

Rural Municipality of De Salaberry Development Plan

Schedule "A" to By-law No. 2362-18





Rural Municipality of De Salaberry

By-Law No. 2362-18

BEING a By-Law of the Rural Municipality of De Salaberry to adopt a Development Plan;

WHEREAS Section 40(2) of *The Planning Act* provides authority for preparation of a development plan by-law;

AND WHEREAS Section 45 of the said *Planning Act* provides authority for adoption of a development plan by-law;

NOW THEREFORE, BE IT AND IT IS HEREBY ENACTED BY THE COUNCIL OF THE RURAL MUNICIPALITY OF DE SALABERRY, IN SESSION DULY ASSEMBLED, AS FOLLOWS:

1. That the Bylaw 2194-04 being the Rural Municipality of De Salaberry Development Plan and all amendments thereto are hereby repealed;
2. That the attached Development Plan, marked Schedule "A", is hereby adopted and shall be known as: The Rural Municipality of De Salaberry Development Plan.
3. That the Rural Municipality of De Salaberry Development Plan shall take force and effect on the date of third reading of this bylaw.

DONE AND PASSED by the Council of the Rural Municipality of De Salaberry duly assembled in Manitoba this 9th day of October, A.D. 2018.

"Original signed by Marc Marion, Reeve"
REEVE

"Original signed by Kristine Shields, CAO"
CHIEF ADMINISTRATIVE OFFICER

Read a first time this 9th day of January, 2018.
Read a second time this 29th day of May, 2018.
Read a third time this 9th day of October, 2018.

I, Kristine Shields, Chief Administrative Officer of the RM of De Salaberry certify this to be a true and correct copy of Bylaw 2362-18, passed at regular meeting of council on October 9, 2018.

Kristine Shields
Chief Administrative Officer
The Rural Municipality of De Salaberry

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Part 1. Introduction

Part 1 provides important background information about the *RM of De Salaberry Development Plan*. This Part contains the most up-to-date published information at the time of writing from sources including Statistics Canada, the Province of Manitoba, Environment Canada, and the Municipality, and provides a summary of the socio-economic characteristics and trends, land use patterns, environmental management, and cultural and heritage characteristics. This important information helps shape the policy provisions contained in Part 2 and Part 3 of this Development Plan.

1.1 Purpose and Intent

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

The Rural Municipality of De Salaberry Development Plan (the Development Plan) contains policies on land use, transportation, recreation, economic activity, and the environment as they relate to growth and development. As the strategic planning document for the RM, this Development Plan provides clear direction to manage growth and development in a sustainable manner, while honouring De Salaberry's unique identity and history.

1.2 Enabling Legislation and Regulation

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

1. *The Planning Act*

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

- a. Set out the plans and policies of the planning district or municipality respecting its purposes and its physical, social, environmental, and economic objectives;
- b. Direct sustainable land use and development in the planning district or municipality through maps and statements of objectives;
- c. Set out measures for implementing the plan; and

- d. Include such other matters as the Minister or Council considers advisable.

2. *Provincial Planning Regulation*

The Provincial Planning Regulation provides guidance concerning how land use planning and development should occur in Manitoba, and what a development plan should contain. This Development Plan is generally consistent with the PLUPs while being sensitive to the unique planning context of the RM of De Salaberry. Once approved and adopted, this Development Plan replaces the PLUPs.

1.3 Context

This Development Plan recognizes the distinct context of the RM of De Salaberry and the overarching vision, goals, and policy direction provided herein are cultivated from an understanding of De Salaberry's unique traits. The context described in the following paragraphs was shaped by obtaining input from a variety of stakeholders including De Salaberry's public administration, Council, residents, Provincial agencies and departments, and a number of community groups with a broad range of interests. It was also informed by the *RM of De Salaberry: State of the Region Background Study*, which reviewed demographics, servicing levels and capacities, municipal finance, existing policy documents, building statistics, and land use mapping. *A Strategic Planning Framework*, outlining a variety of goals and objectives for the RM, further guided and shaped this Development Plan.

Heritage and Historical Context

1.3.1 The RM of De Salaberry has a storied past including a long history of Indigenous peoples which pre-dates surveys, settlement, and cultivation, as the area lies within the traditional lands of the Anishinabe and is located within Treaty One territory. The first permanent settlements in the area were established by Métis, French Canadian, Ukrainian, Mennonite, and British families drawn to the shores of the Rat River, the area's fertile agricultural land, and location along important transportation corridors, such as the Crow Wing Trail and, later, Canadian Pacific Railway's (CPR) Pembina Branch rail line. De Salaberry was incorporated on December 22, 1883, and was named after Lieutenant Colonel Charles-Michel d'Irumberry de Salaberry.

The Historic Resources Branch does not have any designated municipal or provincial historic sites for the RM of De Salaberry. One municipal site (No.218) was registered in 2001 but was de-designated in 2005. The Manitoba Historical Society, a public organization, has identified 37 sites with potential heritage/historic value.

Regional Context

1.3.2 The RM of De Salaberry is located in southeast Manitoba and is part of Canada Census Division 2. Approximately 60 km south of the City of Winnipeg, De Salaberry covers an area of 7 townships and is bordered by five rural municipalities, including the RMs of Ritchot, Hanover, Emerson-Franklin, Montcalm, and Morris. The Village of St-Pierre-Jolys is located within the boundaries of De Salaberry and serves as a major service centre for the area, however, as a separate municipality, its land use is not governed by this Development Plan.

Environmental Context

1.3.3 The RM of De Salaberry is located in the Red River Plain and can be split into two physiographic subsections: the Red River Valley and the South Eastern Plain. The majority of De Salaberry is located within the Red River Valley, defined by level to very gently sloping landscape. The southeast corner of the RM is within the South Eastern Plain, defined by gently sloping and ridged terrain. Overall, the RM's land surface is flat, gently sloping less than 2% from an elevation of 285 metres above sea level in the southeast corner to 232 metres in the northwest. The low surface gradient in the Southeastern Plain levels out further in the Red River Valley, resulting in poor surface drainage throughout most of the RM. This flat topography, coupled with Red River Valley soil types that are generally impermeable, creates conditions in which water pools on the land during wet conditions.

One of the most significant challenges facing De Salaberry in the future may be the threat of climate change, and the need to mitigate and adapt to potential change. Extreme weather events and difficulty growing certain crops pose an immediate threat to De Salaberry's agricultural base. Furthermore, the relationship between warmer climates, extreme weather, flooding, and drainage may have a distinct impact. While sparsely populated, the western side of the RM falls within the Red River Valley Designated Flood Area. This Development Plan will endeavor to include measures to address climate change through mitigation and adaptation to ensure the long-term resiliency of the agricultural sector.

Land Use and Planning Context

1.3.4 Land use in the RM of De Salaberry is primarily agricultural. 96.5% of land area is designated as Agriculture and designated as General Agricultural (85%), and Limited Agricultural (11.5%). Residential land use policy designations include Rural Residential (1.5%), Urban Areas (0.8%), and Parkland Residential Area (1.3%). Rural Commercial lands make up approximately 0.1% of the land area.

The RM of De Salaberry has historically been a rural farming community with a diverse agricultural sector, including an array of livestock operations. While agriculture continues to play a major role in the economy and identity of the RM, De Salaberry has experienced increased residential development in recent decades within the area surrounding St. Malo Provincial Park. The St. Malo area is expected to accommodate much of the new growth in the RM. In addition to offering complete communities and economic opportunity for current and future residents, the effective management of this growth will be key to ensuring a high quality of infrastructure and services for the urban area of St. Malo while maintaining the recreational allure of the area and agricultural integrity of the municipality.

Demographic Context

1.3.5 As per 2011 census data, De Salaberry has a median age of 36.3 years, which is slightly lower than the median age of the surrounding region (37.5) and the provincial average (38.4). However, the RM has been trending towards an aging population with median age increasing nearly 4 years over the last three census periods. The total population of the RM is growing steadily, averaging an annual growth rate of approximately 1% over the past 25

years.

As per the *State of the Region Background Report*, the RM of De Salaberry's population in 2016 was estimated at approximately 3,795 people based on 2011 census data and recent building permit data maintained by the RM. In early 2017, Statistics Canada released limited 2016 census data, indicating that as of 2016, De Salaberry had an official population of 3,580, with St. Malo comprising of 1,227 people. This population count is slightly lower than the projections made within the *Background Report*. It is important to note that although the projected population is higher than the current population, all demand scenarios based on the higher projection remain valid, as they indicate an abundance of existing land assigned for residential development.

The *Background Report* projected growth rates over a 20 year horizon for the RM and each urban centre and hamlet. Applying an annual growth rate of 1.0%, the RM of De Salaberry would have a total population of approximately 4,600 people in 2036. Additionally, the projections show that St. Malo is likely to remain the principle growth centre in De Salaberry, reaching a population of approximately 2,600 in 2036, followed by Otterburne at 352 people. The hamlets of Carey, Dufrost, and La Rochelle are likely to remain near their current approximate populations of 20, 80, and 50 respectively. The populations of the hamlets could decline if no new development occurs and the average number of people per household continues to decrease in De Salaberry.

Economic Context

- 1.3.6 The agricultural sector and related industries are the dominant economic driver and single largest employment sector within the RM of De Salaberry. The steady rate of population growth and greater seasonal influx from De Salaberry's growing number of recreational properties is likely to create increased demand for commercial services and opportunities for greater seasonal employment, particularly in and around the urban centre of St. Malo. As such, this Plan provides objectives and policies to protect and preserve the long-term viability of the agricultural sector. If De Salaberry is to position itself to attract business and industry, providing a variety of housing types and tenure options to appeal to a broad spectrum of lifecycle stages and lifestyles will be required. This Plan sets forth the appropriate provisions to not only provide housing to an aging population, but to ensure adequate housing options for young adults and families looking to locate to, or stay in, De Salaberry for employment opportunities.

Agricultural Context

- 1.3.7 According to Canada Land Inventory (CLI) analysis, 94.2% of the land area in the RM of De Salaberry is prime agricultural land (CLI Class 1, 2, and 3). Despite containing significant amounts of Class 2 and 3, De Salaberry has relatively little Class 1 agricultural land. The greatest concentration of prime agricultural land is in the northern and western portion of the RM, while Class 4, 5, and 6 are dispersed throughout the eastern portions, particularly in the southeast. No land has been classified as Class 7 agricultural land.

This Development Plan provides policies to address and mitigate potential land use conflicts and preserve prime agricultural land. Such policies are especially important given that 70.6% of De Salaberry is currently being used as annual crop land. With the majority of urban centres and hamlets (and neighbouring St-Pierre-Jolys) being surrounded by prime agricultural land, special care and consideration is required to accommodate growth. Particular attention is given to rural residential development due to its inefficient use of land and its potential to generate land use conflicts with agricultural uses.

Services and Infrastructure Context

1.3.8 The RM's neighbouring municipalities, including the Village of St-Pierre-Jolys, offer a wider range of health, commercial, and social services than are provided within De Salaberry. Educational and limited emergency, social, and commercial services are present in the RM, and will continue to evolve to meet the needs of a growing population. Recreational amenities are generally concentrated around St. Malo, including, but not limited to, St. Malo Provincial Park and the Crow Wing Trail, which provide residents and tourists with all-season recreational opportunities.

Potable water in De Salaberry is supplied through groundwater sources. In rural areas, potable water is typically provided by private groundwater wells, and the current municipal water system in St. Malo supports serviced lots in the **Urban** and **Parkland Residential Policy Areas**. In 2010, J.R. Cousin Consultants (JRCC) produced the following report: *Assessment of Water System Infrastructure and Water Supply Services for St. Malo Water System*. This report projects that St. Malo may reach a population of 1,569 by the year 2027, and as such suggests an increase in system capacity to support this population increase. Growth up to and beyond this population may result in a higher demand than the current water system capacity can handle, however, not all residential households in St. Malo are serviced. As of 2016, St. Malo had a population of 1,227 people, meaning that the current population is approximately 342 people, or 132 residential households, away from the 2027 JRCC projection. Population projections within the *RM of De Salaberry: State of the Region Background Study* predict that by the year 2027 the population of St. Malo could be approximately 2,025 people, and by 2036 a population of 2,587 people, perhaps exceeding the current water system capacity.

The urban area of St. Malo is currently experiencing water pressure issues. The Municipality has been working to increase water pressure by completing looping projects and is working to establish appropriate standards for future water system expansion.

As sewage from both the serviced urban area in St. Malo, and holding tanks from the surrounding parkland residential area end up in the lagoon, it is important that both be considered when analyzing the potential for growth and total lagoon capacity.

1.4 Vision and Planning Goals

The following Vision and Planning Goals will guide planning and development in the RM of De Salaberry:

Vision

- 1.4.1 ***The RM of De Salaberry maintains a strong rural and farming heritage that should be shared with residents and visitors alike. De Salaberry will strive to protect its rich agricultural lands, and urban centres will be encouraged to grow as connected, active, age-friendly communities. Supporting economic diversity and environmental sustainability will be a priority.***

Planning Goals

- 1.4.2 The following goals were identified during the Development Plan Review process, and inform objectives and policies contained within this Development Plan:

Goal 1: Create Complete and Compact Urban Centres

Creating compact, complete communities and managing growth to protect environmental quality and preserve agricultural lands have been identified as priorities to guide growth and development in the RM. To achieve these priorities, this Development Plan encourages new residents and businesses to locate in the urban centres of St. Malo and Otterburne. Supporting existing urban centres means residents will have improved access to services and facilities, reduced travel distances, and enhanced connections between where residents live, work, shop, play, and learn. This Development Plan supports continued growth in these urban areas, making the most efficient use of existing infrastructure and municipal amenities.

Goal 2: Promote Sustainable Agricultural Practices and Protect Related Land Uses

Agricultural and natural environments are important assets that contribute to the quality of life, economic resilience, and sense of place within the RM of De Salaberry. A rich agricultural heritage, fertile land, and agricultural enterprises have shaped De Salaberry into what it is today, and will continue to shape its future. Given that more than half of De Salaberry's land area is devoted to agricultural uses, this Development Plan contains policies promoting sustainable agricultural land use and development, including sustainable livestock development and practices, to protect agricultural and natural assets.

Goal 3: Encourage Sustainable Rural Residential Development

Dispersed rural residential development serviced by wells and private wastewater services may not be sustainable over the long-term without a transition strategy that provides for the incorporation of municipal services. This Development Plan provides policies promoting a more compact growth model that can be effective in addressing the issues associated with rural residential sustainability, while continuing to provide a choice and variety of housing options within the RM of De Salaberry.

Goal 4: Plan Collaboratively with Adjacent Municipalities

Building partnerships between the RM of De Salaberry, St-Pierre-Jolys, and adjacent municipalities requires vision and leadership. This approach may provide benefits to all involved parties, such as by creating new opportunities for infrastructure and amenity expansion. This Development Plan provides policy mechanisms that allow for logical growth and development to occur over municipal boundaries, and encourages the RM to pursue a cooperative approach to inter-municipal development.

Goal 5: Create Age-Friendly Communities

The RM of De Salaberry has an aging population and is a member community of the Age-Friendly Manitoba Initiative. Creating age-friendly communities involves respecting, supporting, and planning for residents of all ages and abilities. Ensuring that places are accessible, safe, and equitable, as well as making appropriate provisions for housing that suits a broad range of lifecycle stages, are important planning considerations. Community design is directly related to age-friendliness as it can provide children with safe routes to school, senior citizens with barrier-free access to amenities, and people of all ages with opportunities for active lifestyles and recreation. This Development Plan encourages age-friendly planning and development principles to be applied throughout the RM.

Goal 6: Plan for Active and Accessible Communities

Communities offering a variety of parks, recreation, and natural areas provide residents many social, ecological, and economic benefits. Parks improve residents' physical and psychological health, strengthen communities, increase property values, and make neighborhoods more attractive and vibrant places to live, work, and play. Investing in existing parks and open spaces, such as the Crow Wing Trail, can make the RM of De Salaberry a destination, drawing residents and visitors alike. Incorporating parks, pathways, and recreation opportunities into compact and complete communities are also important components of walkability, ensuring that essential destinations are centrally located and accessible. Walking and cycling benefit public health, reduce GHG emissions, and create more livable neighborhoods.

