

**THE  
LAKESHORE  
PLANNING DISTRICT**

**DEVELOPMENT PLAN**

2017 Feb. 09

Prepared by

**English Consulting**



**THE  
LAKESHORE PLANNING DISTRICT  
DEVELOPMENT PLAN**

**BEING SCHEDULE “A”**

Attached to

**BY-LAW NO. \_\_\_\_\_**

of

**THE  
LAKESHORE PLANNING DISTRICT**

# INDEX

## PART 1: INTRODUCTION

- 1.1 Area Covered by Development Plan
- 1.2 Legal Authority
- 1.3 Planning History
- 1.4 Interpretation of Requirements
- 1.5 Key Findings
- 1.6.1 Demographics and Economic Development
- 1.6.2 Natural Resources
- 1.6.3 Drainage and Conservation
- 1.6.4 Recreation
- 1.6.5 Rural Water Supply
- 1.6.6 Rural Services Profile
- 1.6.7 Urban Services Profile
- 1.6.8 Solid Waste Disposal
- 1.6.9 Other Identified Findings

## PART 2: GENERAL OBJECTIVES AND POLICIES

- 2.1 Introduction
- 2.2 General Objectives
- 2.3 General Policies
- 2.3.1 Provincial Land Use Policies
- 2.3.2 Development Approval Considerations
- 2.3.3 Utilities & Municipal Services
- 2.3.4 Hazardous Uses
- 2.3.5 Natural Areas & Environmental Conservation
- 2.3.6 Sensitive Lands, Flooding & Erosion
- 2.3.7 Water Resource Areas
- 2.3.8 Transportation
- 2.3.9 Mineral Resources
- 2.3.10 Heritage Resources
- 2.3.11 Recreational Resources

## PART 3: RURAL AREAS

- 3.1 Introduction
- 3.2 Objectives
- 3.3 Designation Policy and Map Designations
- 3.4 General
- 3.5 Agriculture
- 3.6 Livestock Development Strategy
- 3.7 Livestock Operations Policies
- 3.8 Single-Lot Residential Development
- 3.9 Commercial and Industrial Development in Rural Areas
- 3.10 Rural Residential Development

- 3.11 Recreation Development
- 3.12 Cultural Development Area
- 3.13 Commercial Development
- 3.14 Industrial Park Development
- 3.15 Home-based Businesses

#### PART 4: URBAN AREAS

- 4.1 Introduction
- 4.2 General Objectives
- 4.3 General Policies
- 4.4 Piped Water & Sewer Services
- 4.5 Vehicle Traffic
- 4.6 Residential Development
- 4.7 Commercial Development
- 4.8 Industrial Development
- 4.9 Institutional, Open Space, Recreation & Cultural Development
- 4.10 Urban Transition Development
- 4.11 Home-based Businesses
- 4.12 Livestock Operations Policy for Urban Areas

#### PART 5: IMPLEMENTATION

- 5.1 Basic Implementation Measures
- 5.2 Adoption of this Development Plan
- 5.3 Development Officer
- 5.4 Adoption of Municipal Zoning By-laws.
- 5.5 Conditional Use Approvals
- 5.6 Variation Orders
- 5.7 Development Permits.
- 5.8 Subdivision Approvals
- 5.9 Development Agreements
- 5.10 Review & Amendment
- 5.11 Acquisition & Disposal of Land
- 5.12 Adoption of Other By-laws
- 5.13 Special Studies
- 5.14 Public Works
- 5.15 Capital Expenditure Program
- 5.16 Strategic Plans for Economic Development
- 5.17 Integrated Watershed Management Plans
- 5.18 Municipal Co-operation
- 5.19 Other Municipal Studies
- 5.20 Interpretation

MAP Appendix A

## **PART 1: INTRODUCTION**

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

This Development Plan applies to The Lakeshore Planning District as illustrated in DEVELOPMENT PLAN , MAP 1 , of this By-law.

The Lakeshore Planning District is now comprised of the Rural Municipalities of Dauphin, Lakeshore, and Mossey River.

Before amalgamation policies of the province were imposed effective 2015 January, the PD members included the Village of Winnipegosis, now within Mossey River Municipality

and Lawrence and Ochre River RMs which now comprise Lakeshore RM.

### **1.2 Legal Authority**

*The Planning Act* requires that a development plan be prepared.

The Act sets out the minimum content and process for consultation and adoption, as well as the requirement for stating a planned periodic review of the document.

### **1.3 Planning History**

The Lakeshore Planning District (LPD) was established by the Province of Manitoba by Order-In-Council No. 55/2000 and the RM of Dauphin was added by Manitoba Regulation 31/2008.

The intent of this process is to prepare one Development Plan for the new entity, and a set of compatible Zoning By-laws.

The absence of the usual Back Ground Study for the RM of Dauphin – the new member of the Planning District - indicated a need to prepare such a study. The Background Study done for the original LPD members will – in large part – continue to serve.

Where appropriate, data for all members have been included in the new study , e.g. population data.

### **1.4 Interpretation of Requirements**

The development plan must consider and reflect provincial land use policies, and once adopted this plan replaces those policies.

Land use designations on the maps illustrate the long-term strategy and generally define the extent of the various use areas. The achievement of the land use objectives will take

place over a period of years as land use development patterns evolve. A Municipal Zoning By-law will provide the principal means to effect and manage the transition.

The boundaries of the various land use designations are general and meant to serve as guidelines, and a degree of flexibility in administering the map lines may be appropriate in a given case.

Policy and other content of this Plan should not be viewed in isolation, rather, interpretation and administration should reflect the overall spirit and intent of this Development Plan.

## **1.5 Key Findings**

This Development Plan reflects findings, conclusions and recommendations derived from the background planning and engineering analysis together with input from the LPD Board, member municipal councils, governmental and other agencies and the public through the community consultation process. The background studies are the foundation upon which The Lakeshore Planning District Development Plan rests.

The next step in the process will be the formulation of Municipal Zoning Bylaws. A Zoning Bylaw is the primary tool used to implement the Development Plan. Together, all documents (background studies, development plan and zoning by-laws) will provide the LPD with a comprehensive set of tools to efficiently and effectively manage and accommodate a wide variety of development.

Key characteristics of the LPD are profiled in the 2001 Background Study for the original participating municipalities together with the 2011 Background Study which largely profiles the RM of Dauphin that joined the District in 2008.

A significant planning issue identified by the members was the lack of support for new recreation related development. The inclusion of the CLI maps for recreation capability, and revised policy, should help direct such development.

Zoning specification issues in the existing , developed , older cottage areas are to be addressed as well. Recent natural flood and ice events indicate a need for new specifications.

The 2011 Background Study updates demographic, farm and livestock figures for all member municipalities. The rural services profile has been updated regarding drainage and solid waste disposal.

Both Background Studies, that is, the 2001 and 2011 studies provide a valuable resource for the LPD in formulating objectives, policies and proposals for the development plan, and in making development decisions.

## 1.6.1 Demographics and Economic Development

Over the period 1991 to 2011 all rural municipalities in the LPD experienced negative population growth. However, the RM of Dauphin and Winnipegosis increased in population from 2001 to 2006, and Ochre River and Winnipegosis experienced population increases from 2006 to 2011. The decrease over the years can generally be attributed to an increase in average farm size and reduction in the number of farms and employees, as well as a simple redistribution of population from rural to urban areas. Rural population decline is not unique to this locale, and is evident in the Parkland Region and the Province as a whole.

The LPD population was 4,787 in the 2011 Census. Approximately 13,700 people live within a trading area radius of 50 km of the City of Dauphin, while some 8,250 people live in the City of Dauphin. Of the LPD pop., approximately 2,000 people live in the urban areas of Sifton, Winnipegosis, Ochre River, Rorketon and Fork River.

While population decline continues in the LPD as a whole, Winnipegosis and Ochre River have remained relatively stable over the past decade and populations have increased slightly in recent years. This local stability may be attributed, in part, to local rural and recreational residential development and decreased migration to larger urban centres.

The LPD can address pop. decline by providing better business development and employment opportunities through economic development, community promotion, agricultural diversification, recreation, and tourism development. Higher paying jobs are most often provided by commercial and industrial enterprises and young people will remain if meaningful employment is available.

The local labour force reflects the region's reliance on agriculture and other resource-based industries, and the importance of the City of Dauphin as a regional service centre. A skilled labour force is available in the LPD, and workers may be drawn from neighbouring communities.

The RM and the City of Dauphin participate in economic development activity jointly with Dauphin Economic Development and Tourism.

The RM and the City of Dauphin cost share two industrial areas - at the Dauphin Airport, and northwest of the City, which is partially in the City.

The RM of Dauphin participates in the Parkland Agricultural Coop Ltd. (PARC) which has the goal to market the entire area, encouraging a larger business environment for capital investment, processing of local resources, job creation and economic sustainability.

The other LPD members participate in economic development through membership in East Parkland Economic Development, a community development corporation, several Round Tables and the Parkland Tourism Association.

## 1.6.2 Natural Resources

The major economic activities in the region are resource based, with agricultural and agro-business sector being the largest. Other resource related uses are gravel and sand removal, quarrying, forestry and fisheries activities, and tourism and recreation activities which relate to the lakes and rivers of the District.

There is future economic growth potential in value-added diversification in the agricultural sector and large scale livestock operations utilizing local feed.

The tourism and recreation sectors also have great potential for expansion due to the numerous lakes and streams as well as parks and natural areas of the District.

Field agriculture is the dominant use of land use. In the RM of Dauphin, a satellite imagery assessment of the status of agricultural land use in 1994 showed that 43 percent of the area is in annual cropland with production of perennial forages occupying 3 percent of the area.

Most of the wooded area (25 percent) occurs in the National Park but many gravel ridges and stony till soils are also tree covered. Treed areas outside the National Park, together with the grassland areas (24 percent) provide forage and grazing capacity as well as wildlife habitat.

Wetlands and small water bodies cover 1.7 percent of the area.

Various non-agricultural uses such as recreation and infrastructure for urban areas and transportation occupy about 3 percent of the Municipality.

Land within the National Park provides wildlife habitat as well as recreation opportunities.

Although much of the land within the RM of Dauphin is held in  $\frac{1}{4}$  section size title, there is a higher level of rural land fragmentation than in the other RM's in the LPD.

Between 1971 and 2006 the number of farms in the LPD decreased by 51%, from 1,403 units to 687 units while the average acreage of a farm unit increased by 112% from 2,524 acres to 5,344 acres.

Between 1971 and 2006 the number of arms in the RM of Dauphin decreased by 54% from 704 units to 325, while the average acreage of a farm unit increased 161% from 441 acres to 1,151 acres.

The original LPD has a high percentage of Class 2 and 3 soils (71%) yet only 19% are utilized for agricultural crop land due to stony conditions, low relief and poor drainage.

