe upon prime agricultural lands, interfere with agricultural operations or limit the expansion of settlement centres.
- 3.2.2 To ensure rural residential development occurs in a well-planned manner to allow for potential future intensification and efficient provision of urban services.
- 3.2.3 To intensify rural residential development at locations where it currently exists in the Planning District.
- 3.2.4 To utilize a “no net new” approach to rural residential development in which currently designated lands which may have development constraints are traded for lands which can be feasibly developed.
- 3.2.5 Utilize the Pigeon Lake Infill Area as a tool for limited infill opportunities in the existing residential node which lies within a non-designated area.

### POLICIES

In addition to the general policies described in Part Two, the following policies shall guide rural residential development in the Planning District:

#### RURAL RESIDENTIAL DESIGNATION

- 3.2.6 Rural residential development shall only be allowed in areas designated as *Rural Residential Policy Areas*, as shown in their entirety on Policy Maps 1 and 2 of this Development Plan.

#### LAND USE

- 3.2.7 The following land uses shall be accommodated in the *Rural Residential Policy Areas*:
  - 1. Rural residential opportunities such as single-family dwellings and cottage dwellings;

- 2. Limited recreation and open space uses such as parks, playgrounds and nature trails;
- 3. General agricultural uses such as farming, pasturage, agriculture, apiculture, floriculture, horticulture, and non-commercial farms legally operating as of the date of the adoption of this Development Plan;
- 4. Agri-commercial, agri-industrial uses and highway commercial operations legally operating as of the date of the adoption of this Development Plan; and
- 5. Home occupations which comply with the applicable Zoning By-law, are compatible with the adjacent rural residential uses and maintain residential character of the property.

#### INFILL DEVELOPMENT

- 3.2.8 Infill to areas designated *Rural Residential Policy Areas* will be encouraged before expanding or re-designating more lands for rural residential development.

#### RURAL RESIDENTIAL DEVELOPMENT

- 3.2.9 The following policies apply to rural residential development on lands designated *Rural Residential Policy Areas*:
  - 1. Rural residential development shall provide a parcel size (minimum 2 acres for Unserviced sites) that will preserve the rural character while accommodating an onsite wastewater management system according to appropriate Provincial regulations;
  - 2. Rural residential development shall be planned in a manner that will not produce unacceptable social or economic costs. The approving authority, Planning District and Municipal Councils will consider the impact of such development on the provision of public services including schools, school bussing, hydro, telephone, highways, police and fire protection, health care and recreational facilities, snow removal and refuse collection.
  - 3. Rural residential development shall

protect natural features such as creeks, tributaries, riparian areas, and retain or enhance existing tree cover;

4. Rural residential development shall be directed away from prime agricultural land and existing or approved livestock operations;
5. Rural residential development shall provide adequate surface drainage, septic system or other approved method of effluent disposal and a potable water source pursuant to all Provincial standards; and
6. Rural residential developments of 4 or more lots require a concept plan. Concept plans can describe phasing, cost of extending services, transportation impacts, school, and recreation opportunities. The applicant may also be required to undertake additional studies, such as Access Management Plans, by qualified professionals to demonstrate the land is suitable for the purpose for which the development is intended, as determined by the Planning District Board or Municipal Council, or the applicable Provincial authority.

#### FUTURE MUNICIPAL SERVICES

- 3.2.10 As a component of future servicing, buildings in the *Rural Residential Policy Areas* should be sited on lots to enable the efficient re-subdivision of land to a higher density and to ensure the economic provision of municipal services at a future date.
- 3.2.11 The District Board or Municipal Council shall have the power to enforce building siting, when necessary, via the use of development agreements.

#### RE-DESIGNATION OF LANDS TO RURAL RESIDENTIAL POLICY AREAS

- 3.2.12 The re-designation of land to *Rural Residential Policy Areas* will not be permitted within the *Rural General Policy Area*.
- 3.2.13 Under certain circumstances the re-designation of land to *Rural Residential Policy Areas* may be permitted in the *Rural Limited Policy Area* subject to amending the

Development Plan and Provincial approval. It will be the responsibility of the applicant to demonstrate that:

1. The supply of rural residential lots in the Planning District is no longer adequate to accommodate identified and justifiable demand over a five year time frame;
2. Existing lands designated for rural residential development, but that has not been developed as such, have been undesignated for rural residential use;
3. The proposed re-designation is compatible with adjacent land uses and natural areas;
4. The proposed new rural residential development is contiguous with existing designated rural residential areas as identified in their entirety on Policy Maps 1 and 2;
5. The proposed rural residential development is not located on cultivated agricultural land, is adequately separated from existing livestock operations and located to minimize land use impacts with agricultural activities on adjacent parcels;
6. The proposed rural residential development can be adequately flood proofed and serviced to a rural residential standard without creating environmental or servicing concerns;
7. The proposed rural residential development is not located on the fringe of *Settlement Centre Policy Areas* and shall not impede the logical expansion of the settlement centres of the Planning District;
8. The proposed rural residential development must be capable of accommodating on-site wastewater management systems as determined by appropriate Provincial regulations, have an adequate supply of potable water and have frontage and access to an existing municipal road or internal road; and
9. The proposed rural residential development shall comply with the minimum mutual separation distances between new or expanding livestock operations, including

barns and manure storage facilities, and those residences not accessory to the operation, pursuant to the applicable Zoning By-law. Said mutual separation requirements shall meet the minimum recommended Provincial setback standards for livestock operations. The White Horse Plains Planning District may, pursuant to *The Planning Act*, vary the mutual separation distance(s) as provided for in the applicable Zoning By-law.

10. The siting and design of the proposed development meets the standards contained in the applicable Zoning By-law and all other relevant regulations.

#### SUBDIVISION

- 3.2.14 The subdivision of lands designated *Rural Residential Policy Area* may be considered provided the new lots conform to the policies above, and the requirements of the applicable Zoning By-law.

### 3.3 RURAL CENTRE POLICY AREA

The *Rural Centre Policy Area* provides opportunities for people to live in a rural setting in close proximity to urban centres and amenities. Unlike *Rural Residential Policy Areas*, the *Rural Centre Policy Area* is intended to be developed with municipal services including water and wastewater sewer. There is one designated *Rural Centre Policy Area* in the Planning District located at Lido Plage, as shown on Policy Maps 1, 2, 4 and 8. The *Rural Centre Policy Area* is intended to be predominantly residential in character, however opportunities may exist for some commercial and institutional uses to serve the needs of local residents.

The *Rural Centre Policy Area* at Lido Plage holds strong potential for growth in the Municipality of Cartier due to its attractive natural setting and proximity to the City of Winnipeg. Existing development in this area occurred without municipal wastewater services, but the area has reached its limit to support this style of development. Environmental issues, such as pollution from failing septic fields, the impact of large lot development on adjacent agricultural lands, and ensuring the efficient provision of municipal and school services warrant the implementation of a sustainable approach to development in this area.

Municipal wastewater systems, unlike private septic or holding tank systems, are able to meet environmental stewardship objectives, protect surface water quality in our rivers, and are the most financially sustainable municipal approach to accommodating rural residential demand in the Capital Region. While the *Rural Centre Policy Area* at Lido Plage is not currently serviced with municipal wastewater, studies to provide these services were underway at the time of writing. Without the provision of services and plans to address traffic issues at PTH 1 and PR 424, it is acknowledged that the *Rural Centre Policy Area* at Lido Plage may only experience limited infill development until a Secondary Plan is prepared.

A Secondary Plan will guide the development of the Lido Plage area by integrating land use with transportation and municipal infrastructure improvements. This will be accomplished in a manner consistent with the Planning District's commitment to sustainable development. The Secondary Plan should also make provisions for the future expansion of the *Rural Centre Policy Area* at Lido Plage by re-designating lands to make efficient use of municipal wastewater infrastructure if and when it is extended to the area.

#### OBJECTIVES

- 3.3.1 To provide a range of residential living environments within the Planning District by directing serviced estate and rural residential development to specific nodes within the Planning District, while maintaining a rural character.
- 3.3.2 To promote compact development by focusing serviced development in select locations characterized by similar uses.
- 3.3.3 To provide opportunities for limited local-scale commercial and institutional services.
- 3.3.4 To provide areas for residential development that are connected to the local and regional transportation network and in areas where flooding risks are not present or have been minimized.
- 3.3.5 To minimize the negative impacts of ex-urban development impacts on agricultural uses, natural resources and food production by promoting efficient use of land and providing a full range of water and wastewater services.



## POLICIES

The following policies apply to the designated *Rural Centre Policy Area*:

- 3.3.6 Infill of existing residential lots shall be encouraged and should take priority over expansion into undeveloped areas of the designated *Rural Centre Policy Area*.
- 3.3.7 Municipal wastewater lagoons or treatment plants shall have sufficient capacity to accommodate the proposed development.
- 3.3.8 Limited commercial or institutional development may be permitted within the *Rural Centre Policy Area* with the intent of serving the local population of these areas. Any such development must meet the standards of the applicable Zoning By-Law.
- 3.3.9 The Flood Risk Areas policies in Section 2.4 take precedent, where applicable.
- 3.3.10 The Municipal Council or Planning District Board may implement, via development agreement, measures to allow for efficient and economical provision of water or wastewater services, such as siting houses on a lot in a manner which allows for future subdivision.
- 3.3.11 The Municipal Council or Planning District Board may allow for holding tanks to be used on lots less than 2 acres in area within the *Rural Centre Policy Area*. This is intended as a temporary measure for lands scheduled to receive future provision of wastewater services. Holding tanks must be located to enable future connection to municipal services. Properties utilizing holding tanks must connect to municipal services once available within a reasonable timeframe.
- 3.3.12 Prior to development occurring, a Secondary Plan must be prepared for the entire *Rural Centre Policy Area*. The plan must include:
1. The site's major physical features and relationship between proposed development and existing and future development;
  2. A framework to guide the provision of municipal services for existing development within the plan area and future development adjacent to the plan area;
3. A public consultation process to engage local community stakeholders and define a vision for the secondary planning area;
  4. Plans illustrating the location and phasing of municipal services, including the organization and layout of streets, residential, park and recreation uses, and demonstrate how serviced rural residential uses will be integrated with surrounding land uses, transportation infrastructure and land drainage systems;
  5. Policy direction for refining municipal zoning by-laws and development agreement parameters in support of plan implementation; and
  6. A proposed development cost-sharing structure to provide equity among land owners.
- 3.3.13 The Secondary Planning process should be used as a tool to study the further expansion of the *Rural Centre Policy Area* at Lido Plage through the re-designation of land to accommodate future developments that would utilize municipal water and wastewater services, when they are available.
- 3.3.14 Development in the designated *Rural Centre Policy Area* at Lido Plage will be contingent on the preparation of the following, at the discretion of the Municipal Council or the District Board and the applicable Provincial authority:
1. A servicing study to determine available water and wastewater services;
  2. A traffic impact study for the Secondary Planning area; and
  3. A functional design plan that considers the need for access locations and intersection improvements along PTH 1 and PR 424, and approved by the applicable Provincial authority.
- 3.3.15 The applicant may be required to fund the Secondary Plan or necessary servicing or engineering studies. In cases with multiple ownership, the Planning District may establish

an area charge, or similar levy, to allow for reimbursement of any fees paid upfront by the applicant(s).