From economic, environmental, community, and public health perspectives, the development pattern of the RM of De Salaberry should allow for safe and convenient walking and cycling opportunities for residents and visitors. Parks and recreation opportunities are a cornerstone of complete communities and community design can be a tool to increase walkability, by ensuring that essential destinations are centrally located and accessible. The municipal road network should be provisioned and maintained in a sustainable manner and provide accessibility within and between De Salaberry's urban centres for a variety of modes.

Goal 7: Encourage Resilient and Diverse Economic Growth

Economic growth is dependent on several factors including investment in municipal infrastructure, attracting and retaining population, and a nurturing business climate where land is accessible and affordably priced for a variety of enterprises. Economic development goes hand in hand with availability of services, vibrant residential and commercial sectors, recreational opportunities, and environmental protection. By looking at planning issues from a regional perspective, opportunities

exist to take advantage of the RM of De Salaberry's location and competitive advantages for economic success.

Goal 8: Plan for Resiliency in a Changing Climate

Climate Change has been identified as a major issue facing municipalities in Manitoba. Anticipated impacts in southern Manitoba include warmer, drier summers accompanied by increased precipitation in the winter and spring. These factors are particularly relevant to the RM of De Salaberry which partially falls within the *Red River Valley Designated Flood Area* and contains substantial crop land. The RM has therefore identified climate change as a concern, adopting a *Local Climate Action Plan* in 2009 and joining the Federation of Canadian Municipalities' *Partners for Climate Protection* (PCP). The RM of De Salaberry has taken steps to address Greenhouse Gas emissions and set milestones for measuring and monitoring as part of their Aspects of PCP membership. Aspects of Planning Goals 1-7 from this Development Plan will work towards achieving a higher level of climate resiliency and many of the policies throughout this Plan will work towards achieving these goals.

1.5 Development Plan Structure

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

Part 1: Introduction

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

Part 2: General Policies

This Part contains general policies that apply to all designated land use policy areas as identified in Part 3 of this Development Plan.

Part 3: Land Use Policy Areas

This Part provides objectives and policies to guide land use and development within designated rural and urban areas of the RM of De Salaberry including: ***Agricultural Policy Areas, Rural Residential Policy Areas, Hamlet Policy Areas, Urban Policy Areas, Parkland Residential Policy Areas***, and ***Urban Hold Policy Areas***. Objectives and policies contained within this Part are supported by the land use maps found in Part 6.

Part 4: Implementation

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

Part 5: Glossary of Acronyms

This Part provide a glossary of the acronyms used with this Development Plan.

Part 6: Land Use and Reference Maps

The land use and reference maps within this Part denote the location of designated land use policy areas as identified in Part 3 of this Development Plan.

1.6 How to Use the Development Plan

The RM of De Salaberry Development Plan provides a roadmap to guide future decisions made by Council. The Development Plan contains objectives, which are intended to inform and provide context for the policy statements.

The Development Plan also contains policy and reference maps. The land use maps contained in Part 6 spatially illustrate the policy areas affected by policy statements. The reference maps also contained in Part 6 provide conceptual layouts for land use, transportation corridors, and key infrastructure improvements. A reference map's concepts are for illustrative purposes only and are provided to inform future development decisions based upon the policies within this Development Plan.

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

Step 1

Review the Land Use Maps in Part 6 to determine how the subject land is designated;

Step 2

Review the policies in Part 3 in relation to the subject land's current and proposed designation;

Step 3

Review the general policies in Part 2;

Step 4

Review the Reference Maps in Part 6 to determine whether they contain information relevant to the subject land; and

Step 5

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

Part 2. General Policies

Part 2 of this Development Plan defines the overarching objectives and policies respecting all land use and development within the RM of De Salaberry. In addition to the specific land use policy provisions contained in Part 3, the following objectives and policies contained in this Part should be reviewed with respect to all proposed development within the municipality.

The following general policy areas are described in Part 2:

- 2.1 Sustainable, Livable, and Age-friendly Communities
- 2.2 Hazard Lands, Flooding, and Erosion
- 2.3 Surface and Groundwater
- 2.4 Waterways
- 2.5 Drainage
- 2.6 Tourism, Recreation, and Environmental Conservation
- 2.7 Aggregate and Mineral Resources
- 2.8 Heritage Resources
- 2.9 Utilities
- 2.10 Municipal Services and Infrastructure
- 2.11 Transportation
- 2.12 Hazardous and Incompatible Uses
- 2.13 Inter-municipal Cooperation and Service Sharing

2.1 Sustainable, Livable, and Age-friendly Communities

Building complete communities where people of all ages and abilities can live, work, shop, and play is an important component of more complete communities. Developing urban design policies within this Plan, as well as the Zoning By-law, can aid in the implementation of sustainable, livable, and age-friendly communities in the RM of De Salaberry.

OBJECTIVES

- 2.1.1 To consider and encourage the four pillars of sustainable development (economic, environmental, cultural and social) within the context of land use and development.
- 2.1.2 To proactively address potential threats of climate change through sustainable building construction, development, and planning practices.
- 2.1.3 To ensure that private and public spaces, both indoor and outdoor, are universally accessible and free of barriers that limit opportunities for individuals with disabilities to participate actively in society or to access vital health and social services.
- 2.1.4 To provide safe and accessible roadways, sidewalks, and pathways that are well-kept, and provide signage which promotes easy way-finding.
- 2.1.5 To promote and maintain an attractive and well-designed built-form in the RM.
- 2.1.6 To recognize the importance of quality design and benefits to residents and visitors provided by aesthetically pleasing environments.

POLICIES

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

Sustainable Buildings and Land Use

- 2.1.7 Water and energy conservation through use of low-flush toilets, the use of energy efficient appliances, and the use of renewable energy sources such as solar, wind, and geothermal will be encouraged for all new buildings and retrofits to existing structures.
- 2.1.8 Building and site configurations are encouraged to take advantage of passive solar orientation.
- 2.1.9 Wind Energy Generating Systems (WEGS) may be established as a permitted or Conditional Use in the Zoning By-law in all rural policy areas. The establishment of WEGS shall be subject to specific siting and setback requirements as outlined in the Zoning By-law and Provincial highway setbacks, as applicable. WEGS shall generally be removed from areas designated and zoned for residential use and existing dwellings, on lands where sufficient setbacks can be provided to mitigate potential safety, noise, and visual impacts. The RM shall endeavour to eliminate or minimize impacts of WEGS development on avian and wildlife habitat.
- 2.1.10 A compact and integrated development pattern that makes provision for a variety of active transportation options will be encouraged for all new development to reduce transportation energy use.
- 2.1.11 Proposed land use(s) will be developed in a manner that will eliminate or minimize conflicts with adjacent land uses.

2.1.12 Proposed land uses shall locate on sites in which the land is physically suited for the purpose intended, particularly that the soil and drainage conditions are suited for the proposed development.

Age-friendly Development

2.1.13 The RM shall continue to work with the Age-Friendly Manitoba Initiative to pursue age-friendly planning and development solutions.

2.1.14 Universal design measures shall be encouraged in the public and private realms.

2.1.15 Compact and connected communities shall be encouraged in order to offer active mobility options for all residents, regardless of age or ability.

2.1.16 A variety of housing types, including multi-family, shall be accommodated to provide options for all residents, regardless of lifestyle or lifecycle.

Urban Design and Community Improvements

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

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

2.2 Hazard Lands, Flooding, and Erosion

Located in the west and northwest area of the RM of De Salaberry is a portion of the 1997 Red River Flood Extent. Provincial Designated Flood Area Regulation 59/2002 applies to lands within the Red River Valley Designated Flood Extent to mitigate the physical and financial impacts of flood events and to protect human lives, property, livestock, and natural resources. The 1997 flood event also affected lands along the Rat River, upstream of St. Malo, but the frequency of this event is considered less than a 100 year event. While there is evidence that Joubert Creek has flooded in the past, there is little documentation detailing flood levels, flows, and extents during those events.

The policies in this section are intended to protect permanent development along waterways in the RM by using Red River Valley Designated Flood Area Regulation 59/2002 for lands within the Red River Valley Designated Flood Area, as well as a Flood Protection Level of either the 200 year flood or the flood of record, whichever is greater, plus 0.61 metres (2 feet) of freeboard as determined by the applicable Provincial authority, for lands outside the Red River's flood extent.

OBJECTIVES

- 2.2.1 To ensure development does not occur in high risk areas. Development may occur in areas where the hazard can be protected against when adequate mitigation measures are taken to reduce negative impacts or increase the capability of the land to support the proposed development.
- 2.2.2 To undertake flood protection methods in order to minimize personal hardship and inconvenience, adverse effects on public health, loss of life and safety, property damage, and public expenditures on flood relief.
- 2.2.3 To protect the riparian areas adjacent to natural waterways and water bodies within the RM.

POLICIES

The following policies shall guide development with respect to hazard lands, flooding, erosion, and riparian areas within the RM:

General Policies

- 2.2.4 Hazard lands include areas subject to flooding, water erosion, bank instability, landslides, or subsidence. More specific criteria defining hazard lands include:
 - 1. Lands subject to flooding, including all lands which would be flooded by the 200 year flood, or flood of record, whichever is greater, and lands that are subject to periodic local flooding;
 - 2. All lands which would, within a 50 year period, be subject to erosion, be eroded, or become unstable due to the action of water contained in an adjacent waterway or water body; and
 - 3. Lands subject to other hazards such as landslides or subsidence including those lands where actual effects of such hazards have occurred or have been predicted.
- 2.2.5 Development permitted on or near hazard lands shall:
 - 1. Minimize property damage, public expenditures, and dangers to public health and safety;

2. Protect all structures and services against damage and maintain functionality under hazardous conditions;
 3. Prevent acceleration or promotion of environmental damage; and
 4. Ensure new structures are built above the 200 year flood elevation or the flood of record of whichever is greater, or such other elevation as established by the applicable Provincial authority.
- 2.2.6 Development proposals on hazard lands may require the completion of environmental, geotechnical, or hydrological engineering studies to determine if the land has potentially hazardous slopes or could be subject to other hazards, such as flooding. The said studies shall address means to eliminate risks or reduce risks to acceptable standards, as determined by the applicable Provincial authority and/or Council.
- 2.2.7 In areas where the specific hazard has not been determined, buildings shall be set back from all waterways a distance of at least 10 times the height of the bank above the Ordinary High Water Mark (OHWM) or 60 metres (200 feet), whichever is greater.

Red River Flood Area

- 2.2.8 Notwithstanding the other policies of this section, lands within the Red River Valley Designated Flood Area are subject to the *Designated Flood Area Regulations* as established by the Province of Manitoba.
- 2.2.9 Development proposals on hazard lands will be forwarded to the applicable Provincial authority prior to consideration.

2.3 Surface and Groundwater

Potable water in the RM of De Salaberry is supplied through groundwater sources, and in rural areas, treated water is typically provided by private groundwater wells. Protecting surface and groundwater sources throughout the municipality from potential impacts caused by certain intensive forms agricultural or industrial development is a priority.

OBJECTIVE

- 2.3.1 To protect surface and groundwater sources within the RM.

POLICIES

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

- 2.3.2 Developments requiring significant water consumption shall only be permitted in areas where they will not cause a reduction in water supply for existing users. If groundwater is to be used as a source of water supply, it shall be done in a sustainable manner and comply with *The Water Rights Act*, *The Groundwater*, and *The Water Well Act*.
- 2.3.3 Wells shall be developed in a manner that will not have a detrimental impact on aquifers and abandoned wells shall be capped.
- 2.3.4 Development proposals, including irrigation and livestock operations, requiring more than 25,000 litres/day of self-supplied water require a water rights license under the provisions

of *The Water Rights Act*. All self-supplied industrial and community well distribution systems also require a water rights license.

- 2.3.5 Developments or activities that may cause pollution or negatively impact drinking water sources, groundwater, aquatic life, or aquatic habitats will be directed away from major surface water bodies such as the Rat River, the Marsh River, Joubert Creek, and the St. Malo Reservoir. Where this is not feasible or practical, such uses or activities may be considered adjacent to major surface water bodies provided:
1. It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the surface or groundwater supply;
 2. Appropriate precautionary measures have been taken to sufficiently mitigate the risk of endangering the quality of the water supply for domestic potable water supply purposes; or
 3. Council has referred major developments proposed near waterways and water bodies to applicable Provincial and Federal authorities for review prior to approval.
- 2.3.6 Sources of public drinking water shall be protected by limiting certain uses and activities that could include, but are not limited to, agricultural fertilizer or pesticide application, cattle accessing the area, on-site waste water systems, and industrial and residential development, subject to applicable Provincial regulation and at the discretion of Council.
- 2.3.7 Adherence to all Provincial regulations developed under *The Environment Act*, *The Water Protection Act*, *The Water Rights Act* and other pertinent documents will be required for proposed developments.
- 2.3.8 The RM should pursue opportunities to work with the work with the Seine-Rat River Conservation District and implement the actions of the *Rat-Marsh River Integrated Watershed Management Plan (IWMP)*, which include improving water retention for groundwater recharge, restricting high-polluting uses in water protection zones and restoring water flow in the Marsh River.

2.4 Waterways

The RM of De Salaberry's waterways and waterbodies should be protected and maintained for the purposes of sources of drinking water, irrigation, and recreation. Natural habitats and ecosystems that rely on these waterways and waterbodies should also be preserved. The following policies require that existing and future developments be enhanced or established in a manner that ensures the quality of water throughout the municipality is not compromised.

OBJECTIVES

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

POLICIES

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

- 2.4.5 Land shall be developed in a manner which ensures waterways, waterbodies, aquatic ecosystems, and shoreland and riparian habitat areas are sustained. Council may consult with applicable Provincial or Federal government agencies in this regard.
- 2.4.6 Identification of waterways, waterbodies, groundwater, and shorelands requiring protection or enhancement will be achieved through ecological programs at the Provincial and municipal levels. The extent of the required protection or enhancement will be directly related to the characteristics of the local situation such as, but not limited to: size and configuration of the waterway, waterbody, shoreland or groundwater; the need for public access; erosion rates; and recreation potential. Shoreland reserves or specific setback regulations may be created to protect shoreland, waterways or, waterbodies. Where appropriate, public acquisition may occur by direct purchase, dedication through the subdivision approval process, easement, lease, or a combination thereof.
- 2.4.7 Development shall occur in a manner that sustains the yield and quality of water from significant aquifers.
- 2.4.8 Public access to water and shoreland areas shall be encouraged to foster appreciation for, and enjoyment of, nature. Access and activity levels shall not exceed the capability of the area to sustain the ecosystem.
- 2.4.9 The preservation and rehabilitation of native vegetation will be promoted in order to stabilize banks, filter run-off, and protect surface water quality.
- 2.4.10 Stream and shoreline alterations shall not be undertaken without the approval of the applicable Provincial and Federal government departments.
- 2.4.11 Any proposed development adjacent to fish habitats, spawning sites, and fish nursery areas shall conform to the following development criteria:
 - 1. Measures to limit nutrient and sediment inflow shall be implemented before, during, and after development;
 - 2. The construction of dikes is preferred to channel deepening and straightening;
 - 3. Land shall not be cleared, cultivated, or developed to the water's edge; and
 - 4. Organic loading or siltation from agricultural run-off shall be prohibited.
- 2.4.12 Any approval requirements shall be obtained from applicable Provincial or Federal government departments.
- 2.4.13 In order to reduce nutrient loading to the Rat River, Marsh River, Joubert Creek, and the St. Malo Reservoir, the RM will encourage the preservation of riparian vegetation, support the use of non-phosphorus based lawn fertilizers, and promote the proper maintenance of septic fields and tanks.
- 2.4.14 Lands should not be cleared or developed to the water's edge of creeks, streams, and lakes. In order to maintain wildlife habitat and protect aquatic ecosystems and species the following buffers shall be retained, or if applicable, restored:
 - 1. For first and second order drains a 15.0 m (49.21 ft.) buffer of undisturbed native vegetation, upslope from the high water mark;

2. For third order drains or higher order drains, natural waterways, and natural waterbodies, a 30.48 m (100.0 ft.) buffer of undisturbed native vegetation, upslope from the high water mark;
 3. Where indicator fish species, or identified species at risk are present, or the water body provides spawning, nursery, feeding, or migratory habitat, a 30.48 m (100.0 ft.) buffer, upslope from the high water mark; and
 4. Within said buffer areas, shoreline alteration (e.g. pathways, docks, and boat houses) should cover less than twenty-five percent (25%) of the land area.
- 2.4.15 Proposed major subdivisions and zoning amendments adjacent to waterways and water bodies shall be forwarded to the applicable Provincial and Federal government departments for comment and review.