Groundwater sensitivity areas seem to correlate with alluvial and outwash deposits (sand and gravel) that are located at or near the surface. The major portion is in the RMs of Mossey River and Ochre River.

Approximately 73% of the land in the RM of Dauphin is rated in Classes 1, 2 and 3 CLI agriculture capability. According to the CLI System of Soil Classification, the soils in the Municipality are classified as dominantly Black Chernozems (Meharry, Gilbert, Dauphin, Lakeland and Isafold associations). Dark Gray Chernozems (Erickson association) and Luvisols (Rose Ridge and Waitville associations) occur at higher elevations of the Riding

Mountain Upland. Regosolic soils occur on stratified alluvial deposits in valleys and floodplains below the Escarpment (Edwards association) and on steeply sloping areas of Eroded Slopes Complex. Poorly drained depressional sites in all landscapes are characterized by Humic Gleysol soils.

There are approximately 79 livestock operations in the RM of Dauphin (i.e. 10 animal units or more), including 16 in excess of 300 AUs (see Map 5 in the 2011 Background Study). They are distributed fairly evenly throughout the Municipality. There is room for livestock sector growth in the LPD. Statistics for the other municipalities are contained in the 2001 Background Study. (see Map 5 in 2001 Background Study)

### **1.6.3 Drainage and Conservation**

The Riding Mountain Upland in the southern part of the RM of Dauphin varies in elevation from 570 metres above sea level (m asl) to 330 m asl at the foot of the Riding Mountain Escarpment. This Escarpment area is dissected by numerous drainage channels and gullies as it slopes steeply to the north at a rate of 38 m/km (200 ft/mi). Elevation of the Valley River Plain in the southwest corner of the area ranges from 420 m asl to about 330 metres.

The LPD is drained mainly by a network of streams with outlet to Dauphin Lake which in turn drains into Lake Winnipegosis via the Mossey River. Lake Winnipegosis drains through the West Waterhen River to Waterhen Lake and then via the Waterhen River into Lake Manitoba.

Drainage of the south part of the LPD is complicated by the inflow of water from the escarpment and land area to the west. Kerosene Creek and Ochre River flow into Dauphin Lake carrying waters from this escarpment.

Much of the drainage in Lakeshore and Mossey is slow due to the level nature of the terrain and the presence of a low ridge and swale pattern of relief that can act as a barrier to free drainage. Ponded waters may be removed by evaporation, transpiration by meadow, swamp vegetation and by percolation through the overburden.

Drainage in the RM of Dauphin is good. Major drainage paths include Edwards Creek Drain, the Vermilion and Valley Rivers, and Salt, Wilson, and Drifting Creeks. The RM undertakes 6-8 road ditch upgrading programs annually.

There are temporary road closures every spring near Dauphin Lake when melt waters invariably overtop roads.

The municipalities in the LPD are members of 3 conservation districts: Intermountain Conservation District (Dauphin, Mossey ), Alonsa Conservation District and Turtle River Watershed Conservation District (Lakeshore).

All municipal members are participating in the preparation and implementation of integrated watershed management plans now underway.

### **1.6.4 Recreation**

The lakes and streams of the LPD provide excellent water and land resource for recreation development. Development in these areas needs to be planned to be compatible with the natural environment, and other uses. Development agreements may be utilized to ensure development standards are adhered to

Land capability for recreation utilizes the 7 class Canada Land Inventory System (CLI).

Lands rated Classes 1-3 for recreation provide for very high to moderately high capability for outdoor recreation of a more intensive nature. Lands rated Classes 4-5 for recreation provide a moderate to low capability for outdoor recreation providing for lower intensity of development and/or extensive (passive) recreation or may simply provide

open space. Lands rated Classes 6-7 have low and very low capability for outdoor recreations.

In a given area, notwithstanding the CLI rating, the absence of higher rated categories of land will understandably see lower rated lands valued and used for essential recreation development. This is particularly true of lake shoreline within a reasonable distance of urban populations.

The majority of land in the RM of Dauphin is Class 6, which is low rating for outdoor recreation. A limited area of Class 5 lands is found in the south western part of the RM which has 'moderately low' capability for outdoor recreation.

Lands in the RM of Dauphin have Classes 2-5 beaches on the west shore of Dauphin Lake which includes some existing cottage development. Beach sites including Silver Sands Beach, Sifton Beach and Stoney Point Beach, have the highest potential for recreation use in the RM of Dauphin. Development may be limited by low and wet backshores outside the beach ridges, and poor offshore waters.

There are Class 5 lands on the north slope of Riding Mountain National Park.

Lands in the RM of Lakeshore have Classes 1-5 beaches on the south shore of Dauphin Lake which are extensively developed, and on the northern portion of Lake Manitoba and the eastern shoreline of Dauphin Lake have Classes 1-5 areas.

Lands in Mossey Municipality have Classes 3-5 beaches along Dauphin Lake, and areas along the south shore of Lake Winnipegosis.

Sport fishing is excellent on certain shore lands in the LPD. Dauphin Lake and its associated streams, the Mossey and Fishing Rivers are fished by local residents for northern pike and yellow perch.

### **1.6.5 Rural Water Supply**

Groundwater conditions in the LPD area are very complex.

Saline water occurs in bedrock and some drift aquifers. The main aquifers of the area are the till associated sand and gravel deposits, including inter-till outwash deposits, the Swan River formation and Devonian limestone. Beach and alluvial deposits of this area are unreliable aquifers.

Water quality in the region ranges from good to below the recommended limit for human consumption.

There is potential in the area for the development of large quantities of water for industrial and municipal supply.

The most extensive aquifer is formed by the carbonate bedrock (limestone) and underlies extensive areas of the RM of Dauphin. In the rest of the LPD the most common aquifers are pockets and some more extensive deposits of sand and gravel and limestone and mid layers inter-bedded with shale.

The RM of Dauphin has an interest in the regional scale surface-sourced municipal water system developed in the late 1990's to service the City of Dauphin, and RM area. The Eclipse and Lockville areas in the RM are now serviced from this source by water co-ops created some 30 years ago. Some 200 users are now connected, and there is considerable additional capacity. Agreements are in place for expansion of those systems.

Discussions of the provision of water service in new areas has been ongoing. The RM has formed a rural water utility to operate planned new services in the SW in line with plans completed by MB Water Services in 2015.

There is potential for the RM to assume operational responsibility for the existing co-op areas.

### **1.6.6 Rural Services Profile**

The rural services profile for the RMs of Ochre River, Lawrence, and Mossey River Municipality were addressed in the previous LPD Background Study that was prepared in 2001. The following identifies the updates to that study:

Lakeshore RM southern area is experiencing increasing development in the cottage area on Dauphin Lake. The Old Town Harbour development at and east of Crescent Cove is complete with a water system and consideration is being given to installation of low pressure sewer lines to service that area. The R.M. will be undertaking a feasibility study to determine the viability of extending these services to accommodate other developed areas of the lakeshore.

Lakeshore RM northern area is proposing to construct a wastewater stabilization pond to service the trucked septage from increasing cottage development in the area. Construction is pending infrastructure program financing. A location near the existing waste disposal grounds, (Sec. 20, TWP. 28, Rge. 16W) has been selected for this facility.

In the RMs of Dauphin, Lakeshore, and Mossey River Municipality all of the settled communities such as Fork River, Makinak, Ochre River, Sifton, and Rorketon are serviced by individual groundwater wells.

### **1.6.7 Urban Services Profile**

The Village of Winnipegosis uses treated groundwater and is serviced by a piped distribution system. The village also operates a piped sewer system.

The Village has spent approximately \$725,000 in the last several years on various infrastructure projects. The following text identifies the updates since the 2001 study:

The Village obtained ownership of the water treatment plant from the Manitoba Water Services Board in 2009. Upgrades were also undertaken to the plant, including new filtration units and pumps.

Watermain renewals have continued for the last 10 years. Presently, approximately 70% of the original cast iron watermains have been replaced.

The main sewage lift station was upgraded in 2010 with new pumps, electrical, control components, and back up generator. The force-main from the lift station to the lagoon was also replaced.

Upgrades to one of the minor lift stations (Forestry lift station) were completed in 2005. Approximately 20% of the existing wastewater sewers were lined in 2010.

In the last five years, three gravel streets were upgraded to a chip-sealed surface.

The communities of Rorketon, Fork River and Sifton have no municipal piped water system or wastewater collection system. Residents of Sifton obtain water either through individual wells, or from a community well. Wastewater is either collected in holding tanks or disposed of in septic fields.

Since the 2001 Background Study the community of Ochre River has completed the following updates:

The community upgraded the wastewater stabilization pond in 2003. The work included the construction of a new primary cell and a new secondary cell. The existing cells remain, but are not in service.

A new lift station was installed in 2009. The work included a new precast concrete barrel, electrical works, and control components. The pumps from the existing lift station were re-installed in the new station.

### **1.6.8 Solid Waste Disposal**

Presently, residents in the R.M. of Dauphin have access to the Sifton Waste Disposal Ground and by agreement the City of Dauphin Landfill on a fee for use basis. The RM operates the Sifton site, and a 'transfer station' at its' Dauphin area workshop one day week at no charge.

The Sifton Waste Disposal Ground (WDG) is a Class 3 site located at NE 35-27-20 WPM. The remaining capacity of the Sifton WDG has been estimated to be approximately 47% (2009) with a remaining life span of 31 years.

The City of Dauphin Landfill is currently at 60% capacity and is estimated to reach full capacity in 2029.

The other LPD municipalities have a total of five solid waste disposal sites, of which two sites are located in Mossey River Municipality, one site in the Lakeshore RM northern area and two sites in the Lakeshore RM southern area

All Solid Waste Disposal Sites are in compliance with Manitoba Conservation guidelines.

### **1.6.9 Other Identified Findings**

Discussions identified a number of issues that have applicability to all LPD members. The dependence on assessment based taxation and increasing economic pressure on municipalities simply to maintain levels of service, dictates that there must be assessment base growth.

Resource promotion and development, and further development of industrial parks, must be pursued.

Rural residential and recreational based development are essential as an alternative to urban type development, which will remain focused on the City of Dauphin for the region.

Future lakeshore based residential and recreation park development seem likely opportunities for growth.

Any potential impact on rural resource activity by residential development must be considered.

## **PART 2: GENERAL OBJECTIVES AND POLICIES**

### **2.1 Introduction**

This section of the Development Plan outlines the general objectives and policies which will guide the LPD Board and Councils in decision making. These objectives and policies apply generally throughout both rural ,urban and settled areas unless otherwise provided herein.