3.3.16 Notwithstanding Policies 3.3.11 to 3.3.13 above, limited infill development within the Lido Plage *Rural Centre Policy Area* may occur, subject to the following provisions:

1. Extensions of the *Rural Centre Policy Area* through re-designation of land will not be considered until municipal water and wastewater services are in place. A Secondary Plan must be completed prior to development occurring;
2. Infill subdivisions to a maximum of four (4) lots will be accommodated, without having to undertake a Secondary Plan;
3. For multi-lot subdivisions up to four (4) lots the Municipal Council may require a concept plan be prepared, at their discretion;
4. Subdivision of higher density residential may be considered to enable improved future provision of municipal services such as piped water and sewer;
5. Minimum lot sizes shall be established in the applicable Zoning By-law to permit effective on-site disposal of sewage and to minimize the risk of groundwater pollution. Where lot sizes and soil conditions can not support the effective operation of a septic field, holding tanks shall be used; and
6. If holding tanks are used, they must be located to enable future connection to municipal services. Properties utilizing holding tanks must connect to municipal services once available.

### 3.4 BUSINESS POLICY AREAS

*Business Policy Areas* provide employment and opportunities for economic development within the rural areas of the Planning District. This section outlines policies that accommodate general commercial and industrial as well as agri-commercial/industrial, highway commercial and related land uses in appropriate rural settings.

### OBJECTIVES

- 3.4.1 To provide future rural employment opportunities in the Planning District.
- 3.4.2 To prevent incompatible land uses from intermixing.
- 3.4.3 To ensure that proposed developments could be serviced to an appropriate rural standard and in a cost-effective manner with respect to road access, water supply and wastewater disposal.
- 3.4.4 To ensure proposed developments do not negatively impact the environment or adjacent uses.

### POLICIES

- 3.4.5 The following land uses may be accommodated in the *Business Policy Areas*:
  1. Highway commercial developments that provide services to the travelling public such as service stations, restaurants and cafes as well as hotels and motels;
  2. Agri-commercial or agri-industrial uses such as farm equipment and machinery repair shops, feed and fertilizer supply operations, commercial seed cleaning plants, agricultural implement sales and service establishments and aerial spraying companies;
  3. General industrial uses, such as general contractor services, warehouse sales as well as equipment or implement sales or rentals that accommodate a mix of manufacturing, assembly, distribution and services with outdoor operational storage characteristics; and
  4. Existing land uses as of the date of the adoption of this Development Plan.
- 3.4.6 Business and commercial uses should locate within the *Settlement Centre Policy Areas*. However, such uses may locate outside the boundaries of the *Settlement Centre Policy Areas* in *Business Policy Areas* in cases where:
  1. They will not conflict with agriculture or the Provincial highway system; and

2. They cannot locate within the *Settlement Centre Policy Areas* due to:
  - a. Their requirement for larger parcels of land;
  - b. Incompatibility with residential uses, or
  - c. A need to provide essential services to highway users.

3.4.7 The Municipal Council shall use the following criteria when considering proposed developments:

1. The compatibility with surrounding development in terms of land use function, operational emissions and scale of development;
2. The relationship to municipal land, rights-of-way or easement regulations;
3. The effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
4. The use is located wherever possible on lower class land;
5. The site meets the requirement of the applicable Zoning By-law and has adequate acreage to meet the needs of the use intended, but is not wasteful of agricultural land;
6. Direct access to the Provincial highway system will be discouraged, whereby access to the Provincial highway system should be via the municipal road system;
7. Water, drainage, sanitary disposal, hydro, telephone and road access can be economically provided;
8. The storage, treatment and discharge of all effluent and emissions and disposal of all waste meeting the approval of Manitoba Conservation and the Municipal Council; and
9. Where the development is proposed in the vicinity of a Provincial highway, a copy of the proposal shall be circulated to the applicable Provincial authority for review and comment.

3.4.8 For multi-lot developments within the *Business Policy Areas* the applicant shall provide a concept plan demonstrating the general layout of the lotting and circulation within the proposed development and how it will interact with adjacent developments and the Provincial or municipal transportation network.



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# Part Four

## Urban Policy Areas



Part Four contains policies that govern urban land uses within the Planning District, including residential, institutional, commercial and other land uses suitable for fully-serviced communities with a more urban character. The Urban Policy Areas within the White Horse Plains Planning District are:

- 4.1 Settlement Centre Policy Areas
- 4.2 Settlement Centre Hold Policy Areas
- 4.3 PTH #1 Secondary Planning Area

## 4.1 SETTLEMENT CENTRE POLICY AREAS

The *Settlement Centre Policy Areas* of St. François Xavier, Elie, Springstein, and St. Eustache represent a concentration of population and services within the Planning District. These settlement centres are intended to support a variety of urban land uses including residential, institutional, commercial and limited industrial. They can accommodate a greater variety of housing types, public services, recreation amenities, and municipal infrastructure when compared to the agricultural areas, rural residential areas and the rural centre of Lido Plage. Compact development and a diversity of uses will be encouraged within the settlement centres to maximize existing investment, and to create thriving, self-sufficient growth areas that are integral to the Planning District's future and distinctive local character. The following objectives and policies will guide development in the *Settlement Centre Policy Areas* of the White Horse Plains Planning District.

### OBJECTIVES

- 4.1.1 To promote compact growth and development in the *Settlement Centre Policy Areas* and recognize their importance within the region.
- 4.1.2 To further develop the *Settlement Centre Policy Areas* as full-service, self-sufficient, complete communities within the Planning District.
- 4.1.3 To ensure that a sufficient supply of residential, commercial and industrial land is available to meet present and future needs in each settlement centre.
- 4.1.4 To ensure development occurs in a manner that is compatible and harmonious with adjacent land uses.

### POLICIES – GENERAL

In addition to the General Policies described in Part Two, the following policies shall guide development in the *Settlement Centre Policy Areas* within the Planning District:

- 4.1.5 All development within the *Settlement Centre Policy Areas* will be subject to any existing Secondary Plans, the use and site requirements provided in the applicable Zoning By-law, and the following policies:

- 1. An appropriate mix of residential, institutional, commercial, industrial, parks, recreation and opens space uses, in quantities reasonably related to demand, shall be encouraged;
- 2. Development shall respect and protect known heritage resources;
- 3. Where new development is proposed, infrastructure such as roadways or piped services, will be installed to municipal standards. The development may be required to contribute towards the cost of new or existing infrastructure requirements;
- 4. Lot sizes and densities shall be governed by the limitations of existing sewer and water services within each Settlement Centre, and subject to compliance with the standards set forth in the applicable Zoning By-law. Where piped services are available, lot sizes should be smaller to provide for a higher density of development, and thus more efficient operation of piped services. New lots shall connect to municipal services where available; and
- 5. Where municipal wastewater services are not available:
  - a. Lot sizes should be of adequate size for accommodating on-site sewage disposal systems as determined by appropriate Provincial regulations; and
  - b. Dwellings should be sited on the lot to allow for future infilling if municipal services are extended to the development area.

### POLICIES – RESIDENTIAL DEVELOPMENT

The following policies shall be used to guide the development of residential uses in the *Settlement Centre Policy Areas*, subject to the use and site requirements provided in the applicable Zoning By-law:

- 4.1.6 Residential development shall be compact, contiguous and facilitate the efficient provision of municipal services.

4.1.7 A variety of housing types including multi-family, seniors or special purpose housing will be encouraged subject to compliance with the standards set forth in the applicable Zoning By-law, and in a manner that is compatible with adjacent uses.

4.1.8 Multiple lot residential subdivisions shall require the developer to prepare a concept plan illustrating lot configuration, street layouts and active transportation connections.

4.1.9 Infill development shall be encouraged on vacant lands.

4.1.10 Home occupations will be accommodated, subject to compliance with the standards set forth in the applicable Zoning By-law, provided they are compatible with the adjacent uses and the residential character of the property is maintained.

4.1.11 Mixed use residential development will be accommodated, subject to compliance with the standards set forth in the applicable Zoning By-law, and provided that they are developed in a manner considered compatible with adjacent uses.

4.1.12 Secondary suites shall be encouraged as a way of increasing residential density, affordable housing, and extending family living options.

4.1.13 Mobile home parks may be accommodated in areas as designated through the applicable Zoning By-law and should be connected to a full range of municipal services, including water and wastewater sewers.

#### **POLICIES – INSTITUTIONAL DEVELOPMENT**

The following policies shall be used to guide the development of institutional uses in the *Settlement Centre Policy Areas*, subject to the use and site requirements provided in the applicable Zoning By-law:

4.1.14 Social or cultural institutions serving the entire Planning District shall be encouraged to locate in a central location within the settlement centres that is easily accessible to the entire community and minimize any negative impacts on residential areas.

4.1.15 Major institutional facilities requiring large tracts of land or major service extensions

shall be required to undertake a concept plan illustrating lot configuration and street layouts.

4.1.16 Site area requirements for institutional uses shall be established in the applicable Zoning By-law.

4.1.17 Institutional uses which are more appropriately located in residential areas should give due consideration to minimizing any adverse impact on the surrounding residential environment.

4.1.18 The design of institutional buildings should be in keeping with the character of the area.

#### **POLICIES – COMMERCIAL AND INDUSTRIAL DEVELOPMENT**

The following policies shall be used to guide the development of future commercial and industrial uses in the *Settlement Centre Policy Areas*, subject to the use and site requirements provided in the applicable Zoning By-law.