2.5 Drainage

Flat topography and non-permeable soil types throughout the RM of De Salaberry create for poor surface drainage and pooling during wet conditions throughout most of the municipality. Drainage occurs across the municipality in a northwesterly direction, primarily through the Rat River, Marsh River, and Joubert Creek. The following policies ensure that land drainage and pooling is considered with regards to both urban and rural development.

OBJECTIVE

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

POLICIES

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

- 2.5.2 The RM will adhere to Provincial drainage guidelines and work cooperatively with the applicable Provincial authorities and adjacent municipalities to address any regional drainage issues.
- 2.5.3 Drainage plans for new development, as well as overall storm drainage plans for undeveloped areas and subdivision areas, may be required prior to development. Development should not increase water or drainage into the Provincial highway system. If drainage into the highway's system is unavoidable, the applicable Provincial authority must provide authorization. Costs associated with drainage into a Provincial highway drainage system will be the responsibility of the developer, (see Policy 2.11.19).
- 2.5.4 New Developments may be required to provide on-site water retention to manage stormwater runoff, nutrient flows, flood mitigation and ensure adequate water supply.

2.6 Tourism, Recreation, and Environmental Conservation

The RM of De Salaberry is home to the St. Malo Provincial Park and the Crow Wing Trail – significant tourism and recreation assets. Supporting opportunities for the development of tourism

and recreation assets, while protecting natural environments from overuse and incompatible land uses, can help to strengthen and diversify the municipality's economy.

OBJECTIVES

- 2.6.1 To recognize the significance of tourism to the economy of the RM, and provide opportunities for the development and diversification of tourism in urban and rural areas.
- 2.6.2 To establish and enhance tourism and recreation destinations, services, and infrastructure to serve the interests of the RM and attract visitors.
- 2.6.3 To encourage the protection of a wide variety of recreational and scenic resources.
- 2.6.4 To promote the responsible use of recreational resources and prevent overuse and consequent degradation.
- 2.6.5 To ensure that land uses are compatible with the St. Malo Provincial Park and Crow Wing Trail recreation areas.
- 2.6.6 To protect natural areas and habitats from incompatible or potentially incompatible uses including rare or endangered flora and fauna that have received protection under *The Manitoba Endangered Species Act* or *The Federal Species at Risk Act*.
- 2.6.7 To recognize, protect, and ensure the sustainability of wildlife protection zones, and other protected areas.
- 2.6.8 To minimize the impacts of development upon aquatic ecosystems, wetland environments, and riparian areas.
- 2.6.9 To recognize, protect and ensure the sustainability of provincial Crown lands that have been designated as provincial park, wildlife management area and/or protected area.

POLICIES

The following policies shall guide development with respect to tourism, recreation, and environmental conservation within the RM:

Tourism

- 2.6.9 Opportunities for the development of tourism and the enhancement of community facilities shall be promoted in the RM.
- 2.6.10 Amenities that support the needs of visitors to St. Malo Provincial Park should be encouraged by strengthening the role of St. Malo as a service centre by including appropriate provisions in the Zoning By-law.
- 2.6.11 Opportunities should be explored to advocate and promote Crow Wing Trail uses within the RM and surrounding municipalities.
- 2.6.12 Agri-tourism and farm-stay related tourism in the RM shall be encouraged and will be regulated in the Zoning By-law.
- 2.6.13 Tourism development should have no adverse effects on the environment, surrounding land uses, and the quality of life in the RM.

Recreation

- 2.6.14 Proposed subdivision or development on, or in proximity to, lands with significant capability for recreation shall only be permitted after the proponent has proven there will be no adverse effects on those lands, or that the development cannot practically be located

elsewhere, to the satisfaction of Council. Council may consult with applicable Provincial agencies.

- 2.6.15 Public access to recreation and natural areas shall be encouraged to foster an appreciation for and enjoyment of nature, however, such access shall not lead to levels of activity that will exceed the capability of the area to sustain the ecosystem and recreational integrity.
- 2.6.16 Development of a recreation area shall be limited to a level of intensity that permits the sustainable use of the recreational resource.
- 2.6.17 Recreational development shall be planned to be compatible with the natural environment, resource-related uses, and other adjacent uses. Non-intensive recreation may be permitted in ***Agricultural Policy Areas***, whereas more intensive uses shall be directed to appropriate policy areas.
- 2.6.18 The RM will continue to plan collaboratively with the applicable Provincial government agencies regarding St. Malo Provincial Park and the Crow Wing Trail.

Environmental Conservation

- 2.6.19 The Province may identify areas that are representative of major natural regions and may protect them from land uses that would negatively impact their ecological integrity. Natural areas and habitats shall be protected from incompatible or potentially incompatible uses where:
 - 1. Rare or endangered flora and fauna have received Provincial protection under *The Manitoba Endangered Species Act* or *The Federal Species at Risk Act*;
 - 2. Lands have received Provincial protection under *The Protected Area Initiative*;
 - 3. Lands have been identified as Wildlife Management Areas or Provincial Parks; or
 - 4. Private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.
- 2.6.20 Developments that would drain or fill any significant wetland or marshland area shall be prohibited, unless appropriate remedial measures have been or will be taken that are acceptable to the Province to sufficiently mitigate environmental risks.
- 2.6.21 The retention of tree cover shall be encouraged on unused road allowances, other municipal lands, lands along watercourses, and land having low agriculture capability as a means to control erosion and wind damage, and protect significant wildlife and aquatic habitat areas. Tree cover and wildlife should also be protected by clustering developments separated by treed open space, and retaining natural drainage ravines to act as corridors for wildlife.
- 2.6.22 Council shall encourage private landowners to seek advice from an applicable Provincial authority with respect to habitat removal and wildlife depredation and will support educational programs undertaken by the applicable Provincial authority.
- 2.6.23 Compatible zoning, which limits potential for land-use conflict, will be applied to all lands that are adjacent to, or border, Crown Lands.
- 2.6.24 Development may be prohibited in areas that have received protection under *The Manitoba Endangered Species Act* or *The Federal Species at Risk Act*. If development is permitted it shall be in accordance with the terms and conditions established by the applicable Provincial authority.

- 2.6.25 Council may request a public reserve be added to subdivisions in order to provide active and passive recreation areas for residents and preserve natural and riparian areas.
- 2.6.26 The protection and restoration of riparian areas shall be encouraged on private lands. Private land owners interested in riparian protection/restoration may be referred to the Seine-Rat River Conservation District in order to qualify for their riparian management and/or riverbank stabilization incentive programs.
- 2.6.27 Developments and the use of land adjacent to designated provincial parks, wildlife management areas or other protected areas will be referred to the applicable Provincial authority for review to ensure that future development or changes in land use will not adversely affect the sustainability or the ecological integrity of the areas resident flora and fauna.
- 2.6.28 Development Plans and applicable Zoning By-law maps will delineate and identify all Crown lands designated by order-in-council and/or regulation by the Province.
- 2.6.29 Inter-municipal co-operation is encouraged in the application and implementation measures to protect the regional natural environmental resources.

2.7 Aggregate and Mineral Resources

Aggregate and mineral resources, as well as extraction operations in the RM of De Salaberry should be supported to produce employment opportunities and strengthen the local economy. The intent of these policies is to ensure that extraction operations are subject to stringent policies in order to protect and rehabilitate the environment, as well as protect surrounding land uses from potential negative externalities.

OBJECTIVES

- 2.7.1 To protect natural resources, including known sand and gravel deposits, from conflicting land uses which may prevent the economic extraction of minerals.
- 2.7.2 To ensure the sustainability of the environment and natural resources, and promote compatible relationships between the environment, resources, and the uses of the land.
- 2.7.3 To rehabilitate, in accordance with applicable Provincial government regulations, lands disturbed by mineral exploration, development, and production to a condition that is environmentally safe, stable, and compatible with adjoining lands.

POLICIES

The following policies shall guide development with respect to aggregate and mineral resources and extraction operations on lands not designated for urban or residential use within the RM:

Aggregate and Mineral Resources

- 2.7.5 In areas with known aggregate resources, or areas having moderate to high discovery potential for these resources, uses should be limited to non-intensive agriculture (e.g.

livestock grazing, cropping, forestry), temporary uses, or other uses that will permit access to the resource.

- 2.7.6 The exploration, development, production, and termination of all aggregate resources shall be undertaken in a manner that is environmentally safe, stable, and compatible with adjoining land uses.
- 2.7.7 Land uses (such as residential, rural residential, or certain types of commercial, institutional, or recreational uses) which may be sensitive to and conflict with the inherent characteristics of aggregate extraction and processing shall not be allowed within an appropriate distance of the existing or anticipated limits of the extraction operation. Minimum setback regulations shall be established in the Zoning By-law for extraction operations and adjacent land uses.

Extraction Operations

- 2.7.8 Extraction operations shall be a Conditional Use in the Zoning By-law. Conditions may include a site plan showing the staging of extraction, proposed buffering measures, a rehabilitation plan, letter of credit related to proposed rehabilitation works, or cost-sharing of municipal infrastructure improvements.
- 2.7.9 Setback distances from extraction operations shall, at minimum, meet those stipulated in the *Mines and Minerals Act*.
- 2.7.10 Existing aggregate operations and lands containing a valid mineral disposition shall be protected from incompatible and potentially incompatible land uses, in nearby areas.
- 2.7.11 Extraction operations shall require all necessary permits and licenses prior to resource extraction as per *The Mines and Minerals Act*.
- 2.7.12 Where a non-resource related development is proposed for an area identified for aggregate or mineral extraction and development, a site specific study shall be conducted by the development proponent in order to determine the quality and extent of the deposit including feasibility of extraction. The study must be conducted, and report certified, by a professional engineer or geoscientist.
- 2.7.13 Where a medium or high quality aggregate deposit is identified and the Crown owns the mineral rights, any conflicting surface use and associated development must be approved by the applicable Provincial authority.

Site Rehabilitation

- 2.7.14 Lands disturbed by aggregate and mineral exploration or development shall be rehabilitated by the owner/operator. The Provincial Pit and Quarry Rehabilitation Program may be used to facilitate rehabilitation.
- 2.7.15 All rehabilitation shall be conducted in accordance with *The Mines and Minerals Act*, *The Oil and Gas Act*, and *The Environment Act*. Appropriate financial security shall be submitted and approved by the applicable regulatory authority prior to local planning approvals being granted.
- 2.7.16 Council may use a development agreement to place requirements on the timing of site rehabilitation.
- 2.7.17 Site rehabilitation should generally commence within 12 months of resources extraction activities having been completed.

2.7.18 Topsoil and overburden removed to gain access to aggregate and mineral resources should be stockpiled on the site to be used for site rehabilitation.

2.8 Heritage Resources

Planning for the future also involves preserving heritage from the past. The following policies encourage the protection of heritage assets and sites identified in the RM. The protection and promotion of such sites can also provide increased recreation and tourism opportunities for the RM of De Salaberry.

OBJECTIVES

- 2.8.1 To protect known heritage resources in the RM from incompatible development and land uses that may threaten their integrity or operation.
- 2.8.2 To recognize the importance of encouraging public awareness, understanding, and appreciation of heritage resources.

POLICIES

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

- 2.8.3 No development of land shall be permitted that will endanger any site or structure with historic, architectural, or archeological significance as identified by the applicable Provincial authority.
- 2.8.4 Sites with heritage potential will be considered for identification as a municipal heritage site under *The Heritage Resources Act*.
- 2.8.5 The RM shall encourage and facilitate the identification of heritage resources in the municipality.
- 2.8.6 The RM shall endeavour to preserve and protect its heritage resources through the judicious use of statutory instruments such as the Zoning By-law, subdivision procedures, development permits, design by-laws, and demolition by-laws.

2.9 Utilities

The RM of De Salaberry relies on the provision of a range of services from utility companies. The municipality is encouraged to ensure that the provision of these services is done in a manner that minimizes incompatibility with surrounding land uses.

OBJECTIVES

- 2.9.1 To work collaboratively with utility companies on all land development issues to ensure the sustainable provision of a range of services within the RM.
- 2.9.2 To protect local and regional investments in infrastructure and utilities.

POLICIES

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

- 2.9.3 Essential activities of government, public, and private utilities will be permitted in any land use designation subject to requirements of the Zoning By-law. Such uses should be located and developed in a manner that will minimize any incompatibility with neighbouring land uses, subject to economic, safety, and environmental considerations.
- 2.9.4 Council shall continue to work closely with all utility companies in planning compatible land uses along existing and proposed utility corridors. Developments will be approved on the basis of maximizing the utilization of existing utility systems and distribution networks to meet the existing and future needs of the RM.
- 2.9.5 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses that may threaten or adversely affect their operation.

2.10 Municipal Services and Infrastructure

Effective municipal services and infrastructure are critical to the social, economic, and environmental health of the RM of De Salaberry. The following policies support the efficient and continued function of essential services such as water, wastewater, and solid waste disposal.

OBJECTIVES

- 2.10.1 To ensure the provision of sustainable municipal services in the RM.
- 2.10.2 To promote water conservation and the economical and efficient delivery of municipal services in the RM.
- 2.10.3 To protect local and regional investments in infrastructure and municipal services.

POLICIES

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

- 2.10.4 No new or expanded development shall be permitted in areas where essential services such as potable water supply, wastewater collection and disposal, storm water and drainage systems, public roadway access, and communications cannot be provided or extended in a sustainable manner.
- 2.10.5 An applicant may be required to commission a study demonstrating capacity exists to manage wastes and provide water.

Water and Wastewater

- 2.10.6 Land use patterns and development concepts that promote the provision of sustainable water and wastewater infrastructure shall be prioritized.
- 2.10.7 Where municipally operated water or wastewater services are provided within any developed area, new and existing developments shall be required to connect to these services.
- 2.10.8 Where piped water or wastewater services are not available in the RM, development should be planned to efficiently and economically to accommodate future provision of said services.

- 2.10.9 Council may implement, via development agreement, measures to allow for efficient and economical provision of water or wastewater services, such as siting houses on a lot in a manner which allows for future subdivision. The extension and/or improvement of piped water and wastewater services should be implemented so as to efficiently and economically service proposed development areas. Development patterns shall be established, and developments approved in a manner that supports district and regional solutions to water and wastewater service delivery.
- 2.10.10 Water supply and wastewater management systems, where provided, must be developed and operated in accordance with applicable Provincial standards, including *The Environment Act*, *The Public Health Act*, and *The Drinking Water Safety Act*.
- 2.10.11 Council may require additional analysis, at the expense of the proponent, to determine the impact of proposed development on existing and future infrastructure systems and related servicing requirements. This analysis may include, but is not limited to, storm water management plans, drainage studies, soil suitability analysis, water modeling and treatment analysis, sewer capacity, and/or sewage lagoon capacity analysis.
- 2.10.12 All onsite wastewater management systems proposed in the RM shall ensure that the design and construction is suitable for the soil conditions and the lot size proposed for the development and shall comply with all requirements under the *MR 83/2003-Onsite Wastewater Management Systems Regulation*. All onsite wastewater management systems must be registered with the applicable Provincial authority prior to installation.
- 2.10.13 The responsibility for infrastructure and services associated with bare land condominium developments shall rest with the Condominium Corporation. Additional municipal services, if desired, can be included in the development agreement between the proponent and Council, pursuant to *The Planning Act* and costs of these appropriated accordingly.
- 2.10.14 Setback distances from sewage treatment facilities, wastewater stabilization ponds, and solid waste disposal sites will be established in the Zoning By-law. Setbacks will, at minimum, meet Provincial guidelines and will limit land use within the buffer to agricultural, industrial, and specific open space or recreational uses to prevent the establishment of non-compatible land uses.