### **2.2 General Objectives**

- 1, To encourage the development of land and resources in a manner that contributes positively to the economic future of the area.
- 2, To recognize that all development should be sustainable.
- 3, To recognize the importance of the rural land base for the growth of resource industries.
- 4, To encourage development of recreational resources and to ensure that recreational areas are not limited by inappropriate development.
- 5, To recognize the role of existing settled areas in providing goods and services, and as the primary location for small lot residential development.
- 6, To encourage community economic development initiatives that contribute to the physical, mental, social and economic health and well being of the District.
- 7, To provide well planned areas for living, working, shopping and for recreation that are attractive and make efficient use of land and services.
- 8, To minimize the occurrence of incompatible land uses.
- 9, To ensure that development occurs on lands suitable for the proposed development, and appropriate mitigation measures are taken to reduce potential negative impacts or risks.
- 10, To protect natural areas , parks and habitats from incompatible development where rare or endangered flora and fauna have been identified under Federal or Provincial legislation.
- 11, To consider increased service demand and the general impact that development will have.

12, To consider the integrity of groundwater and surface water features when development is proposed.

13, To protect mineral, sand and gravel resources generally, and promote environmentally sound exploration, extraction, and site rehabilitation.

14, To preserve and enhance areas which have natural beauty, scenic value, recreational potential, or historic and cultural significance.

15, To ensure public access to surface water resources by protecting riparian areas.

16, To protect investments in public and private infrastructure.

17, To promote inter-municipal co-operation within the LPD as well as with neighbouring jurisdictions, in undertaking joint land use planning, municipal servicing and sustainable development initiatives.

## **2.3 General Policies**

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

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

*Provincial Planning Regulation MR 81/2011* is a Regulation under *The Planning Act* and serves to guide Development Plan content. The LPD Development Plan, once adopted, replaces the Provincial Land Use Policies for the Planning District.

### **2.3.2 Development Approval Considerations**

In the administration of this Plan and related documents, the following list of statements should be considered, as appropriate, in the amendment of Plan and Zoning document content and the formulation of new provisions and specifications.

1, To insure that all new development is generally consistent with this Development Plan, the formulation of municipal Zoning By-laws, and subdivision and development approval processes, and the relative priority of public works, should be consistent with the provisions and intent of the documents.

2, A subdivision of land must reflect the general intent and provisions of this Development Plan, a municipal Zoning By-laws, and *The Planning Act*.

3, Development should be safe, and not create hazardous situations or be subject to hazards, unless mitigation measures are undertaken to protect life and property.

- 4, Development which involves the storage and transfer of hazardous materials must reflect compliance with provincial regulations.
- 5, Where differing land uses abut, the potential for conflict exists. Appropriate mitigation may be required as a means of minimizing the impact on adjacent uses, through buffering, separation, screening, etc.
- 6, The LPD and councils, in reviewing development proposals, should give consideration to the need for that type of use. An assessment may be required to determine the impact of the proposal on the availability of suitable undeveloped lots for that use.
- 7, In reviewing development proposals the LPD and Councils will encourage the most appropriate use and development of land and other resources.
- 8, Foster resource industries and promote best management practices for such activities.
- 9, Foster an accommodating relationship among agriculture, extraction, and recreation uses, the most important economic activities of the LPD.
- 10, Foster the viability and growth of existing developed areas.
- 11, Limit inappropriate dispersed development in the rural area.
- 12, Protect the environment through means which reflect applicable Provincial regulations and guidelines.
- 13, Development may be approved where there are facilities and the assured capacity to adequately manage waste (e.g. solid, liquid, septage) that will be generated.
- 14, An appropriate source of potable water should be available.
- 15, A suitable means of access should be available, which in most cases should assure that a lot to be developed fronts on a public road, or an appropriate legal arrangement is approved.

### **2.3.3 Utilities & Municipal Services**

The essential and often expedient activities of government and public utilities may be permitted in any land use designation. Some such activities may be subject to requirements in a Zoning By-law.

- 1, Such uses should be located and developed in a manner which will minimize incompatibility with neighbouring land uses, and ensure any unavoidable adverse impacts will be minimized..

- 2, Wind turbine towers shall be a conditional use in designated Rural Areas on lands used for agriculture and resource uses. A Municipal Zoning By-law may establish application requirements and set specifications.
- 3, Co-location will be encouraged among Manitoba Hydro, and other private service utilities to ensure the provision of services in the most economical and efficient manner possible, and with the least impact on development of land.
- 4, Utility services should be protected from incompatible development which may threaten or adversely affect operations.
- 5, Co-operative and inter-municipal servicing initiatives will be encouraged.
- 6, In order to minimize human exposure to the undesirable effects of such uses as airports, sewage lagoons, waste disposal sites, etc. development in the vicinity of such facilities should be limited within a surrounding buffer area defined by Provincial Regulations or local guidelines.
- 7, Municipalities must provide facilities or arrangements to dispose of solid waste and sewage waste in a sanitary, economic and orderly manner. Where there are insufficient local facilities or capacity, Councils may consider development for approval subject to verification that arrangements, approved by Manitoba Conservation, have been made to have waste associated with the proposed development disposed of outside the municipality.
- 8, Development in serviced areas may be required to connect to existing water distribution or wastewater collection systems where services are provided.
- 9, Small scale systems that convey, conserve or produce energy may be allowed where these systems are determined by a council to be compatible with surrounding land use, e.g. through a conditional use process.
- 10, Major utility systems initiatives, such as new highways, hydro transmission lines, wind energy systems, energy pipelines, communication towers and cables, should consult with Municipal Councils at the earliest opportunity.

### **2.3.4 Hazardous Uses**

Facilities and developments which manufacture, handle, store or distribute hazardous materials will be considered.

- 1, Wherever possible, new facilities should be separated from settled areas and buildings used for human occupation , and in any case as required by law.

2, Where development of a hazardous use is proposed, information may be required relating to the nature of any potential discharges into the air, soil or water, the design of outside storage requirements, the compatibility of surrounding land uses, and plans for buffering and containment of activities from adjacent uses.

3, Large bulk fuel storage facilities should be established in areas where risk to the health and well-being of residents can be minimized.

4, Proposals for development that is a potential source of pollutants should provide for safeguarding sensitive areas susceptible to both surface and subsurface pollution. Such proposals include large livestock operations, lagoons, waste disposal grounds, septic systems, commercial and chemical fertilizer storage facilities, fuel tanks , scrap and salvage yards, and similar uses.

### 2.3.5 Natural Areas & Environmental Conservation

1, Natural areas and habitats on public and private lands should be protected from incompatible or potentially incompatible uses where:

a), rare or endangered flora and fauna have received designation and protection under either the Manitoba *Endangered Species Act* or the Federal *Species At Risk Act*;

b), lands have received provincial designation and protection under the Protected Area Initiative;

c), lands have been identified as Wildlife Management Areas;

d), private lands have been voluntarily protected under *Conservation Agreements* or other Memoranda of Agreement; or

2, The identification and protection of natural areas and wildlife and fisheries habitats will be encouraged. Protection of habitat on private lands should be encouraged, as wildlife populations and bio-diversity rely not only on Crown land management but also on private land stewardship. Sensitive wildlife and aquatic habitat including quality wetland habitat and riparian areas and other ecologically significant areas should be identified where possible.

3, Public access to natural areas and wildlife and fish habitat will be encouraged to foster an appreciation for nature, but such access should not lead to levels of activity which will exceed the capability of the area to sustain the environment and ecosystem integrity.

4, The Municipalities of the LPD are members of three conservation districts. Intermountain Conservation District (Dauphin, Mossey River and Winnipegosis), Alonsa Conservation District and Turtle River Watershed Conservation District (RM of Lawrence and Ochre River). Integrated watershed management plans are currently in preparation.

5, Maps provided by appropriate agencies that identify land designated by order-in-council or regulation by the province, e.g., provincial parks, wildlife management areas may be included as reference maps. Development with potential for impact on such lands could then be circulated to appropriate agencies

6, Wooded lands should be retained and managed in their natural state where practicable, particularly those that have high wildlife value and steep slopes.

7, Proposed developments adjacent to waterways that have the potential to damage or be damaged may be circulated to appropriate agencies for review.

8, Where habitat conservation initiatives , leases or land transfers are proposed, the Province is encouraged to consult with municipalities prior to approving a 'designation' of a private habitat conservation area.

9, Inter-municipal co-operation is encouraged in the application and implementation of measures to protect natural environmental resources.

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

Generally, development should be directed away from environmentally sensitive areas where practicable. However, it has long been the practice in the province that much development is permitted in areas with inherent risk, if mitigation is provided in a general area or site specific way. Consideration of such development should include the following points.

1, Lands subject to flooding – are all lands which would be flooded by the 100 year flood, or by a recorded flood exceeding the 100 year flood level, or a flood level specified by the Province in areas protected by flood control works.

2, Lands adjacent to a water-body which have the apparent potential to be flood prone may indicate that a detailed assessment should be done to determine flood risk. Risk from ice movement may also have to be considered.

3, Lands subject to water erosion are considered to be lands which would, within a 50 year period, be eroded or become unstable due to the action of water in an adjacent waterway or water body.

4, Lands subject to other hazards such as landslides or subsidence are those lands in areas where events have occurred or are predicted, lands apparently subject to bank instability, or lands on or near a slope adjacent to a water-body that are subject to subsidence due to down- slope soil movement.

5, Land subject to significant flooding, erosion or bank instability should be left in a natural state, carefully evaluated if development is to be approved, or used for low intensity uses such as managed grazing, forestry or open space recreational activities which are generally acceptable.

6, 'Best Management Practices' for agricultural activities within riparian areas should be adopted by farmers. Annual cropping and unmanaged grazing activities can adversely affect riparian areas. Tree clearing specifications may need to be established in a municipal Zoning By-law for lands adjacent to rivers and the recreation lakes, in order to protect severe slopes from erosion and bank instability.

7, The Planning District Board will circulate appropriate proposals and coordinate land use policies and approvals with reference to Conservation District Boards and IWMPs.

8, It may not be practical or desirable to restrict all development in sensitive areas. Development should, however, be carefully controlled and planned to ensure that it is compatible with the risks or that the risk has been eliminated or appropriately protected against.

9, New structures may be allowed within flood hazard areas where acceptable mitigation is practicable. Flood protection measures for habitable structures must protect to the design flood elevation plus appropriate freeboard in accordance with Provincial standards

10, Services should be protected against damage and where practicable should be functional or at least secure during hazard conditions. This may have has implications for the design of roads, piped services, as well as septic tank tops and well heads. Also hydro and wired services that have components on the ground, should be designed appropriately.

11, Development proposals in hazard areas may require design or studies by qualified persons.

12, Existing tree and vegetation cover should be preserved where appropriate to reduce erosion and assist in maintaining bank stability.

### **2.3.7 Water Resource Areas**

Development potentially affecting water resources should be designed and constrained in a manner which ensures that these resources are sustainable.

**BACKGROUND STUDY REFERENCE MAPS** show the major sand and gravel aquifers within the District. Other aquifers may exist.