4.1.19 Commercial and industrial uses will be encouraged to locate within the *Settlement Centre Policy Areas* in order to support and strengthen the viability of the Planning District and its communities.

4.1.20 New commercial and industrial developments shall be encouraged to locate on existing lots of record. Where such development is not feasible on existing lots, new commercial and industrial lots can establish through the subdivision process.

4.1.21 Commercial and industrial uses which have the potential to generate activities that pose safety, health or nuisance hazards, may require large tracts of land or require reduced levels of service shall generally be encouraged to locate in the *Business Policy Areas*.

4.1.22 Commercial and industrial development shall occur in such a manner as to minimize conflicts with adjacent land uses. Where commercial and industrial uses are adjacent to residential developments, adequate buffering and screening will be required as stipulated in the applicable Zoning By-law.

4.1.23 To prevent potential land use conflicts, industrial uses will be listed as a conditional use in the applicable Zoning By-law.

4.1.24 Specialized small scale operations such as market gardens shall be permitted within *Settlement Centre Policy Areas*.

4.1.25 Multi-lot subdivisions and large scale commercial or industrial developments shall be required to prepare a concept plan.

#### **POLICIES – PARKS AND GREEN SPACE**

4.1.26 Appropriately located parks and green space shall be encouraged in the *Settlement Centre Policy Areas*.

#### **POLICIES – ACTIVE PEDESTRIAN AMENITIES**

4.1.27 Active transportation will be encourage in the *Settlement Centre Policy Areas* through the provision of conveniently located and connected sidewalks, trails and pathways. All new development shall be encouraged to make provision for active transportation options.

#### **POLICIES – LIVESTOCK**

4.1.28 Livestock operations shall not be permitted in the *Settlement Centre Policy Areas*. Keeping of limited livestock on residential parcels as an accessory use will be regulated in the applicable zoning by-law.

#### **POLICIES – SUBDIVISION**

4.1.29 The subdivision of lands designated *Settlement Centre Policy Areas* may be considered provided the new lots conform to the policies above, and the requirements of the applicable Zoning By-law.

### **4.2 SETTLEMENT CENTRE HOLD POLICY AREAS**

The *Settlement Centre Hold Policy Areas* are intended to direct the incremental growth of the Settlement Centre(s) in a manner that supports the Planning District's commitment to sustainable growth. The primary intent is to ensure that sufficient lands are retained to provide adequate supplies of serviceable land for expansion of these centres beyond the time horizon of the Development Plan.

#### **OBJECTIVES**

4.2.1 To ensure development lands are available

in sufficient supply to meet the needs of the Planning District.

4.2.2 To prevent premature development and servicing of lands.

4.2.3 To ensure development occurs in a sustainable, well-planned fashion.

#### **POLICIES**

The following policies apply to lands illustrated as *Settlement Centre Hold Policy Areas* on Policy Map 4:

4.2.4 The Zoning By-laws may establish urban reserve zones to control development in the *Settlement Centre Hold Policy Area*. This zone may permit limited development on existing lots serviced with on-site sewage disposal systems and wells, where appropriate and where said development would not interfere with future orderly expansion of the Settlement Centre, subject to restrictions as may be deemed necessary.

4.2.5 Where application is made to re-designate a *Settlement Centre Hold Policy Area* to a *Settlement Centre Policy Area*, the following policies may apply:

1. The proponent shall provide a supply and demand study, in the form acceptable to the Province, to provide proof of demand to justify the creation of further supply.
2. The proponent shall provide concept plans to show:
  - a. The site's major physical features and relationship or balance between development and open spaces, farmland, forest or other natural resources;
  - b. The proposed subdivision design including: lot sizes, roads, surface drainage, sewer and water lines, open spaces and the like;
  - c. The proposed phasing of development and coordination with existing development so as to ensure efficient and economical extension of municipal infrastructure and servicing, and prevent disjointed development patterns; and



- d. Other matters as may be deemed necessary by the Board or Council.

4.2.6 The applicant may be required to enter into a development agreement or cost-sharing agreement at the discretion of the Municipal Council.

### 4.3 PTH #1 SECONDARY PLANNING AREA

The construction of the proposed PTH 1/Headingley Bypass and the potential redesign of the PTH 1/PTH 26 intersection may have a profound impact on the configuration of the Provincial Highway network in the vicinity of the St. François Xavier Settlement Centre and Lido Plage areas. Not only will there be physical changes to the transportation network, it is also anticipated that these investments in highway infrastructure will increase development pressure in the Planning District in two key ways:

- Shortened travel time to the north end of Winnipeg, especially the CentrePort area, may increase the appeal of the St. François Xavier Settlement Centre and Lido Plage for workers commuting to Winnipeg.
- A shift in highway traffic from the existing PTH 1 alignment through Headingley to the Bypass may increase demand for highway commercial services, especially for trucking.

The *PTH #1 Secondary Planning Area* (identified on Maps 1, 2, 4 and 8) is intended to allow for future urban development of areas affected by the potential redesign of the PTH 1/PTH 26 intersection into an interchange and/or the PTH 1/Headingley Bypass when the final alignments are determined, highway construction is completed, and urban services are in place.

#### OBJECTIVES

- 4.3.1 To facilitate a collaborative planning process between the Municipal Council, Planning District, and relevant Provincial authorities concerning the design, location and alignment of the Bypass and interchange, as well as impacts on new and existing land uses.
- 4.3.2 To allow for wellplanned, orderly development in the vicinity of the proposed PTH 1/Headingley Bypass and the PTH 1/PTH 26 intersection.

4.3.3 To accommodate a variety of land uses in a strategic location with strong transportation connections.

4.3.4 To provide fully serviced urban development in order to meet the anticipated increase in commercial and residential demand after the completion of the Headingley Bypass and PTH 1/PTH 26 interchange.

4.3.5 To protect the integrity of the transportation investments made for highway upgrades and the proposed PTH1/Headingley Bypass and potential upgrades to the PTH 1/PTH 26 intersection into an interchange.

#### POLICIES

The following policies shall guide development with respect to the *PTH #1 Secondary Planning Area* within the Planning District:

4.3.6 Fully-serviced land uses will be accommodated within the *PTH #1 Secondary Planning Area*.

4.3.7 Specific land uses will be determined via a planning process according to market demand and the final proximity of the Plan Area to the St. François Xavier Settlement Centre.

4.3.8 Development within the *PTH #1 Secondary Planning Area* may not proceed without the following conditions being met:

1. A Development Plan amendment to re-designate the subject land to a suitable policy designation;
2. A completed Secondary Plan for the entire area;
3. Confirmation of final locations of all Provincial highway alignments and interchange infrastructure; and
4. Extension of municipal water and wastewater services.

4.3.9 Prior to development occurring in the designated *PTH #1 Secondary Planning Area*, a Secondary Plan must be prepared as noted in Policy 4.3.8(2) above. The Secondary Plan must include:

1. The site's major physical features and relationship between proposed

development and existing and future development in adjacent Settlement Centre areas;

2. Servicing study to determine available water and wastewater services;
3. Traffic impact study for Plan Area;
4. The proposed development layout including: road network, active transportation linkages, surface drainage, sewer and water lines and public open spaces;
5. Policies to ensure development is compatible with nearby existing areas and provides buffering between new and existing uses;
6. Proposed development cost-sharing structure for equity among land owners; and
7. The proposed phasing of development and coordination with existing development to ensure efficient and economical extension of services.

INTRODUCTION

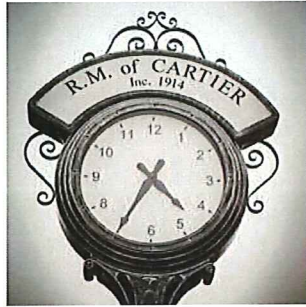
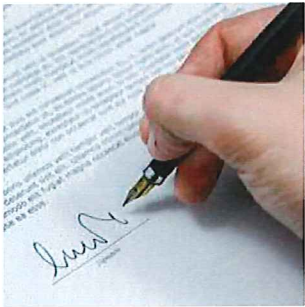
GENERAL POLICIES

RURAL POLICY AREAS

**URBAN POLICY AREAS**

IMPLEMENTATION

LAND USE MAPS



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# Part Five

## Implementation



Part Five provides an overview of the planning tools used to implement this Development Plan and achieve its goals and objectives.

## 5.1 ADOPTION, REVIEW AND AMENDMENT

Adoption of this Development Plan by the Planning District and the Minister of Manitoba Municipal Government will give this Development Plan the force of law. Once adopted, no development or land use may be carried out within the area affected by the Development Plan that is inconsistent with the policies set forth herein.

The Development Plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the Planning District. The Development Plan may be amended at any time when considered appropriate or necessary by the Planning District Board. *The Planning Act* provides that a municipality can set out a date by which the Planning District Board must complete a review of the Development Plan. It is the intent of the Planning District to carry out a review of the Development Plan no later than five (5) years after the effective date of the previous review.

## 5.2 ZONING BY-LAW

The goals, objectives and policies contained herein are generally implemented through the zoning by-laws of the member municipalities. Following adoption of this Development Plan, the member municipalities of the Planning District are required to enact zoning by-laws which will set out specific regulations for land use and development. The respective zoning by-laws designate zoning districts for certain types of uses. Permitted and conditional uses and development standards are prescribed for each zone. Zoning by-laws must generally conform to a Development Plan adopted for the Planning District. The objectives and policies in this Development Plan provide guidance to the Municipal Councils when preparing or amending their respective zoning by-laws.

## 5.3 SECONDARY PLANS

The Planning District Board or Municipal Council may adopt, by by-law, a Secondary Plan to provide more guidance on development related issues. A Secondary Plan can address objectives and issues in any part of the Planning District or either member municipality, without limitation, on matters regarding:

5.3.1 Any part of this Development Plan;

5.3.2 Subdivision, design, road patterns, building standards, site servicing or other land use and development matters; or

5.3.3 Heritage resources, sensitive lands, and other social factors such as economic development.

## 5.4 SUBDIVISION APPROVAL

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review by the Provincial approving authority, the Municipal Council, and certain Provincial government departments and agencies. This process provides an opportunity for development proposals to be evaluated in accordance with the provisions of this Development Plan. A subdivision proposal cannot proceed without the approval of the Municipal Council and the Provincial approving authority. Council and or the Provincial approving authority may attach conditions to a subdivision approval in accordance with *The Planning Act*.