Solid Waste Management

- 2.10.14 The RM will encourage the provision of waste management programs, such as for recycling and composting, and provide facilities for household hazardous waste disposal.

2.11 Transportation

Two Provincial Trunk Highways (PTH) service the RM including PTH 23, which runs east/west, passing through Dufrost and La Rochelle, and PTH 59, which runs north/south and passes through St-Pierre-Jolys, La Rochelle, and St. Malo (see Map). The Canadian Pacific Railroad passes north-south through the centre of the municipality, intersecting the urban area of Otterburne and the hamlets of Carey, and Dufrost.

Transportation linkages are an integral component of the RM of De Salaberry economy for the procurement, distribution, and trading of manufactured goods, farm produce, and livestock. Long-

term transportation planning is crucial to efficiently and adequately provide connections to accommodate future growth.

OBJECTIVES

- 2.11.1 To provide and maintain safe, efficient, and economical vehicular transportation routes in the RM.
- 2.11.2 To encourage vehicular traffic to utilize the most appropriate transportation routes and generally direct large volumes of commercial, industrial, and automobile traffic outside of residential areas.
- 2.11.3 To incorporate existing and future access management plans, and other related transportation studies, into future development.
- 2.11.4 To protect Provincial and municipal investments in transportation infrastructure.
- 2.11.5 To minimize disruption to future local development and minimize acquisition costs for future transportation improvements.
- 2.11.6 To establish a road hierarchy within the RM.
- 2.11.7 To encourage active transportation as a means of travel for utilitarian and recreation purposes, supporting healthy living, economic development, and tourism opportunities.

POLICIES

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

Access

- 2.11.8 New developments shall have legal access to an all-weather road built to municipal standards and capacity. The proponent may enter into an agreement with Council to upgrade an existing road or develop new road to provide their development access of a municipal standard. The proponent will be responsible for part or all the costs of any necessary roadway construction.

Road Hierarchy

- 2.11.9 The RM is comprised of a road system that includes municipal roads, Provincial roads, and highways. These roads are illustrated on the policy map and policies specific to both municipal and Provincial roads are contained in this Section. The following road classifications have been assigned, as illustrated in Map 4.

Arterial Roads

1. Arterial roads are designed for large traffic volumes and high speed limits. Provincial Roads (PR) and Provincial Trunk Highways (PTH) are considered arterials within urban centres of the RM. Direct access to arterials will be limited. Access to the arterial system should be via collector roads.

Collector Roads

2. Collector roads are designed to collect traffic from local roads and distribute this traffic to arterial roads. Access to collector roads should be via local roads, and private driveways or access points should be limited.

Local Roads

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

Municipal Roads

- 2.11.10 Municipal roads shall be improved at the discretion of Council. Improvements to unimproved road allowances or upgrading to existing improved roads may be required at the expense of the proponent or on a cost sharing basis where appropriate
- 2.11.11 The location and construction of accesses to municipal roads shall be subject to municipal approval.
- 2.11.12 Proponents of major new developments, as determined by Council and in consultation with its Public Works Department, shall where appropriate and feasible:
 1. Provide their own collector road systems so as not to impose increased traffic on adjoining local streets;
 2. Design the local road network in accordance with both existing and planned road systems of neighbouring areas. Where neighbouring lands do not have planned road networks, consideration shall be given to interconnectivity for the road network and active transportation routes;
 3. Locate and construct accesses to municipal roads subject to the approval of Council;
 4. Provide through-routes that are direct, safe, and pleasant for residents to use active means of transport to neighbours, schools, shops, and related community services;
 5. Provide mid-block crossing opportunities on major roads to improve residents' access to commercial and community service areas;
 6. Enter into cost-sharing agreements, if necessary, to fund off-site improvements; and
 7. Prepare transportation concepts, secondary plans, and/or traffic impact studies, as required.
- 2.11.13 A setback distance for all buildings, structures, hedges, or similar obstructions adjacent to municipal roads, shall be specified in the Zoning By-law. Setbacks for buildings and structures, and access to Provincial highways (PTH and PR) are subject to Provincial jurisdiction and shall be in accordance with *The Highways Protection Act* and *The Highways and Transportation Act*.
- 2.11.14 The responsibility for internal roads associated with bare land condominium developments shall rest with the Condominium Corporation. Additional public services, if desired, can be included in the development agreement between the proponents and Council, pursuant to *The Planning Act* and costs of these appropriated accordingly.

Provincial Highways

- 2.11.15 Developments may be permitted to locate near a Provincial highway (PTH and PR) only if the efficiency and safety of the adjoining highway is not jeopardized and the criteria listed in Part 2: Section 2.11.17 are met.
- 2.11.16 As part of the development application review process, Provincial studies, including Access Management Plans should be consulted.
- 2.11.17 Development near a PTH or PR shall be subject to the following design and siting criteria:
1. A permit and approval is required from the applicable Provincial authority for any new, modified, or relocated access to all PTHs and PRs in the RM, although new access points shall be limited;
 2. Strip development along the highway, whereby direct connections to the highway are relied upon for providing access to abutting properties, shall not be permitted;
 3. Development will not be permitted in areas identified for highway widening or expansion unless provisions suitable to the applicable Provincial authority are made to accommodate said future works;
 4. Development and related uses that may generate hazards, such as anhydrous ammonia storage, shall not be allowed within 100.0 m (328.0 ft.) from the edge of a right-of-way of a Provincial highway;
 5. The proponent may be responsible for the cost of highway improvements deemed necessary by applicable Provincial authority to accommodate a proposed development;
 6. A permit is required from the applicable Provincial authority for any construction/structure/signage above, below, or at ground level proposed within the control area adjacent to the provincial highway system. This includes a change in use of land and structures when proposed within the control area adjacent to a Limited Access Highway;
 7. A permit is required from the applicable Provincial authority for any new, modified or relocated access to a provincial highway (PTHs and PRs), including a change in use of an existing access to a PTH; and
 8. Where a development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, new development should, where appropriate, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
- 2.11.18 New development, which has the potential to generate significant vehicle traffic, shall be directed away from those areas and land uses where such levels of traffic could endanger public safety. Proposed developments that may be adversely affected by noise, dust, and fumes from roadways and railways shall be located where there is adequate separation from these corridors or shall incorporate measures such as sound barriers or landscaped buffers to mitigate the conflict.
- 2.11.19 The draining of any water into the highway drainage system shall require the approval of the applicable Provincial authority. Any improvements required to upgrade the existing highway drainage system, which are directly associated with a development, shall be the responsibility of the proponent.
- 2.11.20 The location and siting of the proposed development, where appropriate, will be restricted to the same side of a Provincial highway facility where existing development has already

occurred. Wherever possible, frontage roads, internal municipal roads or access roads will be utilized to limit direct access to the Provincial highway system.

Railways

- 2.11.21 Development on lands adjacent to existing active rail corridors in the RM should be adequately buffered from rail related uses and conform to the minimum setbacks detailed within the Federation of Canadian Municipalities' *Guidelines for New Development in Proximity to Railway Operations*.
- 2.11.22 Development should occur in a manner that minimizes the number of new at-grade rail crossings.

Airports

- 2.11.23 In the event that aviation development is to be undertaken in the RM, an airport or aircraft landing field shall be appropriately designed, buffered, and/or separated from adjacent land uses, as per the requirements of applicable Federal government agencies.
- 2.11.24 Adjacent land uses which may cause a potential safety hazard or negatively impact the use and operation of aviation development should not be permitted.

Active Transportation

- 2.11.25 The accommodation active transportation along major traffic routes, either through shared or separated means, should be promoted by Council, where appropriate.
- 2.11.26 Pathways, sidewalks, and roadways which can safely accommodate active modes of transport should be provided within the RM, where appropriate.
- 2.11.27 New development shall be encouraged to make provisions for active transportation options or alternatives to private automobile use and shall provide active transportation connections to adjacent areas, where appropriate.
- 2.11.28 Active transportation amenities shall be developed to form a cohesive network offering transportation options for residents.

2.12 Hazardous and Incompatible Uses

Separating hazardous and incompatible uses can help to minimize potential conflicts and/or negative externalities that may affect surrounding land uses. The following policies ensure that the development or expansion of potentially hazardous and incompatible uses are done so in a manner that mitigates the impacts on surrounding land uses.

OBJECTIVE

- 2.12.1 To reduce and prevent adverse and nuisance impacts of hazardous and incompatible uses and development.

POLICIES

The following policies shall guide hazardous and incompatible uses in the RM:

- 2.12.2 Hazardous uses refer to facilities or developments, exclusive of railways and highways, which manufacture, handle, store, or distribute hazardous materials. New hazardous use facilities are generally not encouraged within the RM and shall be a Conditional Use, subject to all applicable Provincial guidelines and the requirements established in the Zoning By-law.
- 2.12.3 The proposed expansion of an existing facility shall require Council approval, as provided in the Zoning By-law.
- 2.12.4 A site-specific groundwater pollution hazard appraisal may be required prior to the approval of a proposed new development or expanded facility.
- 2.12.5 Where development of a potentially hazardous use is proposed, further analysis may be required relating to the adverse impacts of the use such as the nature of any potential discharges, the nature of outside storage, the compatibility of surrounding land uses, and plans for buffering such activities from adjacent uses and human activities. Any required environmental or engineering studies are the responsibility of the proponent.
- 2.12.6 Development or activities that could cause pollution under normal operating conditions may not be permitted in an identified groundwater pollution sensitivity area, as identified by the applicable Provincial authority, unless:
1. It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the groundwater supply; or
 2. Appropriate remedial measures have been or will be taken to sufficiently mitigate the risk of endangering the potability of the groundwater supply.

2.13 Inter-municipal Cooperation and Service Sharing

The policies herein support opportunities for the RM of De Salaberry to cooperate with surrounding municipalities in the strategic provision of shared services. Inter-municipal cooperation is an opportunity for multiple municipalities to make decisions about shared interests and encourage the efficient provision of services across common borders.

OBJECTIVES

- 2.13.1 To identify opportunities to cooperate with surrounding municipalities in the delivery of shared services and infrastructure.
- 2.13.2 To support planning from a regional perspective, in a way that balances rural and urban interests, and facilitates development that occurs across municipal boundaries.
- 2.13.3 To ensure coordinated development, cost effectiveness, and sustainability in the delivery of municipal services.
- 2.13.4 To encourage cooperative approaches to development, land use, and the provision of municipal services and infrastructure between the RM of De Salaberry, the Village of St-Pierre-Jolys, surrounding municipalities, and the Province of Manitoba.

POLICIES

The following policies shall guide inter-municipal cooperation and service sharing between in the RM of De Salaberry and surrounding municipalities:

- 2.13.5 The RM of De Salaberry will pursue agreements to provide municipal services and infrastructure in strategic areas and pursue measures to protect natural environmental resources.
- 2.13.6 The RM of De Salaberry will cooperate with neighbouring municipalities and the applicable Provincial authority to coordinate any required access management plans or highway corridor planning initiatives for Provincial highways within the RM as well as opportunities for regional active transportation infrastructure.
- 2.13.7 The RM of De Salaberry will explore cooperative solutions through inter-municipal service delivery and tax sharing prior to duplicating services available in the region.

Part 3 Land Use Policy Areas

Part 3 provides objectives and policies for six identified land use policy areas within the RM of De Salaberry. Each of these policy areas are illustrated in the land use maps contained in Part 6 of this Development Plan.

The following land use policy areas are described in Part 3:

- 3.1 Agricultural Policy Areas
- 3.2 Rural Residential Policy Areas
- 3.3 Hamlet Policy Areas
- 3.4 Urban Policy Areas
- 3.5 Highway Commercial Policy Areas
- 3.6 Urban Hold Policy Areas
- 3.7 Parkland Residential Policy Areas

3.1 Agricultural Policy Areas

Agriculture is the dominant land use in the RM of De Salaberry and represents a significant portion of the local economy. Maintaining the RM's strong agricultural heritage is a priority, as it also contributes to quality of life and sense of place. Preserving the RM's high quality agricultural lands for agricultural uses is key to ensuring its economic resilience and longevity.

OBJECTIVES

- 3.1.1 To preserve the RM's natural assets including natural areas and wildlife habitat, agricultural lands, and aggregate resources.
- 3.1.2 To protect designated agricultural lands by directing urban and non-farm rural residential uses to non-agriculturally designated lands.
- 3.1.3 To provide direction for livestock development within the RM, and ensure new operations or expansions to existing operations are planned to limit land use conflicts.
- 3.1.4 To support the agricultural sector as a significant economic driver of the RM.
- 3.1.5 To provide buffer areas between potentially incompatible uses.
- 3.1.6 To ensure development occurs on lands suitable for said development and that land uses are compatible with adjacent areas.

POLICIES

In addition to the general policies described in Part 2, the following objectives and policies shall guide agricultural uses and development in the RM:

Agricultural Designations

- 3.1.7 Agricultural uses shall be accommodated in areas designated **General Agricultural Policy Area**, and **Limited Agricultural Policy Areas** as identified on Map 1 of this Development Plan. The following policies guide planning and development in the designated agricultural areas.

General Agricultural Policy Area

- 3.1.8 All lands within the **General Agricultural Policy Area** shall be preserved or utilized for the widest range of agricultural activities, including livestock operations and agri-tourism. Uses that are not agricultural in nature, such as rural residential and recreational development, will be discouraged. Agricultural commercial or industrial uses, may be accommodated in the **General Agricultural Policy Area** and will be listed as a Conditional Use in the Zoning By-law in an effort to avoid potential land use conflicts. Non-intensive recreational uses such as trails shall be permitted, whereas uses such as golf courses, playing fields, and other intensive recreational uses shall be directed to other appropriately designated areas. To minimize the fragmentation of the agricultural land base, the minimum parcel size in the **General Agricultural Policy Area** shall generally be 80 acres.

Limited Agricultural Policy Areas

- 3.1.9 Agricultural activities within the **Limited Agricultural Policy Areas** shall be limited to activities which do not have the potential to create land use conflicts with urban development within the RM. Examples of appropriate agricultural activities in this policy area would include cropping, market gardening, tree nurseries, riding stables, limited

expansions of existing livestock operations, agri-tourism, or other legitimate specialized agricultural operations as determined by Council. To minimize the fragmentation of the agricultural land base, where practical, the minimum parcel size in the **Limited Agricultural Policy Areas** shall generally be 80 acres.

All Agricultural Policy Areas

Unless specifically noted, the policies contained herein will apply to both the **General Agricultural Policy Area** and **Limited Agricultural Policy Areas**.

Non-Agricultural Uses

3.1.10 Any non-agricultural uses shall be subject to the following criteria:

1. Non-agricultural development should be directed away from prime agricultural land, viable lower class land, and livestock operations;
2. Non-agricultural uses shall not restrict existing livestock operations or cropping practices;
3. Non-agricultural uses shall not cause expenses for road, drainage, or other infrastructure services not generally related to local agricultural needs;
4. Non-agricultural uses shall not be located in a manner that may interfere with the use or expansion of established solid waste management sites, sewage treatment lagoons, or other private/public utilities and services; and
5. Home occupations will be accommodated, subject to compliance with the standards set forth in the Zoning By-law, and provided they are compatible with the adjacent uses.
6. Secondary suites may be accommodated as a way of increasing residential options, affordable housing, and extending family living options, as addressed in the Zoning By-law.

Existing Uses

3.1.11 Uses lawfully established prior to the adoption of this Development Plan, whether agricultural or non-agricultural, should be protected. New uses may be restricted, or may not be approved where they may conflict with these established uses. The Zoning By-law may recognize these existing uses and zone them accordingly.