Development or activities with a high risk of an accident that might pollute, should be encouraged to locate in less susceptible areas. Mitigation plans or measures to protect water resources may be required at time of development.

The preservation or reintroduction of native vegetation should be encouraged in riparian areas, in order to stabilize the banks, to provide aquatic and wildlife habitat, to filter run-off and generally to maintain or improve the quality of water.

Development setbacks from a shoreline may be required. The extent of protection will be related to the characteristics of the water-body and shoreline and the scale of the development.

In order to provide access to and along water-bodies, public ownership of land is one solution. Crown reserves are in place in many areas, dating from the original land

granting policy in effect at the time. A transfer of land to public ownership may be required in the development approval process, and can be considered in satisfying a requirement for park land dedication. In condominium type development, riparian lands can be protected and managed as a common asset.

The width of protected riparian land should be appropriate to the circumstances. Continuity of public shoreline access should be an objective in negotiating development design with developers and land owners.

Docks, boat houses, and other structures and terrain or vegetative modifications within the riparian area should be limited and Provincial or Municipal ownership of such lands may facilitate such control. The Province owns land below the ordinary high water mark on water-bodies, and thus approval is required to work or construct in such areas, or to place a dock.

Any undertaking of drainage work requires Provincial authorization.

Where adequate data is not available and it is deemed appropriate, the board or council may require an assessment of soils, surface and groundwater site features and mitigation measures.

Work in or near water must not harmfully alter, disrupt or destroy fish habitat. Information on recommended design and construction practices for such work is available from Federal Department of Fisheries and Oceans (DFO). DFO may require review of significant undertakings.

Proposals for development requiring the withdrawal of large quantities of water will need a provincial license. A groundwater exploration permit or surface water development authorization issued by the Province may be required.

### **2.3.8 Transportation**

Transportation systems and facilities are essential to encourage, precipitate, and support development and economic activity. The scale, function, and responsibility range from private through to municipal, provincial, and federal levels, and include resource roads, the private railways, airports, and roads maintained full time and seasonally by municipalities, and the provincial highway system. The infrastructure investment is large and with recurring costs, and the resource should be managed appropriately

Commercial use of water-bodies and the related wharves, docks, canals, structures, services, storage areas etc. must be accommodated.

Energy transportation through pipelines and electric transmission lines should be considered in this light as well.

Airports and aerial approaches should be protected from incompatible or potentially incompatible land uses (e.g., buildings, uses that attract birds, etc.) that may adversely impact the operations and/or endanger public safety. A municipal Zoning By-law may establish separation standards for development adjacent to an airport. Conversely, proposals to establish an airport must consider the location of existing dwellings or other development that might adversely be impacted by aircraft operations. Airports should be dealt with as conditional uses.

Larger scale development proposals should include a conceptual plan showing the internal road network and its' optimal connections to the existing municipal and provincial networks. Where direct access to the Provincial system is proposed, early design review will determine how the development should proceed toward securing an access intersection permit.

Development should have legal access to a road of appropriate standard and capacity. A proponent can enter an agreement with the municipality to build a new road, upgrade an existing road, or develop a new road on an unopened road allowance. A municipality may assist with road construction. Generally, access to higher standard roads designed for higher speed and load ratings should not be by single lot driveways unless there is no practicable option.

Land uses which generate significant amounts of large truck traffic should be located in proximity to major roadways. Agro-business, farm supply, building supply, car dealers, and construction companies are examples. Seasonal load limits on minor roads would limit unduly the operation of such businesses.

When evaluating development proposals, the potential impact on the existing transportation system will be considered. Development proposals that are simply incompatible, or generate unsafe traffic patterns, or would require unacceptable public investment in improvements may not be approvable.

Commercial uses which primarily serve the travelling public on PTH and PR highways shall be located with planned access available from major roadways where appropriate.

Development or access that is proposed within the regulatory control areas of highways under provincial authority require approval - for a PR by Manitoba Infrastructure and Transportation and for a PTH by The Manitoba Highway Traffic Board.

Development proposals that may have a significant impact on the provincial highway system regardless of location should also be circulated for comment.

Where a developed area is bordered by a major transportation corridor, such as a highway or railway, new development should, where possible, be planned for the same side to avoid the need for local traffic to cross the major corridor or facility.

Generally, government road allowances should be retained for public access. Consideration should be given to leaving undeveloped road allowances in their natural state unless required for road development. These areas can provide wildlife habitat and travel corridors.

Any interim clearing, cultivation or fencing of unimproved road allowances should be managed by written agreement with the municipality.

A council may designate certain roadways as truck routes, in order to limit deterioration of the local road system and to minimize safety problems and nuisance factors within communities.

The internal road or street network associated with any proposed development may be required to reflect a proposed future road and street system in an area.

Development in areas *now designated for highway widening or expansion* may have to incorporate suitable provisions *for immediate public acquisition* to accommodate future widening or expansion.

The location of railway crossings shall be designed to minimize conflict among rail, road, and pedestrian traffic movements.

A municipality may require impact studies for development adjacent to a railway mainline – to consider such as the impact of noise and vibration, appropriate safety measures including setbacks, separation distances, berms, and fencing – which reflect the nature and speed of the rail operations.

### **2.3.9 Mineral Resources**

There are economically valuable sand, gravel and other mineral deposits located within the area that provide essential raw materials required for present and future infrastructure and manufacturing activities.

See **BACKGROUND STUDY REFERENCE MAPS**

1, Areas identified on maps provided by the Province as being of high aggregate, mineral, oil or gas potential should be protected from incompatible land uses that would restrict exploration and development.

2, Areas identified on maps provided by the Province as being of medium aggregate, mineral, oil or gas potential, may be developed with consideration of the mutual impact. Variable factors such as use of blasting should be considered in terms of use limitations and separation.

3, Active aggregate, mineral, oil or gas operations should be protected where appropriate from incompatible uses. Separation distances may be identified in a municipal Zoning By-law.

4, The exploration, development, production and reclamation of all aggregate, mineral, oil or gas resources shall be undertaken in a manner that is environmentally safe, stable and compatible with adjoining uses.

5, Rehabilitation of depleted aggregate pits and quarries shall be the responsibility of the owner/operator of the site utilizing funds established for this purpose by the Province.

6, The approval of larger scale extraction activities may be by a conditional approval process.

### **2.3.10 Heritage Resources**

1, The identification of heritage resources is encouraged.

2, Sites with heritage potential will be considered for designation as municipal heritage sites under *The Heritage Resources Act*, and municipal heritage conservation zones under *The Planning Act*.

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

4, Heritage resources should be protected by designation and zoning where:  
- buildings or landscapes have received or are to receive municipal or provincial heritage designation;

5, Buildings and sites that have been developed and operate as heritage sites will be protected as appropriate.

### **2.3.11 Recreational Resources**

**BACKGROUND STUDY REFERENCE MAPS 4-1, 4-2, 4-3 and 4-4**, identify land capability for recreation for the LPD utilizing the seven class Canada Land Inventory System (CLI).

The following part, ( PART 3: 3.3.8 Recreation General Development ) provides policies for recreation related development in the district. Recreation land use area is an important but finite resource especially on lands adjoining the lakes.

1, Areas with high recreational capability, *Classes 1-3 CLI* for recreation, containing interesting and/or rare natural features should be protected for outdoor recreation and related uses. Development in areas adjacent to recreational areas should not preclude or negatively impact the use of the recreational area.

2, Areas with lower recreational capability, *Classes 4-5 CLI* should be protected where higher class recreation capability resources are not sufficient to satisfy local and regional needs.

*Classes 6-7 CLI* lands may only sustain low intensity activities or simply provide open space.

Designated recreational uses and areas around recreation lakes or features such as parks should be protected from incompatible or potentially incompatible land uses which may threaten the integrity or development of these significant recreational resources.

## **PART 3: RURAL AREAS**

### **3.1 Introduction**

This section of the Development Plan outlines objectives and policies for the *Rural Areas*

*Rural Areas* are characterized by less dense development and larger land parcels, unserviced lots, with agriculture and resource-related activities being the dominant land uses by area.

The *Rural Areas* contain resource uses, rural residential development, recreation development, cultural and entertainment development ( e.g. Selo Ukrainian site ) agro-related and other industrial/ commercial developments, an airport, two industrial parks in conjunction with the City of Dauphin, landfills, lagoons, etc.

These are variously provided for in with the following Development Plan Map designations:

RURAL AREA

RECREATION

RURAL RESIDENTIAL

CULTURAL DEVELOPMENT

GENERAL DEVELOPMENT

COMMERCIAL

INDUSTRIAL

### **3.2 Objectives**

- 1, To encourage economic development, growth and diversification in an orderly, efficient manner that recognizes the important role of resource-related activities in the *Rural Area*.
- 2, To recognize that within the *Rural Areas* many rural uses associated with resource, residential, commercial, industrial, and recreational uses, as well as protected natural areas and conservation areas must be accommodated.
- 3, To consider development in a manner that minimizes potential for land use conflicts.
- 4, To encourage sustainable development which uses land and infrastructure efficiently.
- 5, To maintain the character and quality of rural lifestyle appropriate in rural areas.

6, To recognize the distinct differences and required land use management practices among large and small scale livestock operations, mixed farms, specialized agricultural operations, lagoons, etc. and to make provision for their continued presence with the *Rural Areas* of the District.

8, To encourage growth and development in rural areas in a manner that supports urban areas.

### **3.3 Designation Policy and Map Designations**

The land use designations are shown on the maps contained in **APPENDIX “A”** with Maps for the four RMs , and detailed areas within.

1, The **RURAL AREA ( RA )** designation is the ‘default designation’ covering the areas of the RMs not specifically identified or already developed for other uses. It provides for resource uses such as agriculture, forestry, and mineral extraction and a broad range of large-lot residential, home occupation, commercial, industrial and other uses that exist. Recreational use not associated with lakes will be accommodated as well.

2, The **RURAL RESIDENTIAL ( RR )** designation provides for residential development generally on large clustered lots where some services can be provided or extended efficiently. The keeping of animals may be permitted subject to the municipal Zoning By-laws.

3, The **RECREATION ( R )** designation provides for seasonal and permanent residential development and a full range of recreation development such as campgrounds, marinas, resorts and related commercial activities. The focus of this designation is around the three large lakes.

4, The **CULTURAL DEVELOPMENT ( CD )** designation provides for a cultural / entertainment area only for the Ukrainian Folk Art Centre and Museum for the present.

5, The **GENERAL DEVELOPMENT ( GD )** designation provides for an area that has a mixture of development, has legacy lot size, land use, and service issues, and likely is in transition.

6, The **COMMERCIAL ( C )** designation provides for general and highway commercial-type development on large sites, with a significant orientation to large truck and machinery related traffic and uses.