## 5.5 CONDITIONAL USE APPROVALS

Within a Zoning By-law, there will be provisions for the approval of various types of development as a Conditional Use in each Zoning District. This will provide the Municipal Council with the authority 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 the Municipal Council with the opportunity to establish conditions of approval, which could include requiring the applicant to enter into a development agreement with the Municipal Council. In utilizing the Conditional Use process, the Municipal Council will have an opportunity to influence the location of certain types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community.

## 5.6 VARIATION ORDERS

*The Planning Act* enables the Municipal Councils to issue Variation Orders for the purpose of varying or altering the application of the zoning by-law. The Municipal Council may attach conditions of approval to a Variation Order, which could include requiring the applicant to enter into a development agreement with the Municipal Council in order to maintain the intent and purpose of the Development Plan or Zoning By-law. The Municipal Council may authorize

its Development Officer to grant or refuse a minor Variation Order as set out in *The Planning Act*.

## 5.7 DEVELOPMENT AGREEMENTS

Approval of subdivisions and zoning amendments can be conditional upon entry into a development agreement that protects the interests of both the applicant and the municipality. A development agreement on a subdivision deals with the responsibilities of the applicant and the municipality in providing services to the land in question. A development agreement on a zoning amendment may deal with such issues as the use of the land, the siting of buildings, the installation of services and the provision of open space.

## 5.8 DEVELOPMENT PERMITS

New development generally requires a development permit issued by the member municipality. Before a permit is issued, proposals will be reviewed to determine conformance with this Development Plan and municipal zoning by-laws.

## 5.9 DEVELOPMENT OFFICER

The Development Officer or designated employee may be authorized to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to the requirements of a zoning by-law.

## 5.10 ACQUISITION & DISPOSAL OF LAND

The municipality may acquire an interest in land or sell, lease or otherwise dispose of land for the purpose of implementing this Development Plan.

## 5.11 ADOPTION OF OTHER BY-LAWS

Land development and land use proposals for individual building projects are also subject to the provisions of other municipal by-laws, such as building by-laws, lot grading by-laws, building safety and property standards by-laws, licensing by-laws, and the Manitoba Building Code. These by-laws and regulations not only complement the applicable Zoning By-law, but set out the terms, conditions and procedures upon which building permits may be issued. Through the building by-laws and regulations, the Municipal Council can establish the minimum standards of construction, maintenance and occupancy which new and renovated buildings

have to meet in order to protect the safety and health of the public.

## 5.12 SPECIAL STUDIES, SECONDARY PLANS & CONCEPT PLANS

Applicants may be required to undertake and submit special studies, secondary plans or concept plans as part of the approval process for certain development proposals. Engineering or other professional studies may be required for development proposed for lands affected by natural hazards, endangered species, potential for groundwater or surface water pollution, and general risk to health, the environment and property. Such plans may be required to include: drinking water management plans, wastewater management plans, infrastructure capacity assessments, geotechnical analysis, environmental assessment and impact analysis, soil suitability analysis, drainage plans, transportation assessments and impact analysis. Detailed concept or secondary plans may also be required to direct the location, nature and timing of development in a manner that is consistent with the intent of this Development Plan. In addition to the previously mentioned special studies, Concept Plans can provide information with regard to the following:

- 5.12.1 Schematic layout of future roadways, with provisions for integration in a safe and efficient manner with other existing and anticipated roadways in the area, and in conformance with accepted engineering standards.
- 5.12.2 Schematic arrangement of building lots, with lot sizes that are appropriate for the nature of the anticipated development.
- 5.12.3 Conceptual layout of buildings and landscaping.
- 5.12.4 Location and size of proposed buffers, parks and open spaces.
- 5.12.5 Sufficiently detailed contour information to evaluate slope and drainage conditions.
- 5.12.6 Schematic design of the various utility and service systems anticipated within the development area, such as hydro, natural gas, telecommunication, storm drainage, water supply and wastewater systems.
- 5.12.7 Where appropriate, an assessment of the impact of the proposed development on the environment.

### 5.13 PUBLIC WORKS

The capital works program and public improvements of the 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.

### 5.14 CAPITAL EXPENDITURES

The Municipal Councils, the Planning District Board, other levels of government, school boards, health authorities, and all other agencies with a stake in development in the Planning District, should consult the Development Plan when revising capital expenditure programs to be consistent with this Development Plan.

### 5.15 STRATEGIC PLANS FOR ECONOMIC DEVELOPMENT

As outlined in *The Municipal Act*, municipalities may adopt a strategic plan for economic development. Strategic plans should be consistent with this 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.

### 5.16 MUNICIPAL COOPERATION

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



INTRODUCTION

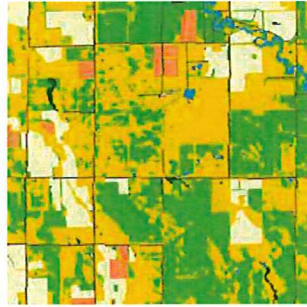
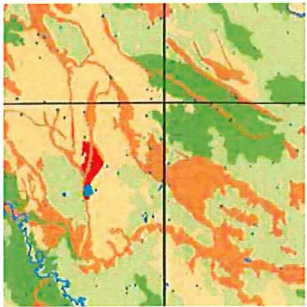
GENERAL POLICIES

RURAL POLICY AREAS

URBAN POLICY AREAS

**IMPLEMENTATION**

LAND USE MAPS



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# Part Six

## Land Use Maps



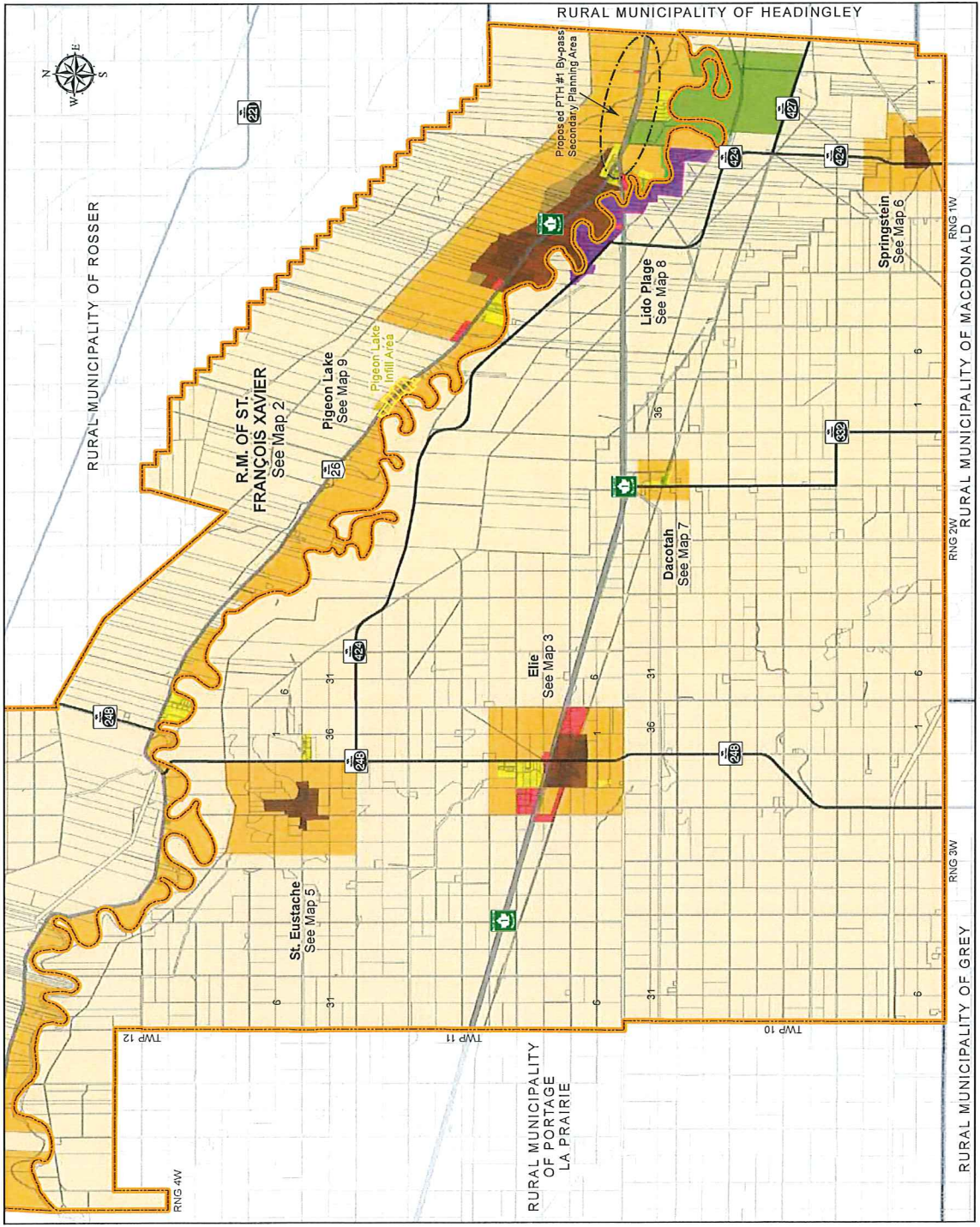
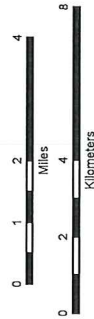
The Land Use Policy Maps attached to this Development Plan are intended to provide the outlines of approximate boundaries of land use designations and/or locations thereof. There may be instances where exact boundaries will be determined by land ownership, for example. In these cases, precise boundaries or locations will be established in the applicable Zoning By-law.