Erosion

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

Wastewater Management

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

Protected Areas

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

Removal of Topsoil

3.1.15 The removal of topsoil, or other organic surface material on lands designated for agricultural use shall be listed as a Conditional Use in the Zoning By-law in all agricultural zones. This is not intended to restrict excavation for the purposes of drainage ditches, dikes, road construction, building sites or similar work, or gaining access to aggregate and other quarry minerals.

Livestock and Accessory Livestock

3.1.16 New livestock operations and the keeping of accessory livestock are not permitted in the **Urban Policy Areas** or the **Urban Hold Policy Areas**. The keeping of accessory livestock in the **Rural Residential Policy Areas, Hamlet Policy Areas, and the Parkland Residential Policy Areas** up to a maximum of 9 animal units, may be allowed as determined in the Zoning By-law.

3.1.17 The **General Agricultural Policy Area** shall be preserved and protected for a full range of agricultural uses and livestock operations with no maximum size limits subject to meeting Provincial government regulations and Zoning By-law provisions.

3.1.18 Within the **General Agricultural Policy Area**:

1. New or expanding operations of 299 animal units or less shall be allowed as a permitted use (see Table 1), subject to meeting Provincial regulations and Zoning By-law provisions; and
2. New or expanding operations of 300 animal units or greater shall be a Conditional Use (see Table 1), shall be referred to the Technical Review Committee for Provincial review, and shall follow procedures in accordance with *The Planning Act*.

3.1.19 The Zoning By-law shall apply the following to areas coinciding with **Limited Agricultural Policy Areas**:

1. New livestock operations of 10 animal units or greater, limited by site area to a maximum of 1 animal unit per acre, up to a maximum of 20 animal units, shall be a Conditional Use;
2. New livestock operations greater than 20 animal units shall not be established within the **Limited Agricultural Policy Areas**;
3. Existing livestock operations may continue to operate, and the expansion of existing livestock operations up to a maximum of 399 animal units shall be a Conditional Use (see Table 1); and
4. The expansion of an existing livestock operation over 300 animal units shall be referred to the Technical Review Committee for Provincial review.

	Up to 299 Animal Units	300 to 399 Animal Units	400 Animal Units or Greater
General Agricultural Policy Area: New and Expanding Operations	Permitted	Conditional Use	Conditional Use
Limited Agricultural Policy Area: Expansion of Existing Operations	Conditional Use	Conditional Use	Not Permitted

Table 1: Livestock Animal Unit Thresholds

- 3.1.20 The Zoning By-law shall establish minimum mutual separation distance(s) between new or expanding livestock operations, including confinement facilities and manure storage facilities, and non-farm land uses and designations. Council may, pursuant to *The Planning Act*, vary the mutual separation distance(s) as provided for in the Zoning By-law.
- 3.1.21 Any new or expanding livestock operation in the **Limited Agricultural Policy Areas** and the **General Agricultural Policy Area** shall be subject to the following development criteria:
1. The livestock operation shall not locate in areas identified by detailed soil survey information at a scale of 1:50,000 or better to have an agricultural capability of Class 6, 7, or unimproved organic soils. In an area identified as Class 6, 7, or unimproved organic soils based on reconnaissance scale mapping, the proponent may be required to submit a detailed soil survey for the site acceptable to the Province at a scale of 1:50,000 or better;
 2. The livestock operation shall comply with the Hazard Lands, Flooding, and Erosion policies, if applicable, as detailed in Part 2: Section 2.2;
 3. The siting of all structures associated with a new livestock production operation, including manure storage facilities, in the vicinity of the Rat River, Marsh River and Joubert Creek shall maintain a setback of 1,000 feet from the Ordinary High Water Mark (OHWM). Structures in the vicinity of other waterways shall maintain a setback of 328 feet from the OHWM;
 4. Management of livestock manure and mortalities shall comply with all applicable Provincial statutes and regulations; and
 5. Where the livestock operation is within the vicinity of a Provincial highway or other Crown Lands (i.e. Provincial Park/Protected Area), a copy of the proposal shall be sent to all applicable Provincial authority for review and comment.
- 3.1.22 Applications for Conditional Use approval for expanding livestock operations in the **Limited Agricultural Policy Areas** shall be accompanied by the following information:
1. A detailed description of the proposed livestock operation;
 2. Proof of property ownership;
 3. A legal description of the land on which the proposed development is to occur;
 4. The owner's (and applicant if different from owner) name, address, signature, and interest in the land;

5. A site plan showing the location of housing, storage, and other facilities relative to the boundaries of the site;
6. Servicing needs; and
7. The appropriate application fee.

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

1. Application specific details including:
 - a. The type (i.e. cattle, hogs, etc.) and size (i.e. the total number of animal units, cumulative across the species) of the livestock operation and its location in relation to neighbouring land uses;
 - b. Water supply (i.e. its source and consumption levels);
 - c. The nature of the land base (i.e. soils, crop practice, proximity to surface water, location within Flood Risk Areas, etc.); and
 - d. Provincial guidelines and regulations governing livestock operations.
2. Reports from applicable Provincial review agencies (including the Technical Review Committee for operations of 300 animal units or greater);
3. Local resident concerns;
4. The potential impacts generated by the livestock operation on the Provincial highway and municipal road systems;
5. The need for a development agreement to be entered into between the applicant and the municipality dealing with the affected property and any contiguous land owned or leased by the owner, which may address the following:
 - a. The timing of construction of any proposed building;
 - b. The control of traffic;
 - c. The construction or maintenance – at the owner's expense or partly at the owner's expense – of roads, traffic control devices, fencing, landscaping, shelter belts, or site drainage works required to service the livestock operation;
 - d. The payment of a sum of money to the municipality to be used to construct anything mentioned in subclause (c) at the expense of the applicant;
 - e. Requiring shelterbelts to be established; or
 - f. A requirement of a cover for the manure storage structure

Subdivision for Residential Uses

3.1.24 The subdivision of land for residential purposes in the **General Agricultural Policy Area** and the **Limited Agricultural Policy Areas** may be considered based on the following circumstances, and the requirements of the Zoning By-law:

1. A single lot subdivision is proposed for a retiring farmer who wishes to subdivide an existing farm residence from the agricultural operation and retain it for retirement purposes. The farmstead site shall have existed for a minimum of 10 years before it may be subdivided;
2. A single lot subdivision is proposed when a bona fide farmstead site contains a farm residence that is rendered surplus due to the amalgamation of farm operations for purposes of farm enlargement;

3. A single lot subdivision that is contiguous with the existing farmstead site is proposed for an individual who significantly participates in the agricultural operation on an ongoing basis and derives an income from it;
4. Where a farm is incorporated and it is necessary to establish a separate residential site from the farm holdings for business or mortgaging purposes;
5. A single lot subdivision is proposed for a parcel that is physically isolated by a creek, drain, utility corridor, road, or natural land feature and is of a size and shape that makes cultivation of the land physically impractical;
6. A single lot subdivision is proposed to convey an abandoned well-defined yard site which is a minimum of 2 acres and does not contain any pasture or cultivated land. The proposed subdivision must contain evidence of at least two of the following features:
 1. A habitable farm dwelling;
 2. A well for domestic purposes; or
 3. A shelter belt or tree bluff.

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

1. Only one subdivision per 80 acre title may be permitted, with the exception of existing river lots of record that may be less than 80 acres and have not yet had a farmstead site subdivided out at the time of adoption of this plan, under the policies contained within Part 3: Section 3.1.24, 1-4 and 6;
2. The proposed subdivision shall not be allowed on cultivated land and should be directed to tree covered areas or be located within a well-defined and existing mature shelterbelt that forms part of a farmstead site, not to generally exceed 10 acres, and must not be wasteful of agricultural lands;
3. The proposed subdivision must be capable of accommodating an on-site wastewater management system and have an adequate supply of potable water;
4. Municipal services such as drainage, school busing, snow removal, and fire protection shall be available to the subdivision site or can be provided without undue cost to the municipality;
5. The proposed subdivision must have legal access to a public road. Direct access to the provincial highway system is discouraged. If required, access to a provincial road or highway should be via an all-weather municipal road;
6. The proposed subdivision location shall comply with the mutual separation distances between livestock operations and dwellings;
7. The proposed subdivision of large agricultural parcels must leave a residual parcel that complies with the minimum site area and width established in the Zoning By-law, and the consolidation of smaller holdings of agricultural land into larger holdings is encouraged;
8. The proposed subdivision shall not be subject to flooding, erosion, or bank instability as defined in Part 2: Section 2.2; and
9. Any farm or non-farm related dwellings will be listed as Conditional Use in the Zoning by-law.

Subdivision for Specialized Agricultural Uses

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

1. A single lot subdivision, of a minimum parcel size of 10 acres, for specialized agricultural operations such as tree nurseries, apiaries, market gardens, and other bona fide agricultural operations may be allowed on parcels of land that are less than the minimum area specified in the Zoning By-law for general agricultural activities, provided the specialized operation has already been established, or if it is supported by a business plan or arrangements acceptable to Council and the applicable Provincial Authority.

Subdivision for Commercial or Industrial Agricultural Uses

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

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

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

1. The location and siting of the proposed development will not create land use conflicts and where necessary, be directed away from prime agricultural land, and make provisions for adequate buffering or screening to mitigate against potential noise, dust, or visual conflicts with adjacent uses. The Zoning By-law will specify which uses will be considered as permitted, conditional, or prohibited uses;
2. The location and siting of the proposed development will be adjacent to existing developments of a similar nature. If located adjacent to a Provincial highway or road such uses will preferably be located in clusters rather than strips with multiple points of access from a PTH or PR;
3. The location and siting of the proposed development, where appropriate, will be restricted to the same side of a Provincial highway facility where existing development has already occurred. Wherever possible, frontage roads, internal municipal roads or access roads will be utilized to limit direct access to the Provincial highway system; and

4. Areas contemplated for uses listed above in Part 3: Sections 3.1.27 and 3.1.28 may require a re-zoning to an appropriate zone identified in the Zoning By-law. These uses shall be listed as either permitted or Conditional Uses. Any dwelling constructed on the subject lands shall be accessory to the specialized agricultural or commercial and/or industrial agricultural use.

Subdivision for Boundary Adjustments

3.1.29 The subdivision of land for the readjustment of farm boundaries affected by rivers, streams, highways, large drains, and other such features may be permitted in both the **General Agricultural Policy Area** and **Limited Agricultural Policy Areas**, if it is deemed necessary to accommodate agricultural practices, provided there are no new titles are created. Consolidation of titles is recommended and will be required when the subdivision is on cultivated land or where the parcel is within the minimum separation distance of a livestock operation.

Aggregate and Mineral Resources

3.1.30 All proposed non-agricultural developments within the Agricultural Policy Areas shall adhere to the policies of Section 2.7 of this Development Plan.

3.2 Rural Residential Policy Areas

Rural residential areas in the RM of De Salaberry provide an alternative to the urban centres of Otterburne and St. Malo. There is a demand for rural residential development, however, it is recognized that this type of development may not be sustainable for the RM over the long-term. Rather than sprawling rural residential development, the RM will promote clustered and compact rural residential development that does not compromise prime agricultural lands.

OBJECTIVES

- 3.2.1 To provide an adequate supply of rural residential lands, while ensuring the agricultural character of the RM is preserved.
- 3.2.2 To ensure rural residential development does not infringe upon prime agricultural lands, or interfere with agricultural operations or the expansion of **Urban Policy Areas**.
- 3.2.3 To intensify rural residential development at locations where it currently exists in the RM.

POLICIES

In addition to the general policies described in Part 2, the following policies shall guide rural residential development in the RM:

Rural Residential Designation

3.2.4 Rural residential development shall only be allowed in areas designated as **Rural Residential Policy Areas** on Map 1 of this Development Plan.

Infill Development

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

Rural Residential Development

3.2.6 The following policies apply to rural residential development on lands designated **Rural Residential Policy Areas**:

1. Rural residential development shall be directed away from prime agricultural land and existing or approved livestock operations;
2. Rural residential development shall provide a minimum parcel size of 2 acres that will preserve the rural character while accommodating an onsite wastewater management system according to applicable Provincial regulations;
3. Rural residential development shall protect natural features such as creeks, tributaries, riparian areas, and retain existing tree cover wherever possible;
4. Rural residential development shall provide adequate surface drainage, septic system, or other approved method of effluent disposal, and a potable water source pursuant to all Provincial standards;
5. Multi-lot (4 or more) rural residential developments may require a concept plan. Concept plans can describe phasing, cost of extending services, transportation impacts, and recreation opportunities. The proponent may also be required to undertake additional studies, such as Access Management Plans, by qualified professionals registered to practice in Manitoba, to demonstrate the land is suitable for the purpose for which the development is intended, as determined by Council or the applicable Provincial authority; and
6. Home occupations will be accommodated within the **Rural Residential Policy Areas**, subject to compliance with the standards set forth in the Zoning By-law, provided they are compatible with the adjacent rural residential uses, and the residential character of the property is maintained.
7. Secondary suites may be accommodated as a way of increasing residential options, affordable housing, and extending family living options, as addressed in the Zoning By-law.

Future Municipal Services

3.2.7 As a component of a future servicing strategy, buildings in the **Rural Residential Policy Areas** should be sited on lots to enable the further subdivision of land and to ensure the economic provision of municipal services at a future date.

Livestock and Accessory Livestock

3.2.8 New livestock operations shall not be permitted in the **Rural Residential Policy Areas**. The Zoning By-law may contain provisions to accommodate accessory livestock as a permitted/conditional use up to a maximum of 9 AU's. The number of accessory livestock permitted will be relative to the size of the site.

Re-designation of lands to Rural Residential Policy Areas

3.2.9 The re-designation of land to **Rural Residential Policy Areas** will not be permitted within the **General Agricultural Policy Area**. The re-designation of land to **Rural Residential Policy Areas** may be permitted in **Limited Agricultural Policy Areas** subject to amending the Development Plan and Provincial approval.

- 3.2.10 Proposals to re-designate lands to support rural residential uses will be evaluated based on the on the following criteria:
1. The supply of rural residential lots in the RM is no longer adequate to accommodate identified and justifiable demand over a five-year time frame;
 2. The proposed new rural residential development be contiguous with existing designated rural residential areas or adjacent to an existing cluster of rural residential uses as identified in Map 1;
 3. The proposed rural residential development is not located on prime agricultural land and viable lower class lands and is adequately separated from existing livestock operations to minimize land use impacts with agricultural activities on adjacent parcels;
 4. The proposed rural residential development can be adequately flood protected and serviced to a rural residential standard without creating environmental or servicing concerns;
 5. The proposed rural residential development shall not impede the logical expansion of **Urban Policy Areas**;
 6. The proposed rural residential development must be capable of accommodating on-site wastewater management systems as determined by applicable Provincial regulations, have an adequate supply of potable water, and have frontage and access to an existing municipal road or internal road;
 7. The proposed rural residential development shall comply with the minimum mutual separation distances between new or expanding livestock operations, including barns and manure storage facilities, and those residences not accessory to the operation, pursuant to the Zoning By-law. Said mutual separation requirements shall meet the minimum recommended Provincial setback standards for livestock operations; and
 8. The siting and design of the proposed development meets the standards contained in the Zoning By-law and all other relevant regulations.

Subdivision

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

3.3 Hamlet Policy Areas

Existing hamlets in the RM of De Salaberry include Carey, Dufrost, and La Rochelle. The hamlets are characterized predominantly by unserviced rural residential development and rely on nearby urban centres for amenities and services. The following policies encourage a mix of compact and connected residential development, as well as limited commercial development to maximize the potential of existing lands while retaining the appeal of rural living.

OBJECTIVES

- 3.3.1 To promote compact development in the hamlets of Carey, Dufrost, and La Rochelle, and recognize their importance within the region.
- 3.3.2 To ensure that a sufficient supply of residential land is available to meet present and future needs in each hamlet.

- 3.3.3 To support opportunities for the development of limited commercial services and employment.