7, The **INDUSTRIAL ( M )** designation provides for heavy commercial and industrial development in the two Industrial Parks located at the Dauphin Airport and on lands northwest and adjacent to the City of Dauphin, and other such use sites.

### 3.4 GENERAL

1, In general, uses such as commercial, industrial, indoor recreational, institutional, public and small lot and multiple residential uses shall be encouraged to locate within or adjoining the existing urban and developed areas.

2, Some land uses , such as commercial and industrial uses that require large tracts of land and need to be separated from urban land uses may be appropriate in the **RURAL AREA**. Land considered for these uses should have a lower value for resource use where practicable.

3, Development in rural designations should be located so as to be reasonably compatible with other uses. A Conditional Use process may be used to accomplish this.

4, Development should be directed away from prime agricultural lands and viable lower class agricultural lands that are being used for agricultural production, and separated from existing livestock operations.

### 3.5 General Agriculture

The **RURAL AREA** must accommodate a full range of farming activities including livestock operations of all types and sizes. Prime agricultural lands and viable lower class lands that are being used for agricultural production should remain available for agricultural use into the future.

1, Lands in the **RURAL AREA** should be maintained in larger parcels where practicable. Most farm property is held in ¼ section, 160 acre, increments, although a division into 80 acres is possible without regulatory review or approval.

2, Smaller land holdings suited for small-scale or specialized farming operations must be considered for approval. There is a risk that 80 acre holdings would soon become the norm, if smaller sites at an appropriate size are not available or approvable.

3, Recent MB regulations prescribe that only one subdivision per 80 acre parcel can be approved by a municipality. This regulation may encourage a proliferation of 80 acre holdings to meet the demand for smaller lot creation. The locating of smaller lots within a given area in 'clusters' should be considered, in addition to the consideration of soil suitability, 'farm-ability', topography, etc. (see Manitoba Provincial Planning Regulation 81/2011)

4, It would be constructive to pursue a policy of 'only 8 lots per section' and seek provincial concurrence that this makes more sense, allowing the municipality to plan and

achieve clustered development, rather than being forced to approve dispersed development that would have to be one in each 80 acre , ½ quarter, parcel.

5, Existing farm operations, including livestock operations, which operate with generally accepted farm management practices and in conformance with provincial regulations, should be protected from new development which might unduly interfere with continued operation.

5, **BACKGROUND STUDY REFERENCE MAPS**, identify soil capability for agriculture based on the 7 class Canada Land Inventory system. Classes 1 – 3 are prime agricultural land for field crop production. The lower class 4 and 5 lands are marginal for cultivation and are capable of perennial forages, native forages and pasture.

Class 6 lands are capable of producing native forages and used for pasture but improvement is not feasible.

Class 7 and organic lands are considered unsuitable for dry land agriculture. NB: The CLI scale of soil survey and mapping is unsuitable for site specific decisions. Detailed soils information would permit more refined decision making where it is available, or can be provided.

### **3.6 Livestock Development Strategy**

The keeping of commercial-scale, farm livestock in a pasture on large farm-sized land parcels is not regulated by this Plan outside specified designated areas.

Livestock operations are defined in the Planning Act, and thus in this document, as "...the keeping of 10 or more 'animal units' in a confined area..."

Livestock operations of a size greater than 300 AU must have an approved manure management plan.

The main objectives of this strategy are:

- 1, To recognize existing livestock operations and provide for reasonable expansion of these.
- 2, To allow new livestock operations wherever the proposed size is compatible with surrounding land uses and sensitive environmental areas.
- 3, To recognize the need for size and location restrictions for livestock operations adjacent to major rivers, recreation lakes, Designated residential, urban, and recreation areas, single existing residences, and sensitive ecological areas , in order to minimize the potential for land use conflicts and ensure environmental sustainability.

### 3.7 Livestock Operations Policies

Livestock operations are an important component of the agricultural industry. The **RURAL AREA** Designation is generally available to support a full range of livestock operations of all sizes. In some situations, these types of operations may have potentially adverse effects on other developments and the local environment, primarily due to factors such as odour, noise, insects, run-off, and management practices that require interaction with the environment. They need to be carefully located and planned so as to minimize the potential for pollution and in areas adjacent to water-bodies.

- 1, In order to provide a measure of protection for water quality, all new or expanding livestock operations shall have a separation distance of 330 feet (100 metres) from the ordinary high water mark of any surface water-body, and any sinkhole, spring, well , or property boundary.
- 2, Livestock Operations should not be located within any 100 year flood plain (a flood that can be expected to occur on average once in one hundred years) (Note: this policy does not pertain to existing livestock operations that operate under and comply with Manitoba Conservation and Water Stewardship Livestock Regulations).
- 3, Where a new or expanding livestock operation is being proposed in the **RURAL AREA** where there is mineral potential as shown in **BACKGROUND REFERENCE MAPS**, the Province will be consulted to determine the site specific quality and status of the mineral resource and site's suitability for development.
- 4, New livestock operations shall not be located on high quality mineral resource deposit potential areas as mapped by the Province until such deposits have been removed and the site rehabilitated;
- 5, New or expanding livestock operations may be located on medium quality mineral resource deposit potential areas as defined by the Province, after review by the Province
- 6, New or expanding livestock operations may be located on low quality mineral resource deposit potential areas as defined by the Province.
- 7, The capacity to develop Livestock operations adjacent to urban areas and any Designated residential , recreation, and cultural development areas shall be limited by the separating distances found in the Provincial Regulations and the policies following.
- 8, There shall be no new livestock operations located within the following areas:
  - a buffer of 5280 feet (1609 metres) of the City of Dauphin;
  - a buffer of 2640 feet (804 metres) of the urban areas of Winnipegosis, Fork River, Rorketon, Ochre River, Sifton and Valley River ;
  - a buffer of 2640 feet (804 metres) of any Designated rural residential, recreation, and cultural development areas;
- 9, All lawfully established, existing livestock operations within the areas identified in (8) above, at the date of adoption of this by-law, shall be deemed to be Conditional uses and expansion of existing livestock operation will require a Conditional Use process.

10, Existing livestock operations of any size, within the areas identified in (8) above as being closer than 2640', are limited to a maximum size of 100 animal units cumulative across species.

11, Existing livestock operations within the areas identified in (8) above as being within the area between 2640' and 5280', are limited to a maximum size of 300 animal units cumulative across species.

12, All new, and expanding existing livestock operations, over 200 animal units cumulative across species, are conditional uses.

13, Specified mutual separation distances between livestock operations and the areas Designated urban, residential, cultural development and recreation areas, except for specific livestock capacity restrictions in the buffer areas identified above, will be generally equal to the provincial regulations for livestock operations in a Zoning By-law.

14, Specified mutual separation distances will be established between existing, expanding and proposed livestock operations of different sizes and single residences not accessory to the livestock operation. The minimum separation distance for single-family residences not associated with the livestock operation may generally be up to 50% greater than the minimum distances provided in Provincial Planning Regulation ( MR 81/2011 as amended) in a Municipality's Zoning By-law.

15, Councils may, pursuant to provisions of *The Planning Act*, vary the mutual separation distance as provided for in a Zoning By-law on a specific case basis through a variance process.

16, The impact of an operation upon uses in neighbouring municipalities shall be considered with respect to the above policies.

17, All new and expanding livestock operations, unless otherwise specified in this Plan, with an animal capacity of 300 animal units or greater cumulative across species, are conditional uses subject to review by a Technical Review Committee of the Province. Proposals approved are subject to a Council's conditions, as defined in *The Planning Act*, and pertaining Provincial Regulations.

18, In accordance with minimum provincial regulatory requirements, proponents, owners and operators of livestock operations will be required to develop facilities and conduct operations in a manner which minimizes the production of offensive odours, pollution potential for soils, groundwater and surface water, and mitigates other potential land use conflicts.

19, Livestock operations will be required to locate where they will be compatible with surrounding land use.

20, New or expanding livestock operations of ten (10) or more animal units shall not be permitted on classes 6-7 lands and unimproved organic soils identified by detailed soil maps or surveys acceptable to the Province.

21, Notwithstanding the limitations regarding livestock operations contained herein, livestock facilities for 9 or fewer animal units cumulative across species accessory to the primary farm or rural residence may be allowed within the RURAL, RURAL RESIDENTIAL and RECREATION Designations, subject to all requirements of a Zoning By-law, provided that the size of the proposed parcel is appropriate for the intended use.

22, All livestock operations identified in this PART of this Plan as exceeding an animal unit (AU) capacity specified in a Zoning By-law as a conditional use shall be subject to the procedures and requirements for conditional uses as specified in *The Planning Act* and a Zoning By-law.

23, Where a livestock operation is located within one-half (1/2) mile of one or more livestock operation(s) and under affiliated ownership, management or control, and are of the same type of livestock, or where they share common infrastructure such as manure storage facilities, they shall be deemed to be one combined operation for the purpose of interpreting this Plan and the requirements of a Zoning By-law.

24, Council and proponents of livestock operations are encouraged to have regard for the advice of provincial technical advisors regarding the proposed location and development of livestock operations, particularly those of 300 or more animal units cumulative across species.

25, Such new and expanding livestock operations will be evaluated on the basis of criteria such as but not necessarily limited to:

- a, type of operation (e.g. cattle, hogs);
- b, total size of operation (e.g. animal units cumulative across species);
- c, water supply (e.g. source and consumption levels);
- d, measures to reduce odours – covers and shelterbelts;
- e, measures to ensure conformity with the zoning by-law;
- f, nearby land uses (e.g. agricultural, residential, recreational);
- j, provincial regulations governing livestock operations;
- k, reports from appropriate provincial reviewing agencies;
- l, amount of heavy traffic generated; and
- m, nature of land base (e.g. soils, cropping practices, proximity to surface water).

26, No new livestock operations will be permitted in Designated residential, recreational or cultural Areas.

## 3.8 Single-Lot Residential Development

### 1) Residential Lots

In the designated **RURAL AREA**, limited lot creation may be considered:

- (a) for the sale of a farmyard that is no longer required as part of an agricultural operation.
- (b) for the creation of a lot to allow the owner to continue to reside there.
- (c) for residential purposes for an individual engaged in an agricultural operation.
- (d) where a parcel of land that is physically isolated by such as a transportation route, topography, or a water course, and of a size, shape or nature that makes farming it impractical.
- (e) in-fill situations where there is approximately 328 feet (100 metres) or fewer of undeveloped frontage between two existing property boundaries, making it not able to be efficiently farmed.
- (f) only one new lot per 80 acre title may be allowed in the circumstances described in (a) to (e) above.

### 2) Approval Criteria for Single-lot Subdivisions

The creation of lots by landowners can be precipitated by any number of reasons, and the size and configuration of lots may vary according to physical, topographical, and market circumstances. In most circumstances of intended sale, the owner does not know the buyer nor the intended future use. The range of uses is considerable in the **RURAL AREA**, including small scale farming, the keeping of livestock, and a considerable range of home occupation and commercial uses are permitted in the area.