# White Horse Plains Planning District Development Plan

## Map 1: R.M. of Cartier

- R.M. of Cartier Designations**
- Business Policy Area
  - Provincial Park
  - Rural General Policy Area
  - Rural Limited Policy Area
  - Rural Residential Policy Area
  - SCH Policy Area (St. FX)
  - Settlement Centre Policy Area
  - Rural Centre Policy Area

- Municipal Boundary
- Provincial Trunk Highway
- Provincial Road
- Tax Parcels
- Direction of Future Growth

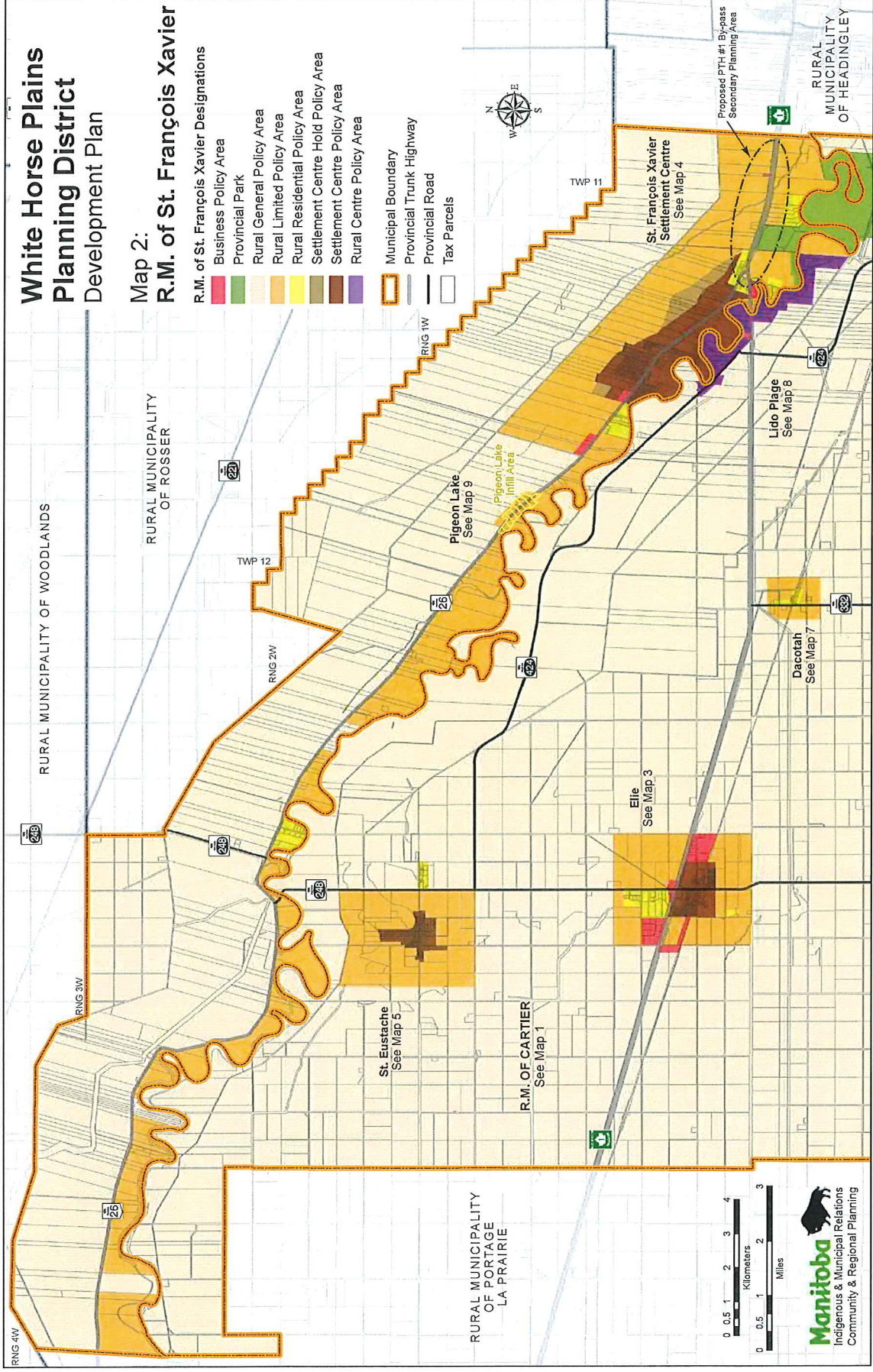


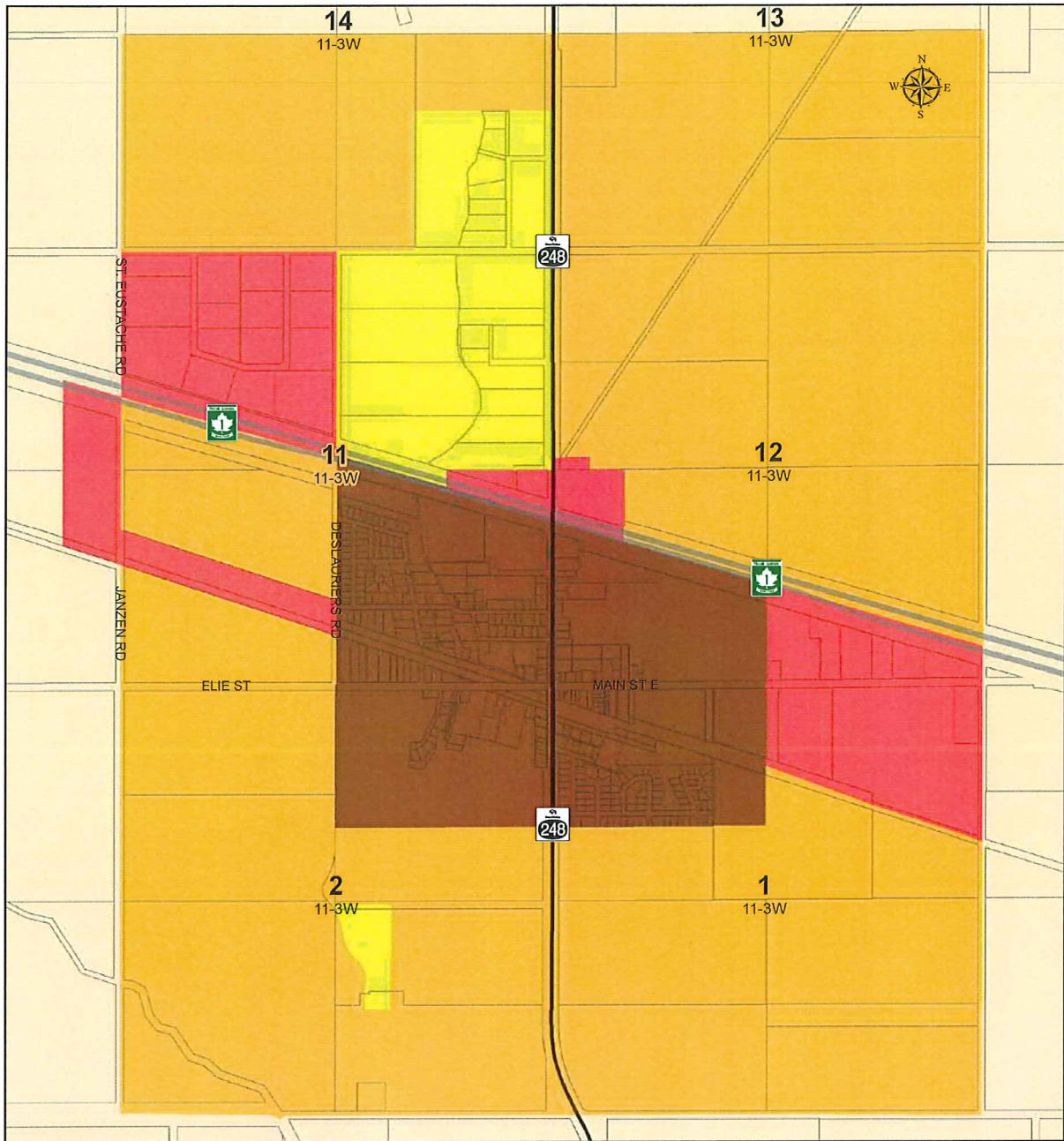
# White Horse Plains Planning District Development Plan

## Map 2: R.M. of St. François Xavier

- R.M. of St. François Xavier Designations**
- Business Policy Area
  - Provincial Park
  - Rural General Policy Area
  - Rural Limited Policy Area
  - Rural Residential Policy Area
  - Settlement Centre Hold Policy Area
  - Settlement Centre Policy Area
  - Rural Centre Policy Area

- Municipal Boundary
- Provincial Trunk Highway
- Provincial Road
- Tax Parcels



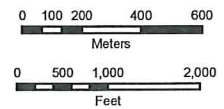


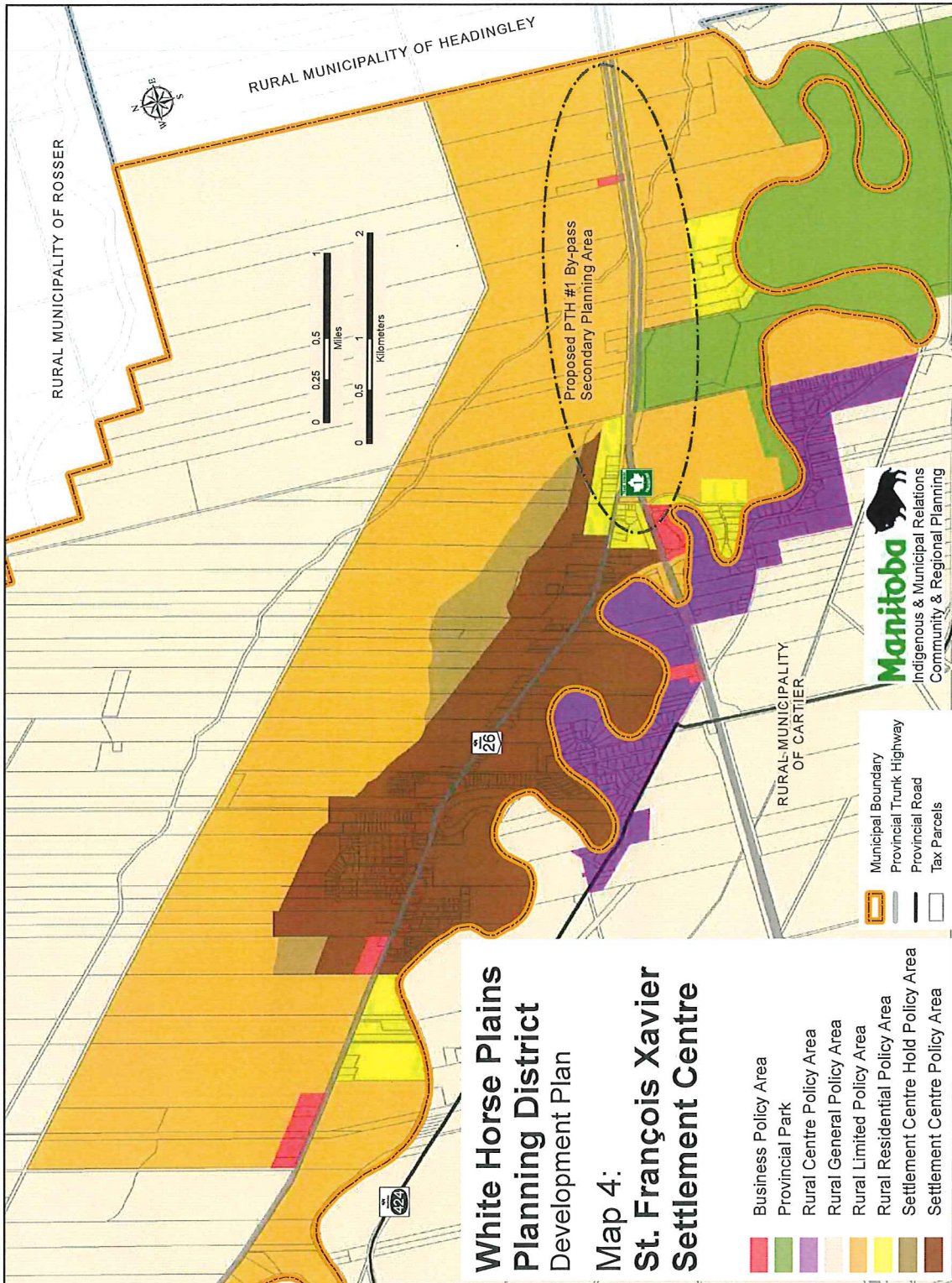
# White Horse Plains Planning District Development Plan