POLICIES

In addition to the general policies described in Part 2, the following policies shall guide development in the **Hamlet Policy Areas**:

Residential Development

- 3.3.4 Residential development in the **Hamlet Policy Areas** shall occur in a manner that would accommodate adequate surface drainage and on-site water and wastewater services, as determined by the applicable Provincial regulations. Home occupations and home industries shall be accommodated, subject to compliance with the standards set forth in the Zoning By-law, provided they are compatible with the adjacent uses and the residential character of the property is maintained;
- 3.3.5 Residential development shall protect natural features such as creeks, tributaries, riparian areas, and retain existing tree cover wherever possible.
- 3.3.6 Secondary suites may be accommodated as a way of increasing residential options, affordable housing, and extending family living options, as addressed in the Zoning By-law.
- 3.3.7 Multi-lot (4 or more) residential developments may require a concept plan. Concept plans can describe phases, future extension of services, transportation impacts, points of access, and school and recreation opportunities. The proponent may also be required to undertake additional studies, such as Access Management Plans, by qualified professionals registered to practice in Manitoba to demonstrate the land is suitable for the purpose for which the development is intended, as determined by Council or the applicable Provincial authority.

Commercial Development

- 3.3.8 Subdivision for limited commercial development shall be allowed in **Hamlet Policy Areas**, subject to the following policies and the requirements of the Zoning By-law:
1. Commercial development shall occur in such a manner as to minimize conflicts with adjacent land uses. Where commercial uses are adjacent to residential developments, adequate buffering and screening shall be required as stipulated in the Zoning By-law;
 2. Commercial uses which have the potential to generate activities that pose safety, health, or nuisance hazards, may require large tracts of land, or require reduced levels of service shall generally be encouraged to locate within **Limited Agricultural Policy Areas** and the **General Agricultural Policy Area** as outlined in Part 3: Sections 3.1.27 and 3.1.28;
 3. Commercial development requiring highway access will require approval by the applicable Provincial government authority, subject to Part 2: Section 2.11.
 4. Where commercial development is proposed, Council may request and/or encourage:
 - a. A concept plan, traffic impact study, active transportation network plan, building design information, or any other information deemed necessary to ensure a high-quality development; and

- b. Appropriate buffers between commercial development and incompatible uses. Buffers may include: fencing, landscaping, green space, or minimum building setbacks.

Future Municipal Services

- 3.3.9 Buildings in **Hamlet Policy Areas** should be sited on lots to enable the efficient re-subdivision of land to a higher density and to ensure the economic provision of municipal services should they be considered at a future date.

Livestock and Accessory Livestock

- 3.3.10 New livestock operations shall not be permitted in the **Hamlet Policy Areas**. The Zoning By-law may contain provisions to accommodate accessory livestock as a permitted/conditional use up to a maximum of 9 AU's. The number of accessory livestock permitted will be relative to the size of the site.

Subdivision

- 3.3.11 The subdivision of lands within Hamlet Policy Areas may be considered, provided the new lots conform to the policies above, and the requirements of the Zoning By-law.

Access

- 3.3.12 Access to Provincial trunk highways and roads shall be limited in the **Hamlet Policy Areas** subject to the policies of Section 2.11.

3.4 Urban Policy Areas

St. Malo and Otterburne are population centres in the RM of De Salaberry that support a variety of urban land uses including residential, institutional, commercial, and limited industrial. These urban population centres provide a variety of housing types, public services, recreation amenities, and municipal infrastructure. The objectives and policies contained herein provide direction for creating and maintaining complete communities that are compact, active, age-friendly, and accommodate a range of housing and compatible recreational, institutional, commercial uses in the RM. These policies also provide shared opportunities with the Village of St-Pierre-Joly on lands adjacent to the boundary of the Village identified on Map 1.

OBJECTIVES

- 3.4.1 To promote a full range of land uses in **Urban Policy Areas** and recognize their importance as service centres within the region.
- 3.4.2 To ensure that a sufficient supply of residential, commercial, and industrial land is available to meet present and future needs in each urban centre.
- 3.4.3 To provide a mix of housing types and tenures to support the lifecycle of existing and future residents.
- 3.4.4 To ensure development occurs in a manner that is compatible and harmonious with adjacent land uses.
- 3.4.5 To ensure that livable, age-friendly, and safe communities are provided for residents of urban centres.

- 3.4.6 To support the local economy, and provide areas for employment opportunities within the RM.

POLICIES

In addition to the General Policies described in Part 2, the following policies shall guide development in the *Urban Policy Areas* within the RM:

Residential Development

- 3.4.8 A variety of housing types including multi-family, mixed use, seniors' housing, or special purpose housing will be encouraged subject to compliance with the standards set forth in the Zoning By-law, and in a manner that is compatible with adjacent uses;
- 3.4.9 Secondary suites may be accommodated as a way of increasing residential options, affordable housing, and extending family living options, as addressed in the Zoning By-law.
- 3.4.10 Where new development is proposed, infrastructure such as roadways or piped services, will be installed to municipal standards. The developer may be required to contribute towards the cost of new or existing infrastructure requirements.
- 3.4.11 Lot sizes and densities shall be governed by the limitations of existing sewer and water services within each urban centre.

Commercial and Industrial Development

- 3.4.12 Commercial and industrial uses will be encouraged to locate within *Urban Policy Areas* in order to support and strengthen the viability of the RM and its communities. Subject to the requirements of the Zoning By-law:
1. Main-street commercial uses will be encouraged to provide a full range of compact and mixed-use commercial development, and shall be developed in a manner considered compatible with surrounding uses;
 2. Highway commercial uses will be encouraged, provided they are developed in a manner that balances safe, convenient access, the maintenance of traffic flows along the arterial streets and highways, and subject to obtaining any necessary Highway Traffic Board and Provincial permits;
 3. Neighbourhood commercial uses may be located within residential neighbourhoods provided that they are developed in a manner considered compatible with existing and proposed residential development;
 4. Infill development on existing vacant lands suitable for commercial development shall be encouraged in order to maximize existing investment and to encourage a compact and efficient land use pattern. Where such development is not feasible on existing lots, the establishment of new commercial and industrial lots through the subdivision process may be considered.
- 3.4.13 Commercial and industrial developments shall occur in such a manner as to minimize conflicts with adjacent land uses. Where commercial and industrial uses are adjacent to residential developments, adequate buffering and screening shall be required as stipulated in the Zoning By-law.

- 3.4.14 Commercial and industrial development which have the potential to generate activities that pose safety, health, or nuisance hazards, may require large tracts of land, or require reduced levels of service shall generally be encouraged to locate within the **Limited Agricultural Policy Areas** and **General Agricultural Policy Area** as outlined in Part 3: Sections 3.1.27 and 3.1.28
- 3.4.15 Where commercial or industrial development is proposed, Council may request and/or encourage:
1. A concept plan, traffic impact study, active transportation network plan, building design information, or any other information deemed necessary to ensure a high-quality development;
 2. Appropriate buffers between commercial development and incompatible uses. Buffers may include: fencing, landscaping, green space, or minimum building setbacks; and
 3. A high-quality streetscape and pedestrian environment.
- 3.4.16 An appropriate amount of parking shall be provided for all commercial and industrial uses. Parking requirements shall be determined in the Zoning By-law.
- 3.4.17 New or expanding commercial or industrial uses within **Urban Policy Areas** shall be evaluated prior to approval to ensure there is adequate water and sewer system capacity.

Institutional Development

- 3.4.18 A variety of public institutional uses such as medical facilities, schools, places of worship, and recreation facilities shall be accommodated, provided that they are developed in a manner considered compatible with surrounding residential development.
- 3.4.19 Major institutional facilities requiring large tracts of land or major service extensions may be required to provide a concept plan, at the discretion of Council.
- 3.4.20 Institutional uses which are more appropriately located within residential neighbourhoods should give due consideration to minimizing any adverse impact on the surrounding residential environment.

Parks and Green Space

- 3.4.21 Appropriately located parks and green space that support a variety of passive and active recreation activities shall be provided in the **Urban Policy Areas**, subject to the requirements of the Zoning By-law.

Active Transportation Amenities

- 3.4.22 Active transportation will be encouraged in the **Urban Policy Areas** through the provision of conveniently located and connected sidewalks, crosswalks (especially at intersections experiencing high volumes of traffic), trails, and pathways. All new development shall make provisions for active transportation options where applicable.

Livestock and Accessory Livestock

- 3.4.23 New livestock operations shall not be permitted in **Urban Policy Areas**.

Subdivision

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

Municipal Water and Wastewater Services

3.4.25 All developments within the Urban Policy Areas are subject to the policies contained within Section 2.10. Further to these policies within the St. Malo Local Improvement District (LID) the following policies apply:

1. All existing development will be required to connect to the water and sewer utility if, in the opinion of the municipality, it is possible.
2. Water and sewer infrastructure is mandatory for all new developments. The Developer shall be responsible for the cost of connection from the main line to each property line in the development, including the water curb stop, sewer saddle and any engineering fees if required by the Office of Drinking Water.

3.5 Highway Commercial Policy Areas

The **Highway Commercial Policy Areas** are intended to provide opportunities for commercial, agri-commercial and some industrial uses adjacent to PTH 59 on the north and south boundaries of the Village of St. Pierre Jolys.

OBJECTIVES

- 3.5.1 To provide opportunities for highway commercial, agri-commercial and general industrial uses in strategic locations in the RM.
- 3.5.2 To protect the integrity of Provincial highway infrastructure in the RM.

POLICIES

- 3.5.3 The following land uses may be accommodated in the **Highway Commercial Policy Areas** as detailed on Map 1, and shall be subject to the use and site requirements of the Zoning By-law:
 1. Highway commercial developments that provide services to the travelling public such as service stations, restaurants and cafes as well as hotels and motels;
 2. Some agri-commercial uses such as farm equipment and machinery repair shops, feed and fertilizer supply operations, and agricultural implement sales and service establishments;
 3. General industrial uses, such as general contractor services, warehouse sales as well as equipment or implement sales or rentals that accommodate a mix of manufacturing, assembly, distribution, and services with outdoor operational storage characteristics; and
 4. Existing land uses as of the date of the adoption of this Development Plan.

- 3.5.4 To ensure orderly and well integrated rural commercial development, Council may request that a concept plan be prepared prior to subdivision or development approval for new rural commercial uses, or expansion to existing uses.
- 3.5.5 Appropriate buffers between rural development and incompatible uses will be required as determined by Council. Buffers may include: fencing, landscaping, green space, or minimum building setbacks.
- 3.5.6 Commercial and industrial uses that may cause pollution to land or groundwater shall not be permitted;
- 3.5.7 Heavy industrial uses that are deemed to create nuisance or conflicts with adjacent lands should be directed to locate at appropriate areas within the RM, subject to Part 2: Section 2.12
- 3.5.8 All developments within the **Highway Commercial Policy Areas** shall not negatively impact Provincial highway infrastructure or its safe operation and shall adhere to the policies of Section 2.11 of this Development Plan.

3.6 Urban Hold Policy Areas

The **Urban Hold Policy Areas** are intended to direct the incremental growth of urban centre(s) in a manner that supports sustainable, well planned growth. Although demand scenarios project a sufficient amount of existing residential land, the RM should strive to strategically located lands to accommodate future residential growth. The intent of the **Urban Hold Policy Areas** is to identify areas for future growth and to ensure that adequate lands are held to provide serviceable land for development beyond the time horizon of this Development Plan.

OBJECTIVES

- 3.6.1 To ensure development lands are available in sufficient supply to meet the needs of the RM.
- 3.6.2 To prevent premature development and servicing of lands.
- 3.6.3 To ensure development occurs in an orderly fashion.

POLICIES

The following policies apply to lands illustrated as **Urban Hold Policy Areas** on Map 2:

Future Development

- 3.6.4 The Zoning By-law shall establish use and dimensional standards within **Urban Hold Policy Areas**. This zone may permit limited development on existing lots which are already serviced with on-site sewage disposal systems and wells, where said development would not interfere with future orderly expansion of the urban centres, subject to restrictions as may be deemed necessary.

Subdivision

- 3.6.5 The subdivision of lands designated **Urban Hold Policy Areas** for residential uses may be considered, subject to policies 3.1.24 and 3.1.25 of Part 3 of this Plan, and the requirements of the Zoning By-law. New lots created must connect to municipal services if available, and if not, dwellings shall be sited in a way that allows for ease of connection when services are

extended. Onsite sewage disposal systems may be utilized until services become available. Multi-lot residential subdivisions will not be considered unless the subject land is re-designated to **Urban Policy Area**.

Re-designation to Urban Policy Area

3.6.6 Where an application is made to re-designate an **Urban Hold Policy Area** to an **Urban Policy Area**, the following policies may apply:

1. The proponent shall provide a supply and demand study, in the form acceptable to the Province, to demonstrate sufficient demand to justify the creation of further supply.
2. The proponent shall provide concept plans to show:
 - a. The site's major physical features and relationship or balance between development and open spaces, farmland, forest or other natural resources;
 - b. The proposed subdivision design including: lot sizes, roads, surface drainage, sewer and water lines, open spaces, and the like;
 - c. The proposed phasing of development and coordination with existing development so as to ensure efficient and economical extension of municipal infrastructure and servicing, and prevent disjointed development patterns;
 - d. Other matters as may be deemed necessary by Council; and
 - e. The proponent may be required to enter into a development agreement or cost-sharing agreement at the discretion of the Municipal Council.

Livestock and Accessory Livestock

3.6.7 New livestock operations shall not be permitted in the **Urban Hold Policy Areas**.

3.7 Parkland Residential Policy Areas

The **Parkland Residential Policy Areas** provide opportunities for residents to live in a semi-rural setting in proximity of the population centre of St. Malo and the St. Malo Reservoir, as indicated on Maps 1 and 2. Residential development in this policy area is intended to be rural in character. Traditionally this area has accommodated a mix of permanent and seasonal dwellings. The policies of this Section apply to all development, whether intended for seasonal or permanent use. Some lands within this policy area are connected to municipal water and wastewater services. An intention of this policy area is to ensure that un-serviced residential lots connect to municipal services, should they become available in the future.

OBJECTIVES

- 3.7.1 To provide a range of residential living opportunities within the RM by directing larger lot residential development to a designated area around the St. Malo Reservoir.
- 3.7.2 To ensure that residential development does not infringe upon prime agricultural or Provincial Park lands, and does not interfere with existing agricultural operations or the expansion of urban centres.
- 3.7.3 To promote orderly residential development, and intensify development where it currently exists.

3.7.4 To ensure the efficient use of existing and future municipal water and wastewater services.

POLICIES

In addition to the General Policies described in Part 2, the following policies shall guide development in the ***Parkland Residential Policy Areas*** within the RM:

Infill Development

3.7.5 Infill within the ***Parkland Residential Policy Areas*** will be encouraged before expanding or re-designating additional lands.

Residential Development

3.7.6 The following policies apply to residential development on lands designated ***Parkland Residential Policy Areas***:

1. A variety of housing types may be considered, subject to compliance with the standards set forth in the Zoning By-law, and in a manner that is compatible with the existing adjacent uses.
2. Residential development shall provide a minimum parcel size that will preserve the rural character of the area as determined by the Zoning By-law, while being large enough to accommodate onsite water and wastewater services according to applicable Provincial regulations;
3. Unserviced residential development shall provide adequate surface drainage, septic system, or other approved method of effluent disposal, and a potable water source pursuant to all Provincial standards;
4. New and existing residential development shall be required to connect to water and wastewater services if they are available, or if they become available in the future, within a reasonable timeframe as mutually agreed upon by the property owner and Council;
5. New residential development on lands that have been identified by Council for the future extension of municipal water and wastewater services shall be allowed to use a temporary holding tank, or an approved septic system, in preparation for connecting to future services;
6. Multi-lot (4 or more) developments may require a concept plan. Concept plans can describe phasing, cost of extending services, transportation impacts, and recreation opportunities. The proponent may also be required to undertake additional studies, such as Access Management Plans, by qualified professional engineers registered to practice in the Province Manitoba to demonstrate the land is suitable for the purpose for which the development is intended, as determined by Council or the applicable Provincial authority; and
7. Home occupations will be accommodated within the ***Parkland Residential Policy Areas***, subject to compliance with the standards set forth in the Zoning By-law, provided they are compatible with the adjacent residential uses, and the residential character of the property is maintained.