1, The following development criteria for all rural residential and farm related residential uses under **3.3.5.1** will be considered in the evaluation of subdivision applications in a Designated **RURAL AREA** .

- (a) a proposed site should avoid prime agricultural land, viable lower class lands being used for agriculture, and existing agricultural livestock operations wherever possible.
- (b) such uses should be directed to areas with a combination of - diversity of landscape features, a predominance of lower class land, a high degree of land fragmentation, and/or the existence of a mixture of land uses
- (c) existing shelterbelts should define new lots so as not to remove productive land from agricultural production where practicable.
- (d) the site should be a sufficient distance from conflicting or incompatible land uses
- (e) the lot use must comply with the mutual separation distances for livestock operations, as may be varied on a case by case basis;

- (f) the site shall not be located in natural hazard areas subject to flooding, inadequate drainage, erosion or with a continuous or reoccurring high water table unless these matters are able to be addressed.
- (g) the site should be physically suitable for a use.
- (h) services such as, drainage, hydro and legal road access can be provided at the usual municipal standard for the area;
- (i) the proposed site shall be capable of having an approved sewage system.
- (j) development should be in a pattern which efficiently uses land, infrastructure and public services.
- (k) new rural lots on the periphery of existing urban areas must be planned so as not to preclude future urban expansion where that is likely.
- (l) the cumulative effect of lot creation in an area will be considered;
- (m) a proponent may be required by council to provide additional information to demonstrate the suitability of a site for a rural use.
- (n) council may provide for the keeping of accessory livestock in a Zoning By-law subject to limited animal types, limited number of animal units and minimum site requirements.

### **3.9 Commercial and Industrial Development in Rural Areas**

1, New or expanding commercial and industrial developments should be located within or as close to an urban or settled area as is safe, nuisance-free and practicable in order to strengthen existing communities. Such developments should be planned to not impede the orderly expansion of communities.

2, Commercial and industrial developments which are directly related to agriculture or natural resources and are suited to a rural location due to large scale, or involve potential hazards or nuisances, or require large sites, may be established in the **RURAL AREA** . These uses may be provided for by zoning map amendment, and as permitted or conditional uses in the rural zone of a Municipal Zoning By-law.

3, Commercial and industrial developments, as identified above, in the RURAL AREA should be located in a manner that is consistent with the transportation and agricultural policies of this Plan.

4, The location of uses which involve the storage and transfer of hazardous materials must comply with applicable provincial regulations as well as requirements in a Zoning By-law.

### **3.10 Rural Residential Development**

Multiple large lot rural residential development, which is required to meet an important aspect of the residential housing spectrum, will be considered in an area Designated RURAL RESIDENTIAL.

APPENDIX "A", DEVELOPMENT PLAN MAPS show such areas now Designated.

Future RURAL RESIDENTIAL area Designation shall be subject to the following development criteria.

- 1, The residential development shall be directed off prime agricultural lands, viable lower class lands and existing agricultural operations wherever possible.
- 2, The residential development shall be located a sufficient distance from conflicting or incompatible land uses such as existing livestock operations industrial areas, waste disposal areas, landing areas for aircraft, railways, high capability areas for mineral extraction.
- 3, The residential development should not be located in natural hazard areas subject to flooding, inadequate drainage, erosion or with a continuous or re-occurring high water table, except where acceptable mitigation is to be implemented.
- 4, The area should be a logical extension of areas already Designated and developed for such or similar use.
- 5, The residential development should have services such as a piped water, wastewater collection system or generally approved on-site sewage systems.
- 6, Services such as, but not necessarily limited to, drainage, hydro and telephone and access to all weather roads can be provided at the municipal standard for the area.
- 7, Where residential development should develop in a pattern which efficiently uses land, infrastructure and public services.
- 8, Residential development should be approved when the number and the location of the proposed lots is necessary to meet the needs of the market.
- 9, A concept plan for all lands contained within the parcel to be developed should be prepared for consideration by the Council.
- 10, The keeping of accessory livestock may be allowed on residential lots subject to the requirements in a Zoning By-law.

### **3.11 Recreation Development**

Recreation development is an integral and important part of the economic development activity of the LPD. Regular growth in the assessment base is in large part due to such development. There are many rivers, Riding Mountain National Park, the Duck Mountains Park and Forest, and three large recreation lakes with varying degrees of development from low, to intensive cottage and residential, golf and camping development, etc.

These areas are illustrated in APPENDIX "A" DEVELOPMENT PLAN MAPS The recreation lakes (Dauphin Lake, and Lakes Manitoba and Winnipegosis) have virtually unlimited recreational development capacity.

The lakeshore areas have permanent dwellings and seasonal cottage development. Appropriate areas around the lakes are generally Designated RECREATION on the above noted maps. Exact boundaries for developed and developing areas will be identified in a Zoning By-law.

New areas outside these can be proposed for this use and would require Designation. These will be considered with reference to the CLI recreation mapping in an area specific evaluation. Given the many variables that determine the feasibility of recreation developments, it will not always be the case that the very general CLI mapping will be the determining factor.

Areas within the Designation will be zoned where generally developed for recreational use and the remaining lands may be used for low intensity agricultural uses while awaiting development. The zoning can be amended and extended to accommodate proposed development.

- 1, A Zoning By-law may provide for permanent and seasonal development in RECREATION areas characterized by varying levels of municipal services.
- 2, Open space uses and campgrounds, marinas and related ancillary commercial activities will be accommodated.
- 3, Recreation residential development will generally follow the policies set forth in subsection PART 3: 3.3.7 for multiple-lot rural residential development.
- 4, Recreation development should be directed to prime recreational lands.
- 5, New recreational areas may be considered in the context of existing uses and local needs in the area, and preferably as an extension from an area already Designated. Proposed development that is isolated from existing development may be considered if the proponent satisfies the Board and Council that there a need.

6, Proposals for commercial activities, marinas, golf courses, group camps, resorts, lodges , and the like will be accommodated and may be implemented through a conditional use process.

7, Recreational development should have minimum lot sizes based on resource development aesthetics and the type of sewage disposal systems approved. These lot sizes shall be determined in a Zoning By-law.

8, A concept plan may be required for part or all of any proposed development showing the relationship to adjoining lands , as well as any proposed phasing or staging of development.

9, All designs shall minimize the impact from development on the shoreline and increase public access to the shoreline for low intensity use. Wherever practicable, a natural tree and vegetative cover shall be preserved. A plan of open space linkages which will permit ease of access within, and from one recreational development to another, may be required. Requirements for parkland dedication may be used to accomplish this.

10, Proposed recreational developments adjacent to water bodies may be required to provide public land adjoining the ordinary high water line. A development set-back from the ordinary high water mark and lot lines will be specified.

11, A Municipal Council may determine the need for a Development Agreement with the developer.

### **3.12 Cultural Development Areas**

The CULTURAL DEVELOPMENT designation provides for the establishment of a cultural and entertainment site, more particularly for the present a site for all of the activities of Selo Ukrainian Folk Art Centre and Museum for education and entertainment of the overall community. The site is used by other groups including the successful Dauphin CountryFest.

APPENDIX "A" DEVELOPMENT PLAN MAPS show this designation.

The following policies shall apply to the CULTURAL DEVELOPMENT area.

- 1, Any development directly or indirectly associated with the primary activities on this site may occur within the CULTURAL DEVELOPMENT Designation.
- 2, A Zoning by-law shall list development specifications for a CULTURAL DEVELOPMENT area.
- 3, Development may be best accommodated through the use of a development agreement.

### **3.13 Commercial Development**

The general objectives and policies and transportation policies outlined in PART 2 of this Plan apply to all highways and roads within the LPD. However, the highway lands located in the fringe area around the City of Dauphin will experience the most pressure for commercial development.

These lands may have to accommodate new businesses requiring large site areas to provide retail sales and services on major transportation routes and other commercial development needing a location on a major route, and to serve the needs of the travelling public.

1, Existing commercial developments are designated COMMERCIAL in APPENDIX “A”

2, Future commercial development – whether an expansion of a Designation or a new location - may be considered by map amendment.

3, In addition to policies contained herein, commercial uses shall be subject to the objectives and policies contained in PART 2 of this Plan.

4, Commercial activities shall be encouraged to locate in close proximity to existing communities, and contiguously, and in the case of major highways access should be off a service road or a municipal road where possible.

5, ‘Frontage’ style service roads will be avoided in favour of service roads perpendicular to a highway, and at the rear of lots fronting on major highways. All such service roads should provide useful developable frontage on both sides.

6, Commercial activities should be located to minimize impact on the rural area.

### **3.14 Industrial Park Development**

The Rural Municipality of Dauphin and the City of Dauphin jointly manage two industrial areas, one wholly and another partly located in the R.M. of Dauphin. These areas provide for both heavy commercial and industrial multiple-lot development.

The industrial park at the Dauphin Airport is intended for commercial and industrial activities compatible with the airport, and the industrial park northwest of Dauphin provides for any heavy commercial and industrial developments. Both industrial parks will require continuing inter-municipal cooperation in design, development and management.

Existing industrial uses will be identified.

APPENDIX “A” DEVELOPMENT PLAN MAPS designate these sites ‘INDUSTRIAL.’

The following policies shall apply to these industrial areas:

1, The Industrial Designation is to provide areas of land suited for one or more commercial and industrial oriented industries on large sites. Except for resource based industries allowed in Rural Areas described above, industries should be directed in this designation.

2, Any uses which may produce excessive noise or dust or that may be unsightly should be buffered from adjacent designations as appropriate , and be developed so that the nuisance factor is minimized.

3, Uses that generate waste should meet applicable provincial pollution guidelines, standards and regulations.

4, Proposed uses may be required to conduct environmental impact studies to determine the extent of impact and the possible mitigation measures required to deal with any odours or emission.

5, A Zoning By-law may provide specific requirements including approving development by conditional use.

### **3.15 Home-based Business**

Home-based businesses incidental to a residential use are appropriate in the RURAL AREA These are secondary to a primary residential use and are generally modest in scale and investment, and should not generate significant levels of traffic or have adverse effects on neighbouring land uses.

Home-based settings may appear appropriate when starting up, but businesses may grow to a level of commercial activity more appropriate to a commercial area, and this should be considered from the outset.

A Zoning By-law may set specifications for this use.

## **PART 4: URBAN AREAS**

### **4.1 Introduction**

Urban areas in the region include a city, former village, and other smaller settled or developed areas.

Urban areas are differentiated from rural areas by more dense and mixed development, smaller lots, and usually a higher level of public services. The higher population densities and smaller lots allow for a greater variety of shared services (e.g., piped water and sewer, sidewalks, street lighting) to be provided efficiently and economically.