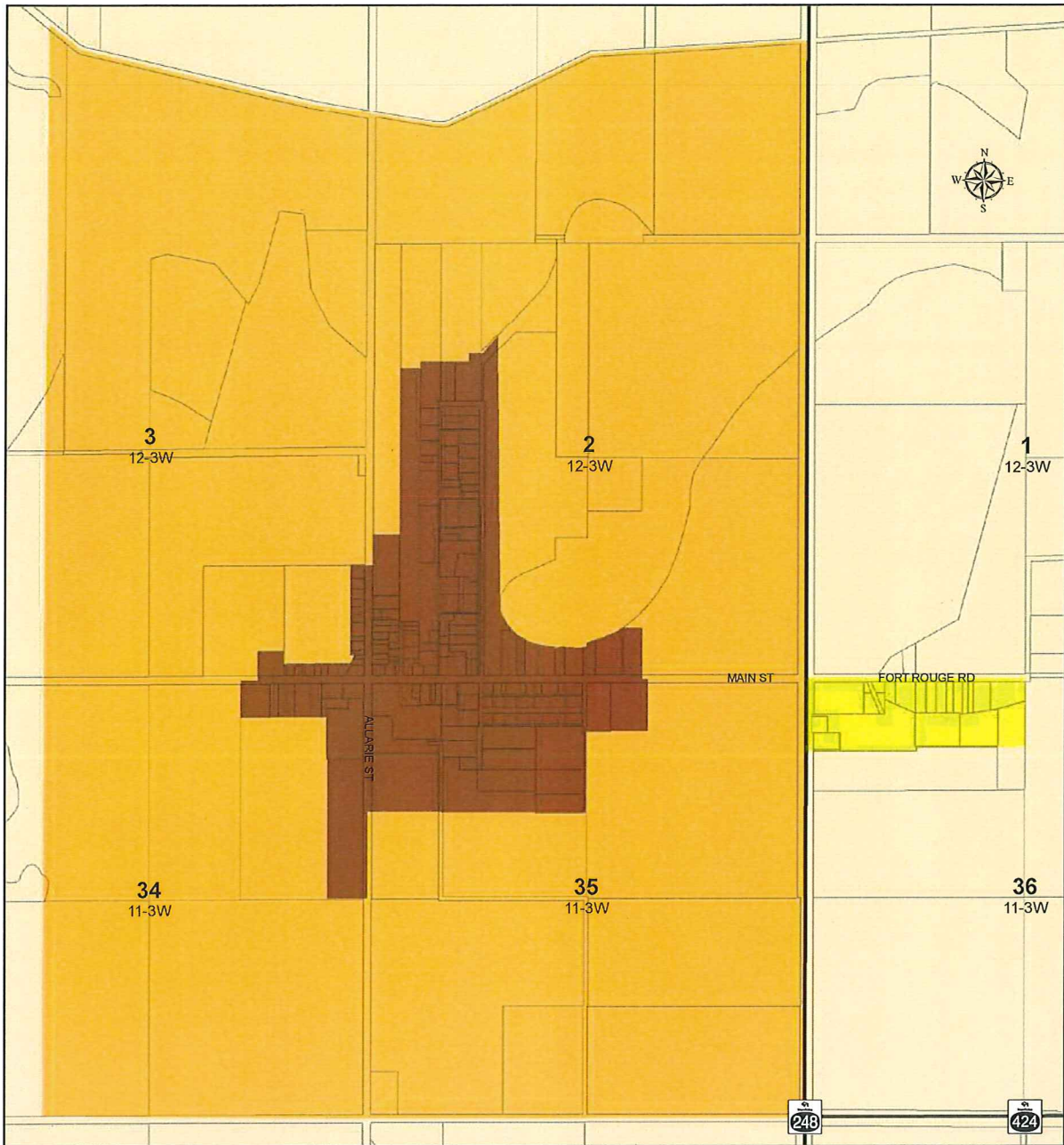
## Map 3: Elie

- Business Policy Area
- Rural General Policy Area
- Rural Limited Policy Area
- Rural Residential Policy Area
- Settlement Centre Policy Area

- Provincial Trunk Highway
- Provincial Road
- Tax Parcels





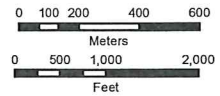


**White Horse Plains  
Planning District  
Development Plan**

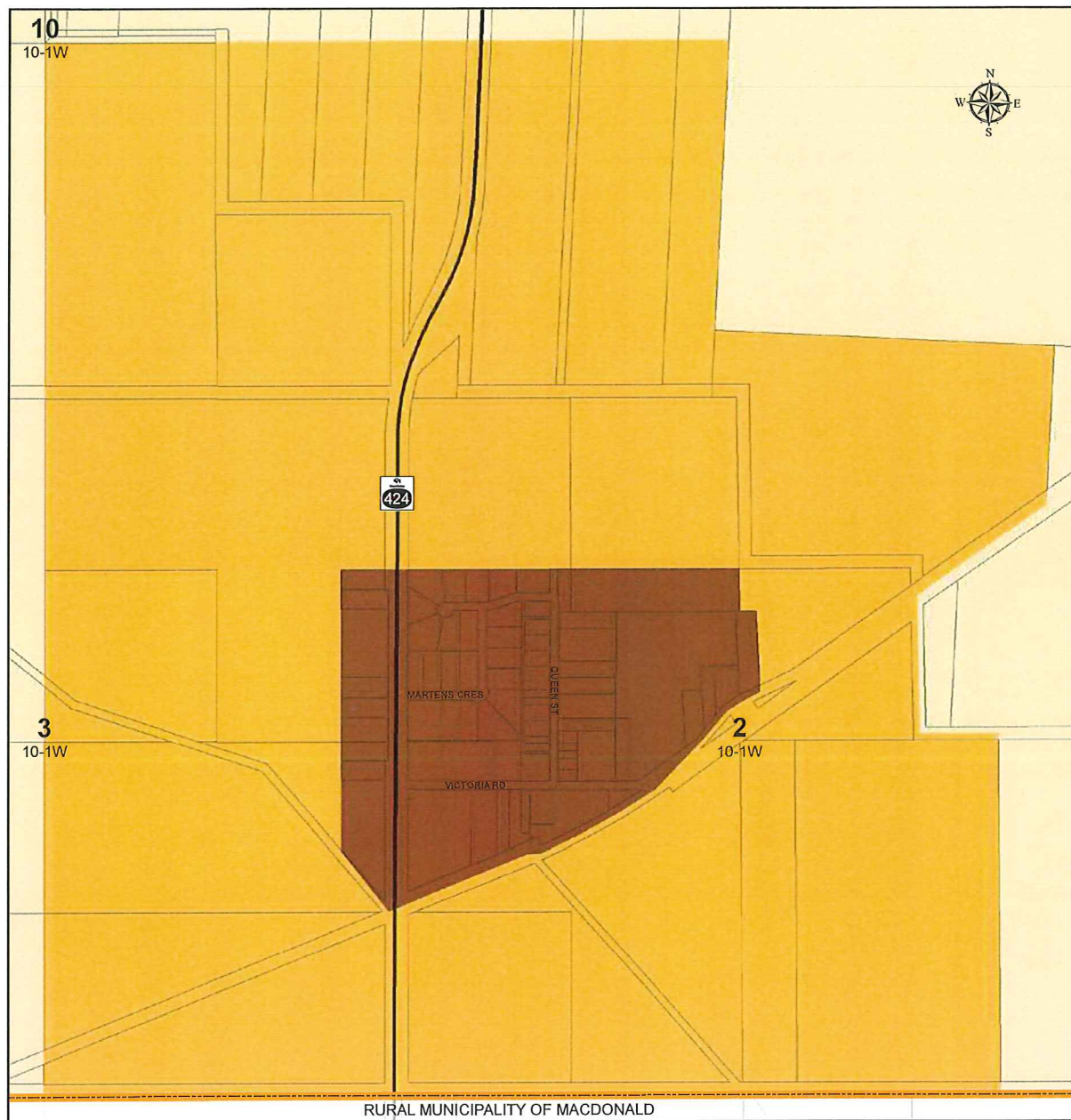
**Map 5:  
St. Eustache**

- Rural General Policy Area
- Rural Limited Policy Area
- Rural Residential Policy Area
- Settlement Centre Policy Area