8. Secondary suites may be accommodated as a way of increasing residential options, affordable housing, and extending family living options, as addressed in the Zoning By-law.

Future Municipal Services

- 3.7.7 As a component of a future servicing strategy, buildings in the ***Parkland Residential Policy Areas*** should be sited on lots to enable the efficient re-subdivision of land to a higher density and to ensure the economic provision of municipal services at a future date.

Livestock and Accessory Livestock

- 3.7.8 New livestock operations shall not be permitted in the ***Parkland Residential Policy Areas***. The Zoning By-law may contain provisions to accommodate accessory livestock as a permitted/conditional use up to a maximum of 9 AU's. The number of accessory livestock permitted will be relative to the size of the site.

Subdivision

- 3.7.9 The subdivision of lands designated ***Parkland Residential Policy Areas*** may be considered, provided the new lots conform to the policies above, and the requirements of the Zoning By-law.

Part 4. Implementation

Part 4 provides an overview of the planning tools used to implement this Development Plan.

4.1 Adoption, Review, and Amendment

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

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

4.2 Zoning By-law

The goals, objectives, and policies contained herein are generally implemented through the RM of De Salaberry's Zoning By-law. Following adoption of this Development Plan, the RM is required to enact a Zoning By-law which will set out specific regulations for land use and development. The Zoning By-law assigns zoning districts for certain types of uses. Permitted and Conditional Uses and development standards are prescribed for each zone. Zoning by-laws must generally conform to a Development Plan adopted for the RM. The objectives and policies in this Development Plan provide guidance to Council when preparing or amending their Zoning By-law.

4.3 Secondary Plans

As per *The Planning Act*, Council may adopt, by by-law, a secondary plan to provide more guidance on development related issues. A secondary plan can address objectives and issues in any part of the RM of De Salaberry, without limitation, on matters regarding:

1. Any part of this Development Plan;
2. Subdivision, design, road patterns, building standards, site servicing, or other land use and development matters; or
3. Heritage resources, sensitive lands, and other social factors such as economic development.

4.4 Subdivision Approval

Proposals involving the subdivision of land for individual or multi-lot development will be subject to a review by the Provincial approving authority, Council, and certain Provincial government departments and agencies. This process provides an opportunity for development proposals to be

evaluated in accordance with the provisions of this Development Plan. A subdivision proposal cannot proceed without the approval of the Municipal and Provincial approving authorities. Council and/or the Provincial approving authority may attach conditions to a subdivision approval in accordance with *The Planning Act*.

4.5 Conditional Use Approvals

Within a Zoning By-law, there will be provisions for the approval of various types of development as a Conditional Use in each Zoning District. This will provide Council with the authority to review specific development proposals, to receive public input from nearby landowners, and to make decisions either approving or denying the proposals. In addition, this process provides Council with the opportunity to establish conditions of approval, which could include requiring the applicant to enter into a development agreement with Council. In utilizing the Conditional Use process, Council will have an opportunity to influence the location of certain types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community.

4.6 Variation Orders

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

4.7 Development Agreements

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

4.8 Development Permits

New development generally requires a development permit issued by the Municipality. As per *The Planning Act*, before a permit is issued proposals will be reviewed to determine conformance with this Development Plan and the Zoning By-law.

4.9 Development Officer

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

4.10 Acquisition and Disposal of Land

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

4.11 Planning Commission

As per *The Planning Act*, a Council may establish a planning commission to hold hearings and make recommendations regarding variances and Conditional Uses, amongst other responsibilities.

4.12 Adoption of Other By-laws

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

4.13 Special Studies and Concept Plans

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

1. Schematic layout of future roadways, with provisions for integration in a safe and efficient manner with other existing and anticipated roadways in the area, and in conformance with accepted engineering standards;

2. Schematic arrangement of building lots, with lot sizes that are appropriate for the nature of the anticipated development;
3. Conceptual layout of buildings and landscaping;
4. Location and size of proposed buffers, parks, and open spaces;
5. Sufficiently detailed contour information to evaluate slope and drainage conditions;
6. Schematic design of the various utility and service systems anticipated within the development area, such as hydro, natural gas, telecommunication, storm drainage, water supply, and wastewater systems; and
7. Where appropriate, an assessment of the impact of the proposed development on the environment.

4.14 Public Works

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

4.15 Capital Expenditures

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

4.16 Strategic Plans for Economic Development

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

4.17 Municipal Cooperation

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

Part 5. Glossary of Acronyms

Part 5 provides a glossary of acronyms used within this Development Plan.

“**CLI**”, Canada Land Inventory

“**CPR**”, Canadian Pacific Railway

“**JRCC**”, J.R. Cousin Consultants

“**OHWM**”, Ordinary High Water Mark

“**PLUPs**”, Provincial Land Use Policies

“**PR**”, Provincial Road

“**PTH**”, Provincial Trunk Highway

Part 6. Policy and Reference Maps

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

Policy Maps

Map 1: RM of De Salaberry

Map 2: St. Malo

Map 3: Otterburne

Reference Maps

Map 4: Road Classification

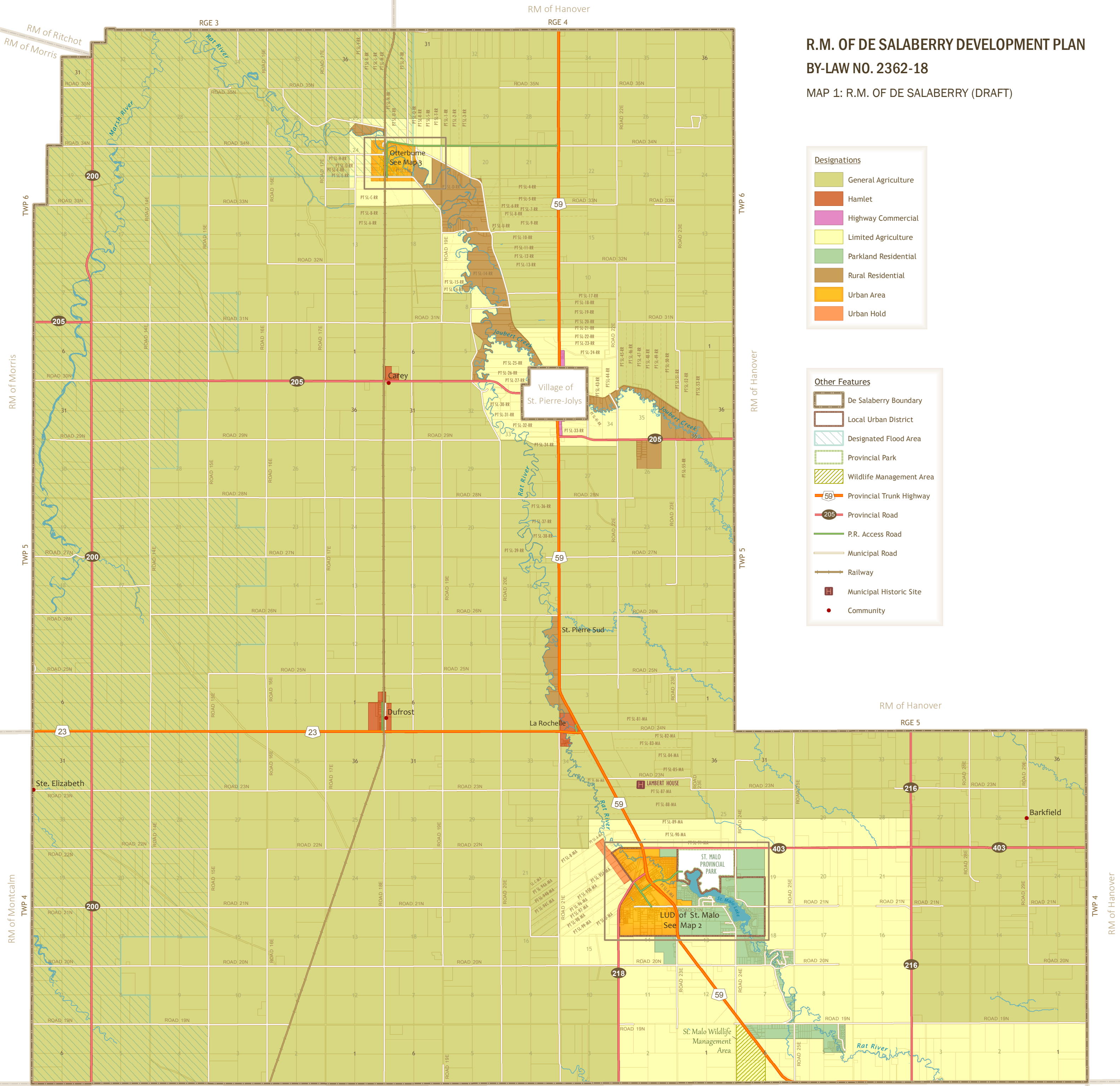
Map 5: Aggregate Resources

Map 6: Drain Order

Map 7: Gosselin Road Proposed Low Pressure Sewer Alignment

R.M. OF DE SALABERRY DEVELOPMENT PLAN BY-LAW NO. 2362-18

MAP 1: R.M. OF DE SALABERRY (DRAFT)



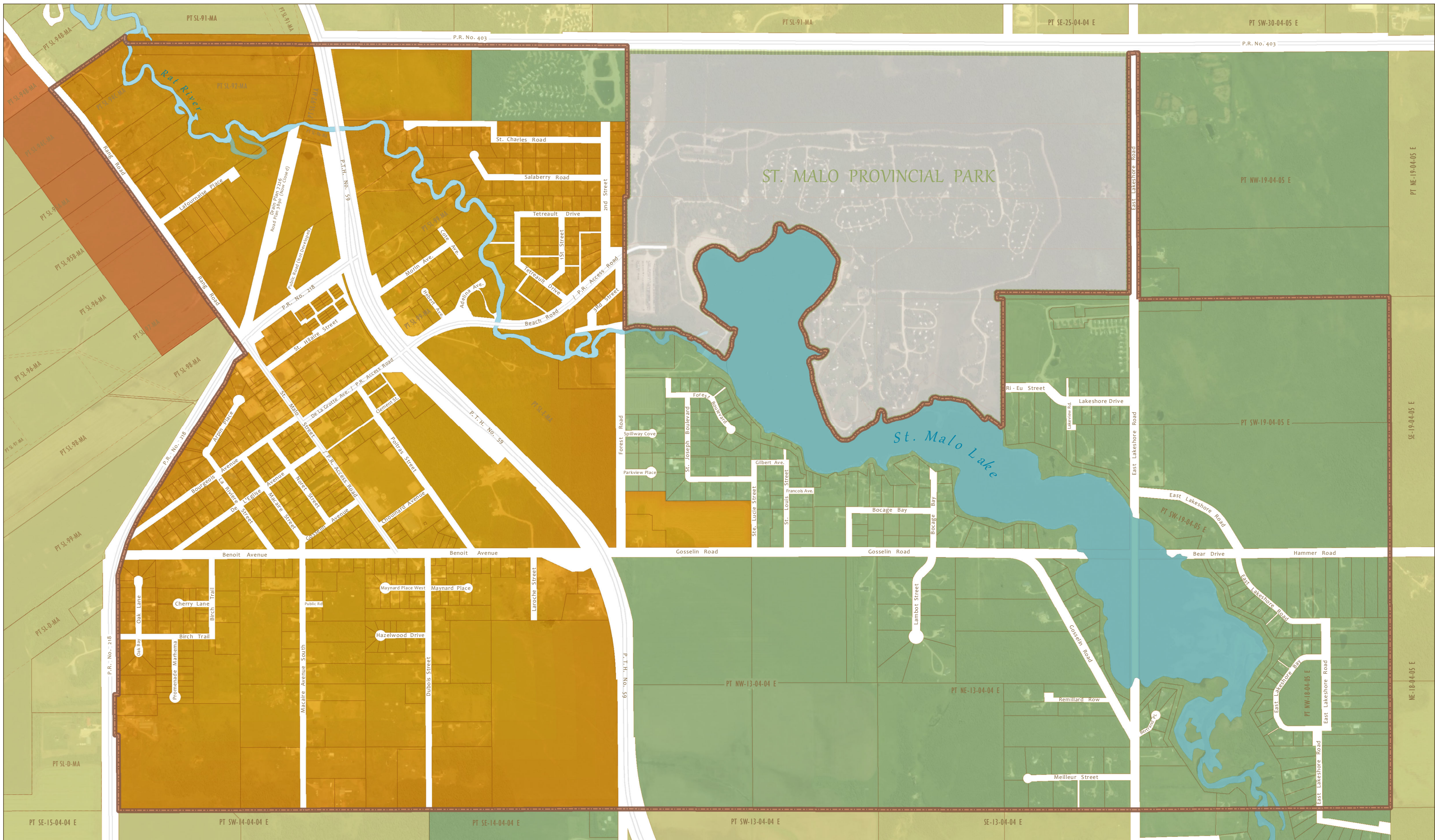
Designations

- General Agriculture
- Hamlet
- Highway Commercial
- Limited Agriculture
- Parkland Residential
- Rural Residential
- Urban Area
- Urban Hold

Other Features

- De Salaberry Boundary
- Local Urban District
- Designated Flood Area
- Provincial Park
- Wildlife Management Area
- Provincial Trunk Highway
- Provincial Road
- P.R. Access Road
- Municipal Road
- Railway
- Municipal Historic Site
- Community

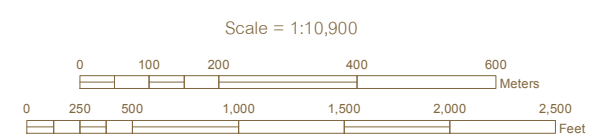




R.M. OF DE SALABERRY DEVELOPEMENT PLAN

MAP 2: L.U.D. OF ST. MALO (DRAFT)

Designations		Other Features	
	Limited Agriculture		Urban Area
	Parkland Residential		Urban Hold
	Local Urban District		Assessment Parcel
	Provincial Park		River lot



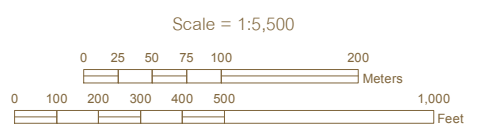
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 Data source: Provincial Government
 Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