The six urban communities in the LPD are: 1) Winnipegosis, 2) Ochre River, 3) Rorketon, 4) Sifton, 5) Fork River and 6) Valley River in descending order of size.

Winnipegosis - which was a village before recent amalgamation - is now within the new Mossey River Municipality. It offers a range of commercial, industrial and public services all serviced by piped water and sewer systems.

The smaller communities, to a varying degree, have fewer or no services and are referred to herein as 'settled areas'. There is no indication that these smaller settled areas will prove attractive for growth, and there are no plans to further develop infrastructure.

Generally, the urban areas have sufficient lands within the established area boundaries to meet needs relative to the social, economic and moderate growth trends that have been identified in the Background Studies. Existing lot sizes in some areas are no longer appropriate for use, and often there are difficult title issues.

Winnipegosis may require lands for adjacent highway commercial, industrial and residential development in future.

Urban areas often have legacy lot size, land use, and servicing issues that require individual attention to accommodate evolving use proposals.

The urban communities and areas, due to their relatively small size and development activity as well as the desire to maintain a flexible and responsive approach to development proposals have been designated **GENERAL DEVELOPMENT**, see APPENDIX "A" of the DEVELOPMENT PLAN

A Zoning By-law may divide these communities into various land use zones such as residential, commercial, industrial, institutional, etc., where warranted.

The City of Dauphin is the dominate Urban Area in the region, but is not a member of the LPD.

The transitional fringe areas in the Rural Municipality of Dauphin and within the City of Dauphin, are of mutual interest to both councils. Development along highways, the planning of new by-pass highways , the orderly extension of services, and future expansion of the residential, commercial and industrial areas are items of mutual interest.

The two Municipalities continue cooperation in the development and servicing of two industrial parks.

There are 2 private water co-ops serving areas along PTH 10 south and PTH 20 east of Dauphin to existing and proposed development in these areas. The RM is presently planning and installing a piped water system which will service areas immediately west of the city and the general area.

Storm drainage discharge from the entire southern area of the city into the road network drainage system eastward from the city has been a longstanding matter of contention.

Engineering studies identified the problem in the 1970s , as well as solutions. An additional solution was engineered for the city in 1984 that would have taken the discharge easterly along the south side of the CN rail line directly into the Edwards Creek Drain.

Nothing has been implemented to reduce the impact on the rural road drainage system, and increased development, paving, and internal city drainage improvements have exacerbated the problem over the intervening decades.

Lack of a comprehensive storm drainage management plan and facilities has had an impact on feasibility and economics of development in the city, and will continue to affect growth.

The RM will continue to press for initiatives to mitigate the impact of city drainage on drainage systems and development in the RM.

The General Development area designation has policies for the following land use and development activities:

- (a) Residential development;
- (b) Commercial development;
- (c) Industrial development;
- (d) Institutional, open space, recreation & cultural development and;
- (e) Urban transition development.

## **4.2 General Objectives**

- 1, To sustain and strengthen existing urban areas by encouraging new development, revitalization and renewal while minimizing potential land use conflicts among a range of legitimate land uses appropriate in the areas.
- 2, To encourage development and growth of urban areas which uses land, infrastructure and public services efficiently by promoting complementary in-fill and revitalization.
- 3, To provide a range of residential, commercial, industrial, recreation and public institutional facilities and services to the residents of the residents of the region.
- 4, To provide adequate facilities to manage solid and liquid waste.

## **4.3. General Policies**

- 1, In general, uses such as commercial, industrial, indoor recreational, institutional, public and small lot residential uses should be directed to existing urban areas.
- 2, Proposed development must take into account the health, safety and general welfare of the residents, and the viability and character of the urban centre.
- 3, Uses should be located so as to be compatible with existing and future uses, or, made compatible through mitigation measures. A conditional use process may be used to achieve compatibility.
- 4, Infilling and revitalization of existing built-up areas should be encouraged. The reconfiguration of parcel and street boundaries should also be considered to encourage compact development and efficient use of infrastructure.
- 5, Lot sizes and densities may be determined by the limitations of existing sewer and water services within each community.
- 6, Where no existing piped services are available within the community, lot sizes should be sufficiently large to minimize the risk of contamination of private wells, and to allow for the installation of suitable types of sustainable private onsite waste management systems.
- 7, Where piped services are available, lot sizes may be smaller and provide for a higher density development, and thus more efficient use of piped services.
- 8, Where larger areas are being considered for future community development, an overall concept plan should be prepared for the area. The concept plan should illustrate the general arrangement of future roadways, lots, open spaces, piped services,

drainage, and other features including any proposed phasing or staging of development. The design should be integrated with existing services, and conform to engineering and planning standards.

9, Where a developer is proposing new development, Council will specify the standards for new infrastructure, and may require a capital contribution towards the establishment or up-grading of infrastructure that is needed to adequately service the new development.

10, Separation standards for incompatible uses such as sewage lagoons and waste disposal sites may be established in a Zoning By-law.

11, No new or expanded development shall be approved unless there are facilities and capacity in place to adequately manage the waste that will be generated.

#### **4.4 Piped Water & Sewer Services**

1, Where piped water or sewer services are provided within an area, new developments may be required to connect to or extend these services.

2, Where new water or sewer systems are provided within existing developed areas, existing development may be required to connect to these systems.

3, Where piped water or sewer services are not available in urban areas, development should be planned with a view to the implementation of efficient and economical piped water and sewer services in the future.

#### **4.5 Vehicle Traffic**

1, Development which has potential to generate significant vehicle traffic, including significant truck traffic, should locate in planned locations on or near major roadways, including provincial roads and provincial trunk highways.

2, Development which primarily serves the travelling public should locate with access to major roadways including provincial roads and provincial trunk highways where appropriate.

3, Access to the provincial highway system should be via the municipal roads with established connection to the provincial road network, where possible.

#### **4.6 Residential Development**

1, Development of a variety of housing types should be encouraged in urban areas e.g., single, multi, seniors, secondary suites, special needs, etc.

2, Residential development should be located to avoid potential conflicts with other incompatible uses.

3, Residential development will be located in proximity to complementary public, institutional, and commercial uses such as neighbourhood commercial schools, recreation facilities, parks, and libraries.

4, Multi-unit housing projects and seniors housing projects will be encouraged close to community services such as central commercial areas.

5, Urban communities should have a suitable stock of serviced land available to meet demands. It is desirable to have a supply of residential lots of various types and sizes with a range of ownership - including in-fill lots and new development lots.

#### **4.7 Commercial Development**

1, Commercial development will be encouraged to locate within existing urban areas.

2, To strengthen the urban areas, higher density development, revitalization of existing buildings, infrastructure upgrading and landscaping programs will be encouraged.

3, Commercial developments with extensive site requirements, such as outdoor storage or display, will be encouraged to locate at appropriate locations.

#### **4.8 Industrial Development**

1, Industrial uses which are incompatible or potentially incompatible with other uses due to the storage or processing of hazardous materials or requirements for heavy truck traffic, should be developed at suitable locations in the urban area. If selection of such a site is not possible, a suitable location in the rural area may be considered.

2, Development which could be incompatible with industrial use Designations should be directed away from those areas.

3, Industrial uses which are likely to be unsightly due to the nature of the industrial operations, exterior storage, building or structures, should generally be discouraged from locating along the highway approaches and entrance roadways to urban areas. If such uses are proposed in these areas, special landscaping or buffering or other mitigation measures should be taken to screen these industrial uses from view.

3, The rehabilitation and redevelopment of existing industrial sites should be promoted prior to the development of new industrial areas.

4, Industries presently located in non-industrial areas should be encouraged to relocate to an appropriate industrial area. This particularly applies to those industries that have a negative impact on adjoining properties. Should relocation of existing industries be impractical, steps should be taken to minimize the negative impact on adjoining properties.

5, A municipal council may enter into tax, service and cost sharing agreements for municipal infrastructure and industrial development that require inter-municipal co-operation and support to make the project viable.

6, All industrial uses shall make provision for water supply, sewage disposal, surface drainage and landscaping in compliance with all applicable regulations and by-laws.

#### **4.9 Institutional, Open Space, Recreation & Cultural Development**

Institutional uses are those which provide a public or semi-public service including such uses as governmental, educational, special residential, medical, religious, cultural, special needs facilities, fire halls, police stations and similar uses. Public open space, park and recreation uses are considered institutional as well.

1, In order to strengthen and diversify urban areas, the development of institutional, recreational or cultural facilities, should be encouraged at appropriate locations within communities. Locations should be selected which can be adequately serviced and which will be reasonably compatible with other developments.

2, In Winnipegosis the redevelopment of the abandoned railway station grounds – the downtown 'boulevard' - and adjacent sites into park and open space and related ancillary services will be encouraged.

3, Some institutional uses make good buffers or transitional uses between dissimilar uses. The use of landscaped buffers, sports fields and open spaces shall be considered as a means of protecting the urban centre core and of separating incompatible types of land uses.

4, In order to preserve the natural characteristics of shore lands, water-bodies, and to ensure continued public access, a public shore land reserve of a width suitable to Council and measured from the ordinary high water mark of a water body may be required for development proposals.

5, Areas within communities which are susceptible to flooding and which cannot be readily serviced , should be given consideration for recreational facilities. There are areas in Winnipegosis that should not be developed unless flood protection is provided to mitigate and minimize any risk.

#### **4.10 Urban Transition Development**

Undeveloped lands in the urban communities should be reserved in an un-fragmented state for future urban usage. These lands may be used for general agricultural field cropping activities but no new livestock operations will be allowed.

#### **4.11 Home-based Businesses**

Home based businesses may occur generally in urban communities. Home-based businesses are secondary to a primary residential use with a resident owner and are, generally, modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. Home-based businesses are subject to the requirements for home-based businesses in a municipal Zoning By-law.

#### **4.12 Livestock Operations Policy for Urban Areas**

1, No new livestock operations , meaning one comprised of 10 or more livestock animal units as defined in the Provincial Regulations, will be permitted in the urban communities.

2, Existing livestock operations at the date of adoption of this development plan will be allowed to continue operation but not allowed to expand.

3, A municipal Zoning Bylaw may regulate livestock in any way – from numbers of animals to location of facilities.

## **PART 5: IMPLEMENTATION**

### **5.1 Basic Implementation Measures**

The policies outlined in this Development Plan will be implemented by the following measures and methods:

### **5.2 Adoption of this Development Plan**

Adoption of the Development Plan by the Planning District Board by by-law will give the plan the force of law.

*The Planning Act* states that once adopted no development of land or change of use of land or structures may be initiated that is inconsistent or at variance with the proposals or policies or designated land uses set out in the development plan.

*The Planning Act* also states that adoption of a development plan does not require a board or council to undertake any proposal suggested or outlined in the plan.