- Provincial Trunk Highway
- Provincial Road
- Tax Parcels





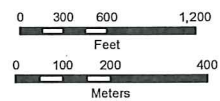


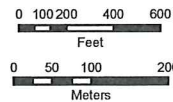
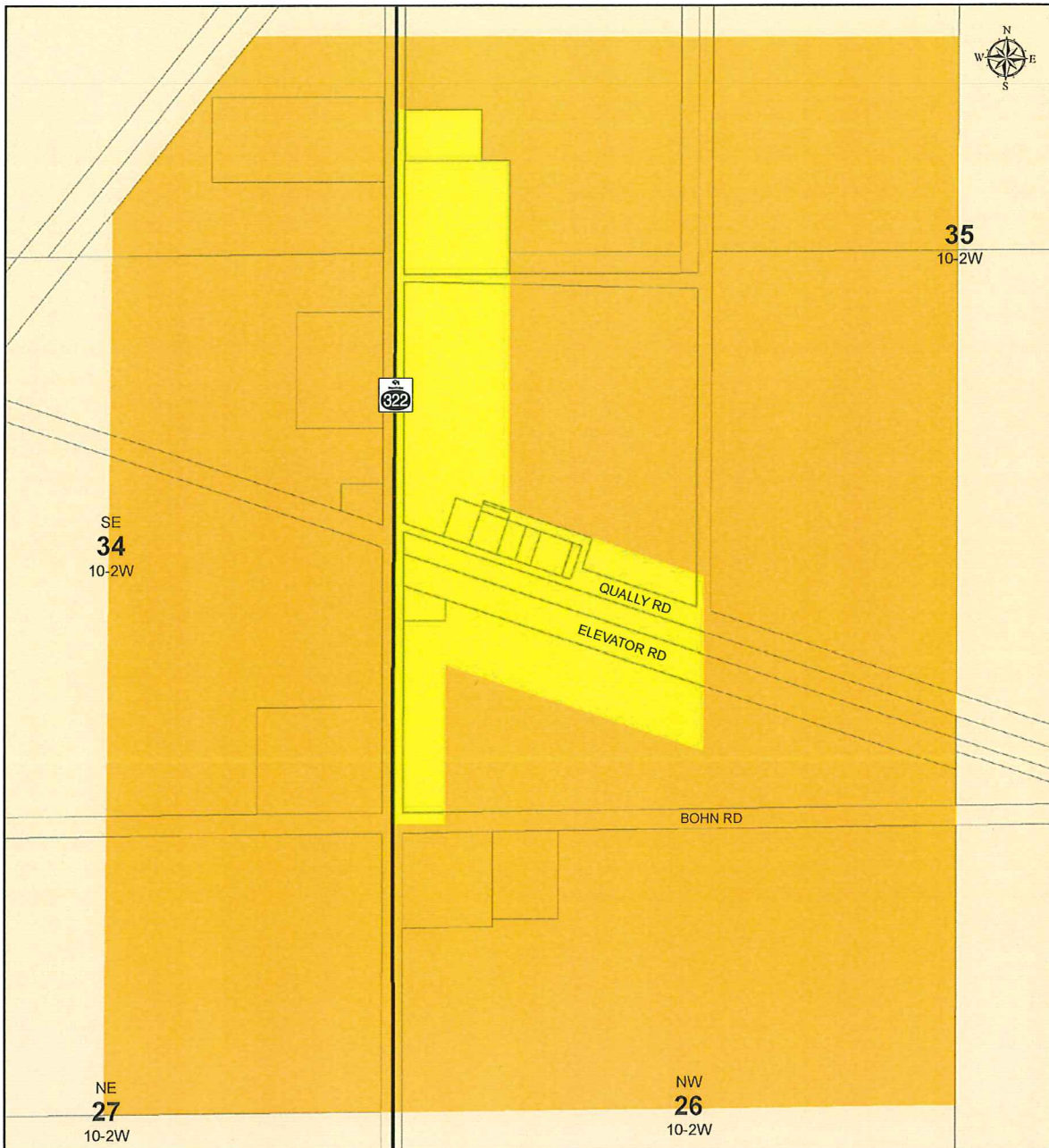
**White Horse Plains  
Planning District  
Development Plan**

**Map 6:  
Springstein**

- Rural General Policy Area
- Rural Limited Policy Area
- Settlement Centre Policy Area

- Municipal Boundary
- Provincial Road
- Tax Parcels





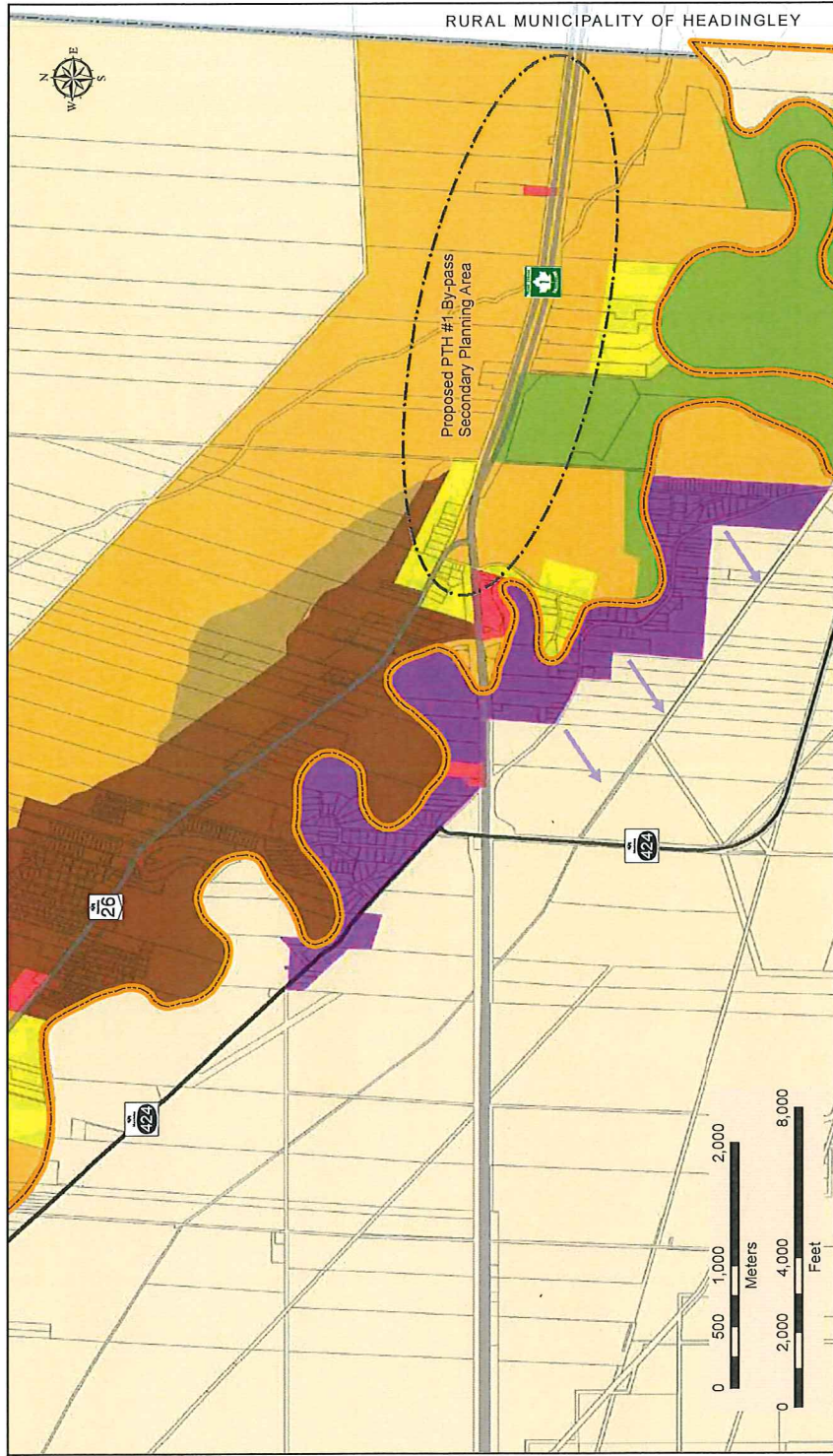
# White Horse Plains Planning District Development Plan

- Rural General Policy Area
- Rural Limited Policy Area
- Rural Residential Policy Area