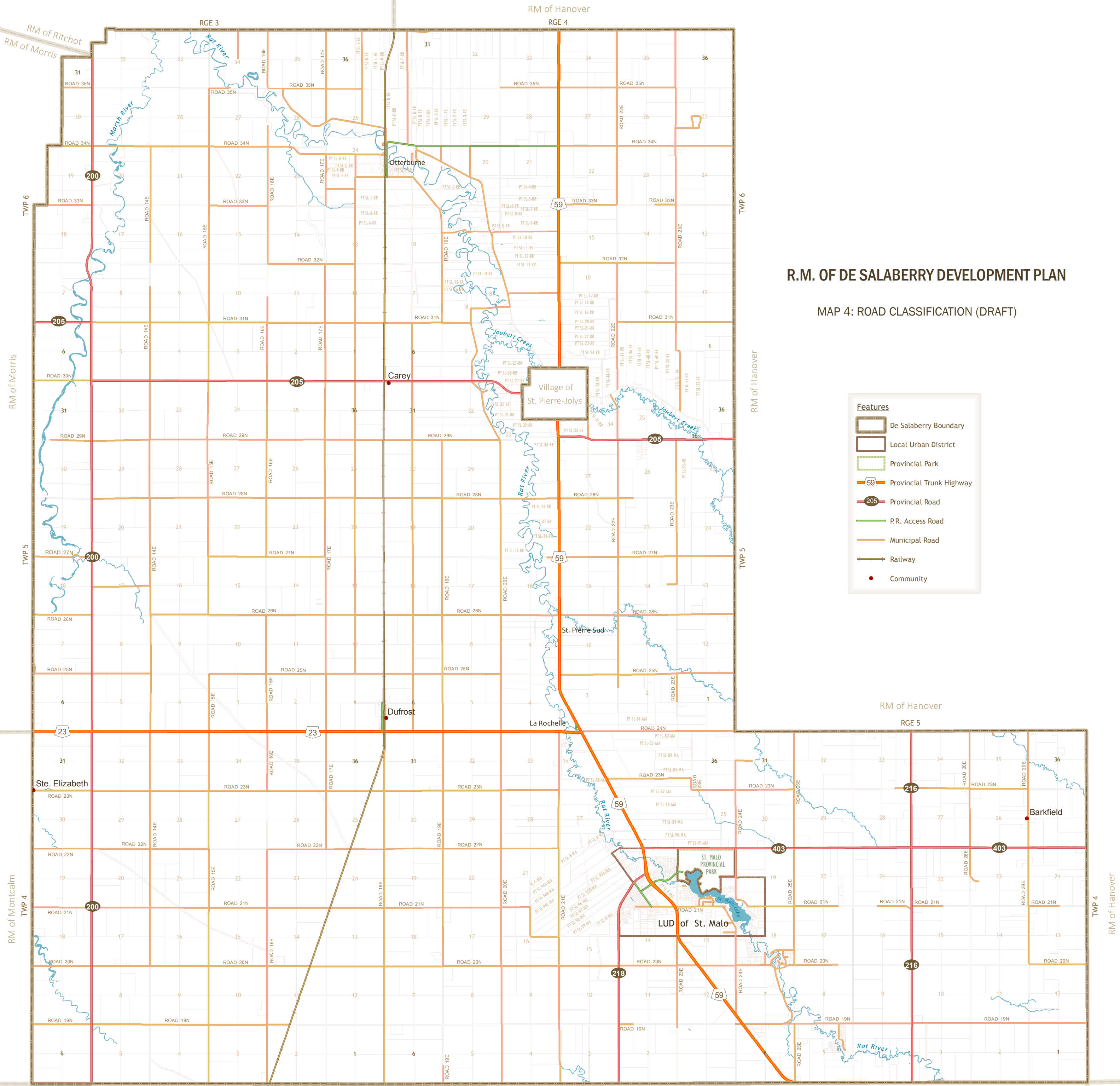
R.M. OF DE SALABERRY DEVELOPEMENT PLAN
MAP 3: OTTERBURNE (DRAFT)

- | | | | |
|---|---|---|---|
| Designations | | Other Features | |
|  General Agriculture |  Rural Residential |  Designated Flood Area |  Assessment Parcel |
|  Limited Agriculture |  Urban Area |  River lot |  Railway |



Date: May 03, 2018
 Projection: NAD 83, UTM Zone 14
 Data source: Provincial Government
 Service Layer Credits: Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community





R.M. OF DE SALABERRY DEVELOPMENT PLAN

MAP 4: ROAD CLASSIFICATION (DRAFT)

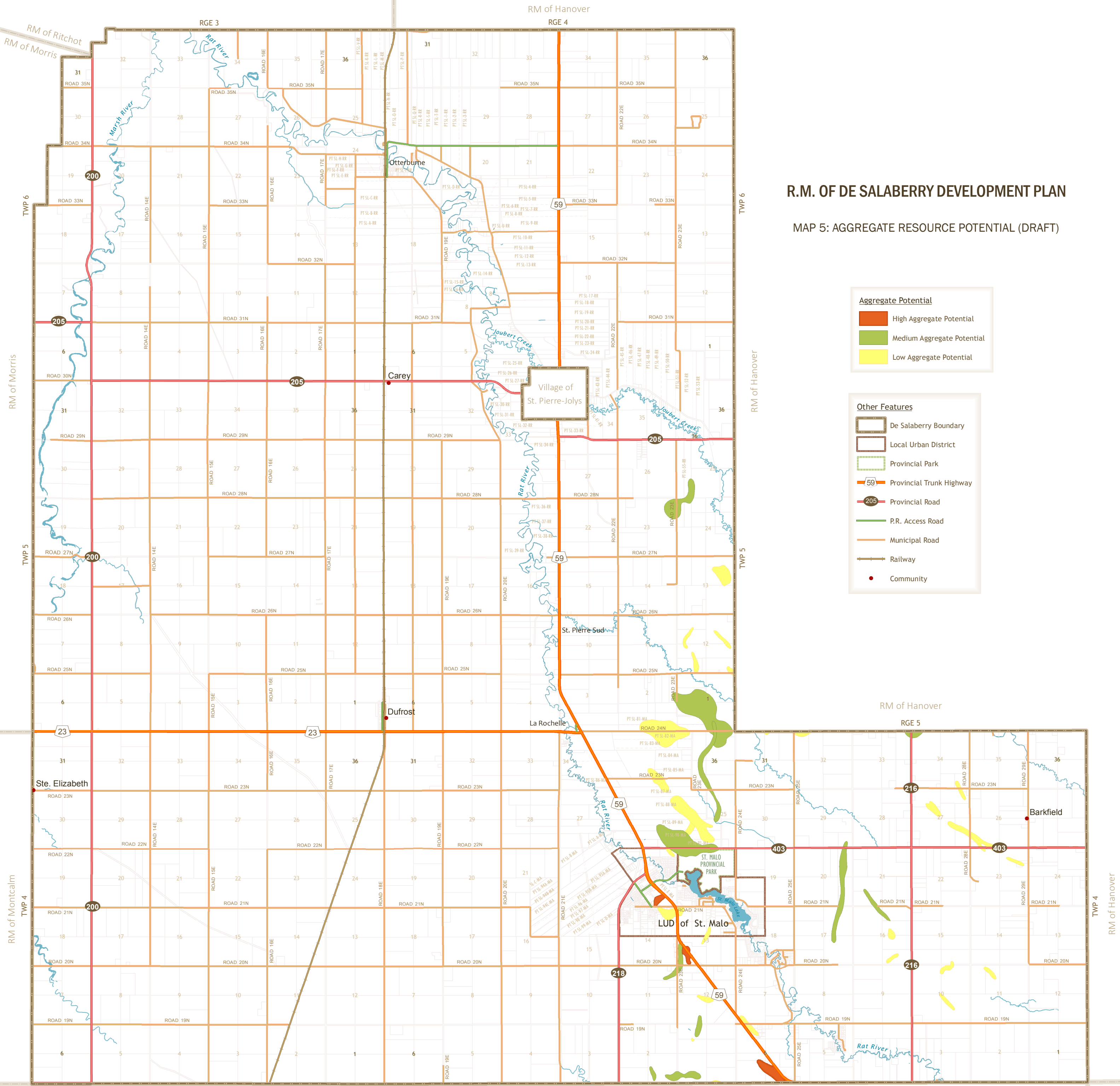
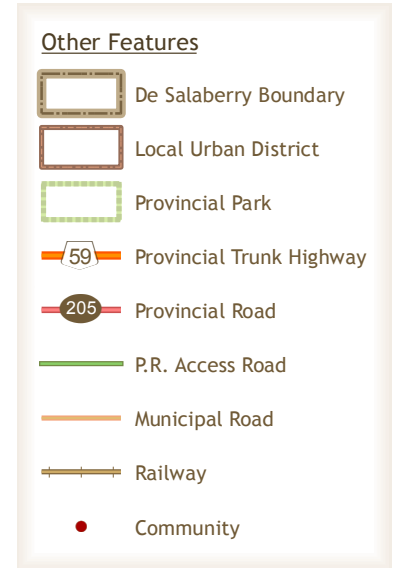
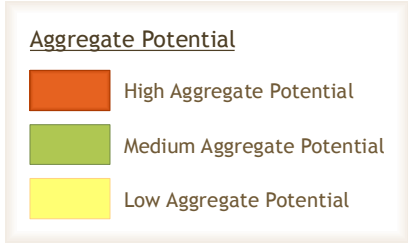
Features

- De Salaberry Boundary
- Local Urban District
- Provincial Park
- Provincial Trunk Highway
- Provincial Road
- P.R. Access Road
- Municipal Road
- Railway
- Community



R.M. OF DE SALABERRY DEVELOPMENT PLAN

MAP 5: AGGREGATE RESOURCE POTENTIAL (DRAFT)



R.M. OF DE SALABERRY DEVELOPMENT PLAN

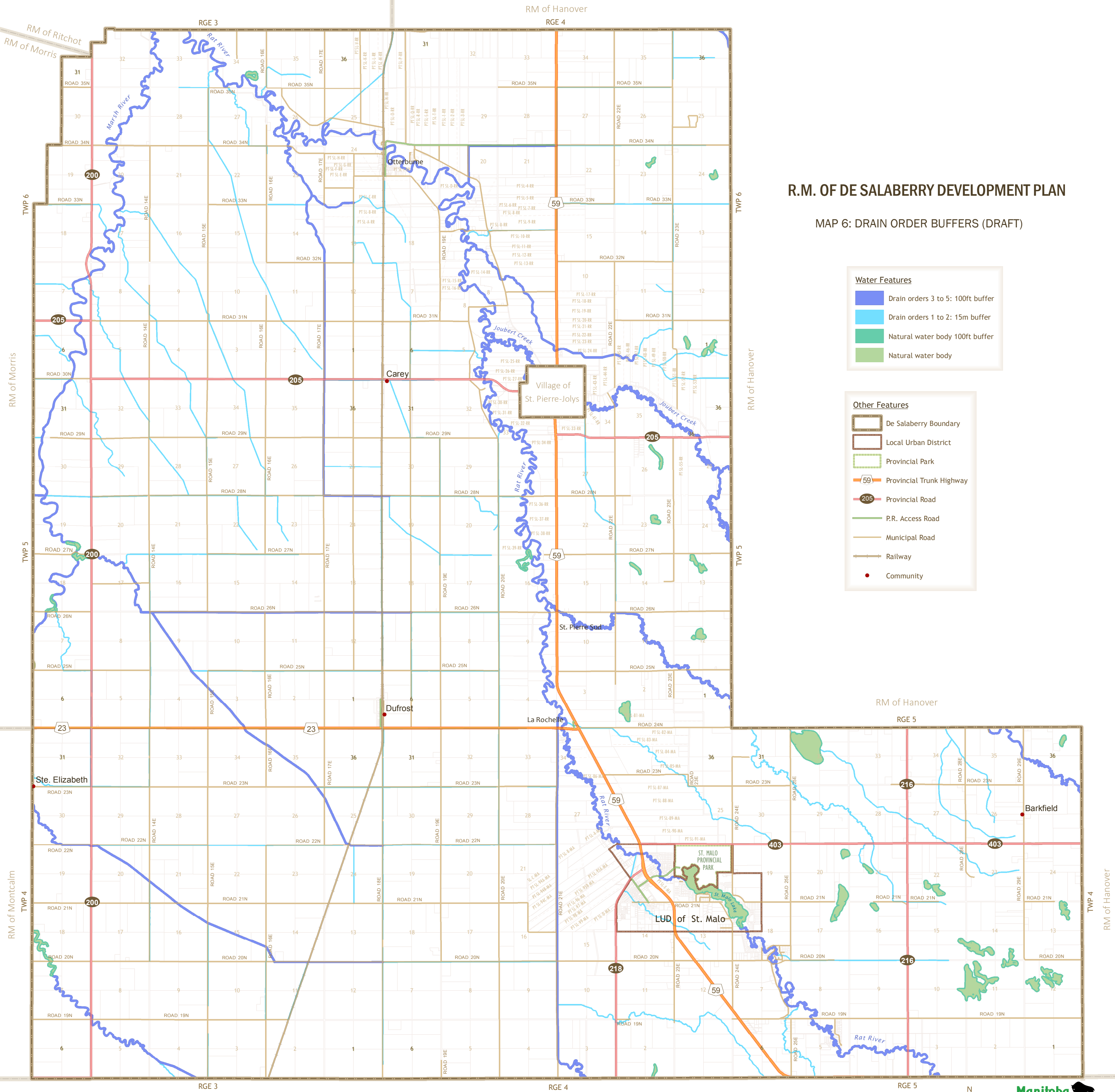
MAP 6: DRAIN ORDER BUFFERS (DRAFT)

Water Features

- Drain orders 3 to 5: 100ft buffer
- Drain orders 1 to 2: 15m buffer
- Natural water body 100ft buffer
- Natural water body

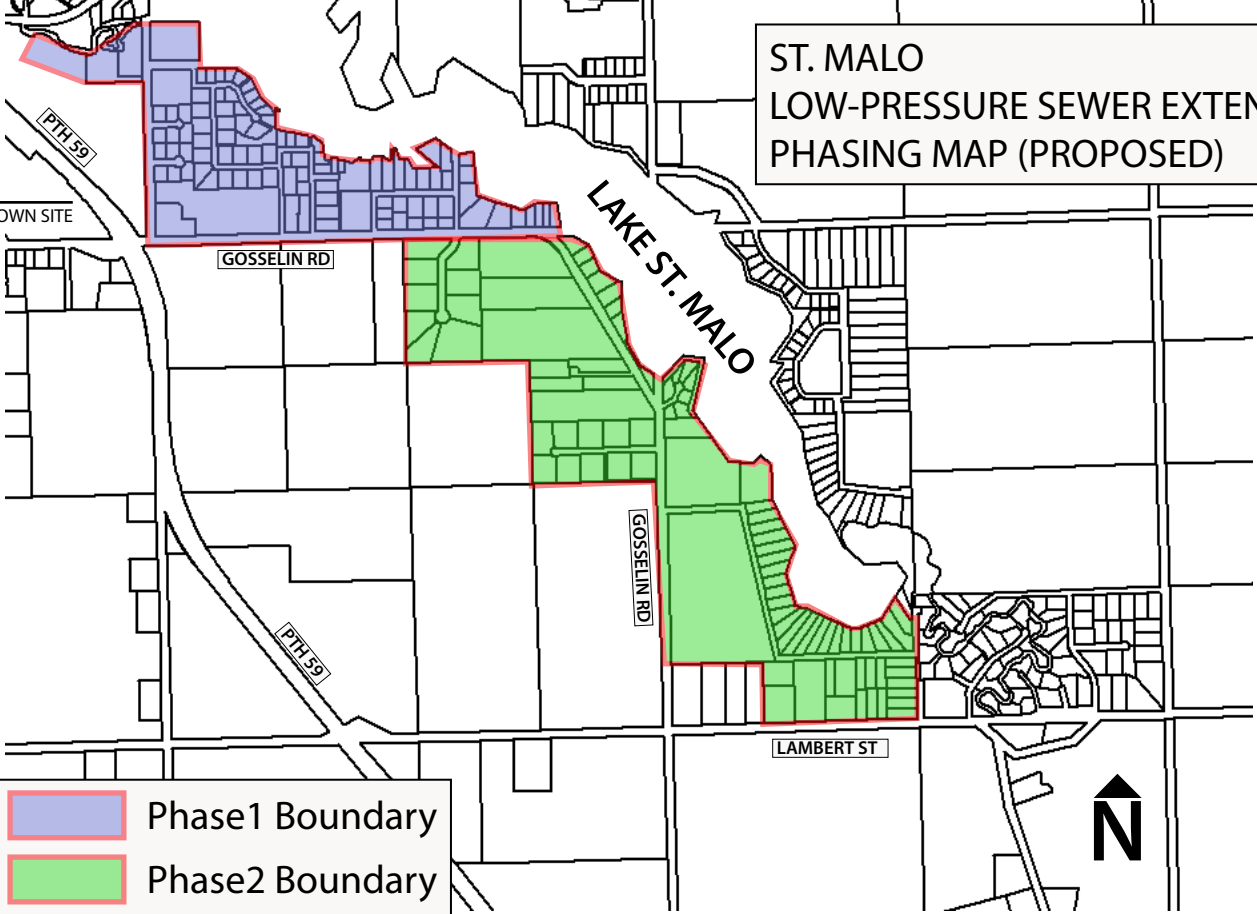
Other Features

- De Salaberry Boundary
- Local Urban District
- Provincial Park
- Provincial Trunk Highway
- Provincial Road
- P.R. Access Road
- Municipal Road
- Railway
- Community



ST. MALO
LOW-PRESSURE SEWER EXTENSION
PHASING MAP (PROPOSED)

PTH 59
ST. MALO TOWN SITE



Phase1 Boundary
Phase2 Boundary