### **5.3 Development Officer**

Council shall authorize a Development Officer ( DO ) to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to the requirements of the zoning by-law.

### **5.4 Adoption of Municipal Zoning By-laws**

Following the adoption of the development plan, each municipality comprising the Lakeshore Planning District must enact a Municipal Zoning By-law which will replace its' existing zoning by-law.

Zoning by-laws provide, on a map, areas for certain types of development. The zoning by-law must generally conform to the policies and designated area maps outlined in the adopted Lakeshore Planning District Development Plan.

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

The objectives and policies in the Development Plan provide guidance to the councils when preparing a Zoning By-law or considering an amendment to a Zoning By-law.

## 5.5 Conditional Use Approvals

Within a municipal Zoning By-law, there may be provisions for the approval of various types of development as a conditional use in a zone. This process provides council with the flexibility to review specific development proposals which are anticipated as acceptable and listed for the zone, to receive public input from nearby landowners and the public, and to make decisions about setting conditions to address concerns, or mitigate the impact of the proposals.

The approval is thus specific for each proposal to ensure that the development occurs in a manner that is acceptable to the community. The policies and objectives contained in the LPD Development Plan provide guidance for the conditional approval process. Further guidance for determining viability of a location for a conditional use proposal is found in *The Planning Act*.

## 5.6 Variation Orders

*The Planning Act* enables a municipal council to issue variation orders for the purpose of varying or altering the application of a Municipal Zoning By-law. The ways that a zoning by-law may be varied are outlined in *The Planning Act*.

Council may attach conditions to a variation order in order to maintain the intent and purpose of a Municipal Zoning By-law.

Council may authorize the DO to grant or refuse a **minor** variation as set out in *The Planning Act*. Further guidance for determining viability of a location for a variation order proposal is found in Section 97(1) of *The Planning Act*.

## 5.7 Development Permits

New development generally requires a development permit issued by the DO.

Before a development permit is issued, proposals should be reviewed to determine their conformance with the Municipal Zoning By-law.

## 5.8 Subdivision Approvals

Proposals involving the subdivision of land will be subject to a review and approval process involving the relevant municipal council and circulated to the LPD, and as specified in *The Planning Act*.

This process provides an opportunity for proposals to be evaluated in accordance with the provisions of the Development Plan. The proposal must be consistent with Development Plan policies and land use designations.

A proposal cannot proceed without the approval of a municipal council and the provincial Approving Authority at this time.

Council and/or the Provincial Approving Authority may attach conditions to a subdivision approval in accordance with provisions of *The Planning Act*.

The Minister may grant Approving Authority to a Planning District. The administration of the subdivision process at a local Planning District level would require the services of qualified staff.

## **5.9 Development Agreements**

Municipal approval of subdivisions and zoning amendments and conditional uses can be conditional on a development agreement being negotiated which will protect both the applicant and the municipality. A development agreement for a subdivisions may deal with the responsibilities of the applicant and the municipality in providing services and facilities.

A development agreement on a zoning amendment or conditional use may deal with the use of the land, the siting of buildings, the installation of services, provision of open space, design features etc.

## **5.10 Review & Amendment**

The Development Plan should be reviewed periodically and revised as necessary to anticipate and respond to changing conditions. Often, proposals are presented that precipitate a review of portions of the Plan, or the Plan maps. Ongoing and evolving consideration of matters in the Plan is constructive. The Plan may be amended at any time when considered appropriate or necessary by the Board.

The Board has set an eight year timeline for a review of the Development Plan, when there will be a formal advertised process and general opportunity for public input. It is intended that the review be co-ordinated with the municipal electoral cycle.

## **5.11 Acquisition & Disposal of Land**

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

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

Each Municipality comprising the Planning District has the capability to adopt and administer other by-laws concerning the use, development and maintenance of land. This would include measures such as the adoption of a building by-law, property

maintenance by-laws, access or encroachment agreements and other types of by-laws affecting the use of land.

### **5.13 Special Studies**

Proponents may be required to undertake and submit special studies as part of the approval process for development proposals.

Studies may be required for development proposed for lands affected by flooding hazards, endangered species, potential for groundwater or surface water pollution, and general risk to health and the environment, the extension of municipal services and their efficiency or capacity , conceptual layout designs for servicing subdivisions, traffic studies, etc.

### **5.14 Public Works**

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

### **5.15 Capital Expenditure Program**

Council should consult the Development Plan when revising the annual five year capital expenditure program.

### **5.16 Strategic Plans for Economic Development**

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

### **5.17 Integrated Watershed Management Plans**

*The Planning Act* requires the Planning District Board to consider any watershed management plan (IWMP) or regulation approved under *The Water Protection Act* when preparing, or amending a bylaw under the Planning Act development. This will be done.

The Intermountain Conservation District (Dauphin, Mossey River and Winnipegosis, Alonsa Conservation District and Turtle River Watershed Conservation District (Lawrence and Ochre River) are serving as the Water Planning Authority in the preparation of IWMPs. The early versions of these management plans have focused on “best management practices”, and the Board and Councils are aware such plans relate to land use within the Planning District.

### **5.18 Municipal Co-operation**

Implementation of The Lakeshore Planning District Development Plan may benefit from or require cooperation with other municipalities. *The Municipal Act* provides for tax sharing agreements, service sharing agreements and cost sharing agreements between municipalities.

### **5.19 Other Municipal Studies**

There are some additional areas identified in the 2000 year Background Study that may warrant more detailed planning and study in future. These may include:

- 1, Rural transportation network plan relating to existing and proposed uses;
- 2, Rural infrastructure study for piped water to specific areas (e.g. to Dauphin Beach);
- 3, Computerized land use mapping in a format that may readily be upgraded from time to time;
- 4, Identification and protection of significant historic sites;
- 5, Redevelopment of the abandoned railway lines in the RMs of Dauphin, Mossey River and Lakeshore and Winnipegosis.
- 6, Expansion and development of the tourism and recreation sectors of the economy of the district; and
- 7, Development of a mobile home park in the R.M. of Lakeshore in the Seasonal Recreation Area.
- 8, Fringe area planning in conjunction with the City of Dauphin. Including planning of transportation corridors in conjunction with Manitoba Infrastructure and Transportation Services;
- 9, Rural transportation network plan relating to existing and proposed land uses with identification of main feeder roads;

10, Rural infrastructure study for piped water and natural gas and other infrastructure services such as 3 phase electrical power;

11, Computerized land uses mapping in a (G.I.S.) format that may readily be upgraded from time to time;

12, Recreation Park development – Sifton Beach, Keld Park, Stoney point, etc.;

13, Resource development/promotion.

## **5.20 Interpretation**

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

# **APPENDIX A**

## **DEVELOPMENT PLAN MAPS**

**MAP 1** LOCATION MAP

### **Development Plan Designation MAPS**

- MAP 2- 1** MOSSEY RIVER MUNICIPALITY  
RURAL AREA
- MAP 2- 2** MOSSEY RIVER MUNICIPALITY  
WINNIPEGOSIS URBAN AREA
- MAP 2- 3** MOSSEY RIVER MUNICIPALITY  
FORK RIVER SETTLED AREA
- MAP 3- 1** LAKESHORE RM  
NORTH RURAL AREA
- MAP 3- 2** LAKESHORE RM  
RORKETON SETTLED AREA
- MAP 3- 3** LAKESHORE RM  
SOUTH RURAL AREA
- MAP 3- 4** LAKESHORE RM  
OCHRE RIVER SETTLED AREA
- MAP 3- 5** LAKESHORE RM  
DAUPHIN LAKE BEACHES AREA
- MAP 4- 1** DAUPHIN RM  
RURAL AREA
- MAP 4- 2** DAUPHIN RM  
CENTRAL AREA DETAIL
- MAP 4- 3** DAUPHIN RM  
SOUTH CENTRAL AREA DETAIL
- MAP 4- 4** DAUPHIN RM  
SIFTON SETTLED AREA
- MAP 4- 5** DAUPHIN RM  
VALLEY RIVER SETTLED AREA

## **BACKGROUND STUDY REFERENCE MAPS**

**These Reference Maps are linked to this Development Plan for information purposes only and should not be treated as Development Plan Designation maps and are not intended to identify the limits of any particular designated area**

### **Aquifer maps**

<b>REF MAP 1-1</b>	SAND AND GRAVEL AQUIFERS RM OF MOSSEY RIVER
<b>REF MAP 1-2</b>	SAND AND GRAVEL AQUIFERS RM OF LAWRENCE (former)
<b>REF MAP 1-3</b>	SAND AND GRAVEL AQUIFERS RM OF OCHRE RIVER (former)
<b>REF MAP 1-4</b>	SAND AND GRAVEL AQUIFERS RM OF DAUPHIN

### **Ground water maps**

<b>REF MAP 2-1</b>	GROUNDWATER SENSITIVITY AREAS RM OF MOSSEY RIVER
<b>REF MAP 2-2</b>	GROUNDWATER SENSITIVITY AREAS RM OF LAWRENCE (former)
<b>REF MAP 2-3</b>	GROUNDWATER SENSITIVITY AREAS RM OF OCHRE RIVER (former)
<b>REF MAP 2-4</b>	GROUNDWATER SENSITIVITY AREAS RM OF DAUPHIN

### **Aggregate Maps**

<b>REF MAP 3-1</b>	AGGREGATE RESOURCES AND QUARRY SITES RM OF MOSSEY RIVER
<b>REF MAP 3-2</b>	AGGREGATE RESOURCES AND QUARRY SITES RM OF LAWRENCE (former)
<b>REF MAP 3-3</b>	AGGREGATE RESOURCES AND QUARRY SITES RM OF OCHRE RIVER (former)
<b>REF MAP 3-4</b>	AGGREGATE RESOURCES AND QUARRY SITES , RM OF DAUPHIN

### **Recreation Capability maps CLI**

- REF MAP 4-1**      LAND CAPABILITY FOR RECREATION  
RM OF MOSSEY RIVER
- REF MAP 4-2**      LAND CAPABILITY FOR RECREATION  
RM OF LAWRENCE (former)
- REF MAP 4-3**      LAND CAPABILITY FOR RECREATION  
RM OF OCHRE RIVER (former)
- REF MAP 4-4**      LAND CAPABILITY FOR RECREATION  
RM OF DAUPHIN

### **Soil Capability maps CLI**

- REF MAP 5-1**      SOIL CAPABILITY FOR AGRICULTURE  
RM OF MOSSEY RIVER
- REF MAP 5-2**      SOIL CAPABILITY FOR AGRICULTURE  
RM OF LAWRENCE (former)
- REF MAP 5-3**      SOIL CAPABILITY FOR AGRICULTURE  
RM OF OCHRE RIVER (former)
- REF MAP 5-4**      SOIL CAPABILITY FOR AGRICULTURE  
RM OF DAUPHIN