- Provincial Road
- Tax Parcels

## Map 7: Dacotah



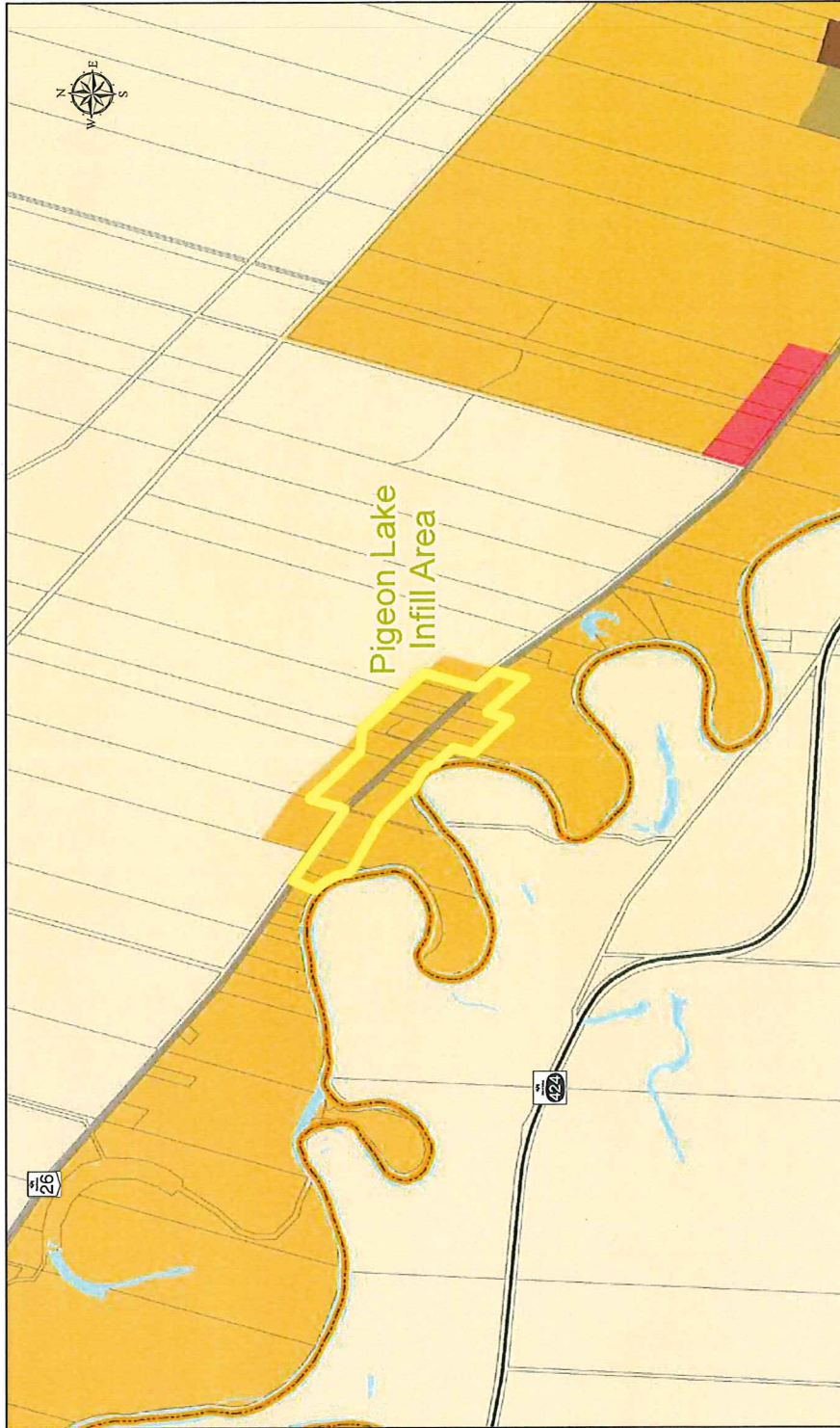


# White Horse Plains Planning District Development Plan

## Map 8: Lido Plage

- Municipal Boundary
- Provincial Trunk Highway
- Provincial Road
- Tax Parcels
- Rural Limited Policy Area
- Rural Residential Policy Area
- Settlement Centre Policy Area
- SCH Policy Area (St. FX)
- Business Policy Area
- Provincial Park
- Rural Centre Policy Area
- Rural General Policy Area
- Direction of Future Growth

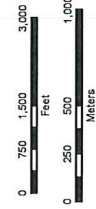


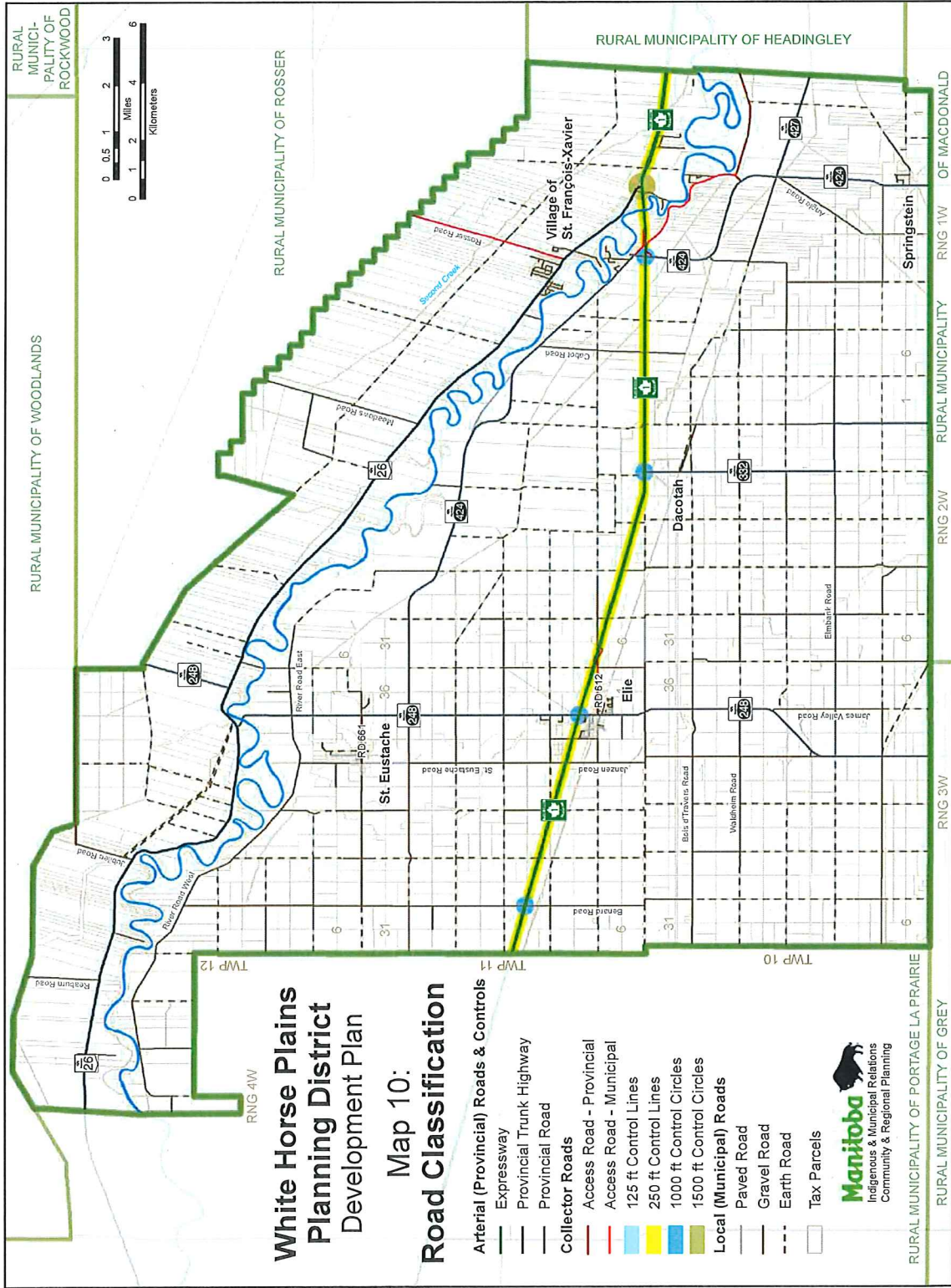


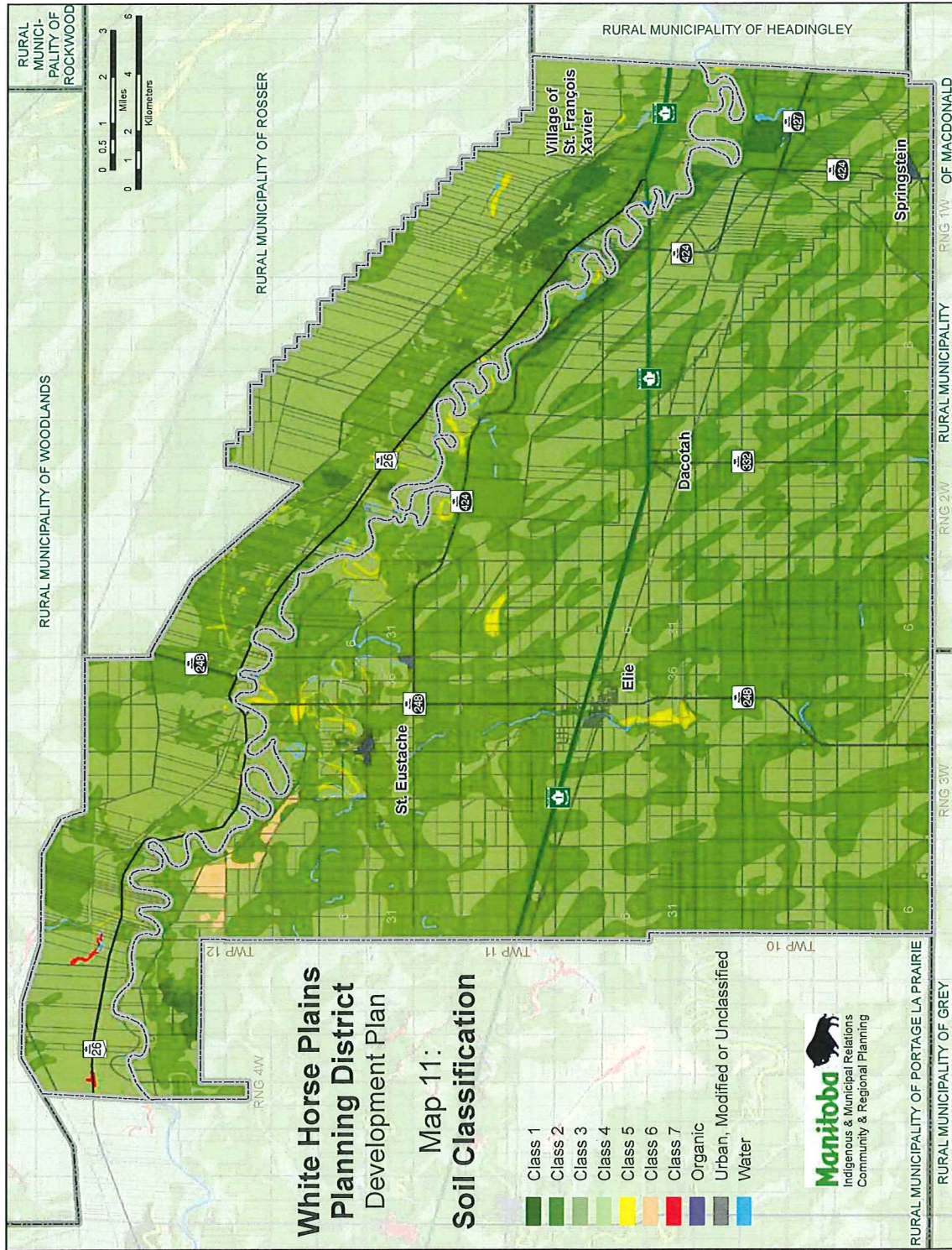
**White Horse Plains  
Planning District  
Development Plan**

**Map 9:  
Pigeon Lake**

- Business Policy Area
- Rural General Policy Area
- Rural Limited Policy Area
- Rural Residential Policy Area
- Settlement Centre Policy Area
- SCH Policy Area (St. FX)
- Municipal Boundary
- Provincial Trunk Highway
- Provincial Road
- Tax Parcels











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