

pembina manitou planning district

development

plan 2015

lombard north group (1984) ltd.
planners and landscape architects

PEMBINA MANITOU PLANNING DISTRICT

BY-LAW NO. 1-2003

**BEING A BY-LAW OF THE PEMBINA MANITOU PLANNING DISTRICT TO ADOPT A
DEVELOPMENT PLAN AND REPEAL BY-LAW NO. 17-91**

WHEREAS Sub-Section 24(1) of The Planning Act, Chapter P80, of the Continuing Consolidation of the Statutes of Manitoba, provides for the preparation and adoption of a Development Plan;

AND WHEREAS Sub-Section 27(1) of the Act provides authority for the adoption of a Development Plan;

AND WHEREAS it is deemed necessary and expedient to adopt a Development Plan for the Pembina Manitou Planning District and repeal The Town of Manitou Development Plan By-Law No. 17-91;

AND WHEREAS pursuant to the provisions of Section 30 of the Act the Minister of Intergovernmental Affairs and Trade approved the Pembina Manitou Planning District Development Plan 2015 on _____, 200____.

**NOW THEREFORE THE PEMBINA MANITOU PLANNING DISTRICT BOARD IN A MEETING
DULY ASSEMBLED ENACTS AS FOLLOWS:**

1. **THAT** the Development Plan attached hereto and marked as Schedule "A" to this by-law is hereby adopted and shall be known as the Pembina Manitou Planning District Development Plan 2015.
2. **THAT** the Development Plan shall take force and effect on the date of third reading of this By-Law.
3. **THAT** the Town of Manitou Development Plan By-Law No. 17-91 is hereby repealed.

DONE AND PASSED BY THE DISTRICT BOARD THIS DAY OF A.D. 2003.

District Board Chair

Secretary – Treasurer

Certified that By-Law No. 1-2003:

Received first reading on the **16** day of **October** A.D. 2003.

Received second reading on the day of A.D. 2003.

Received third reading on the day of. A.D. 2003.

Secretary – Treasurer

schedule "A"
pembina manitou planning district

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Part 1: Introduction

1.1 Area Covered by Development Plan

This Development Plan applies to the Pembina Manitou Planning District as illustrated on Reference Map #1: Planning District Boundaries. The Pembina Manitou Planning District is comprised of the Rural Municipality of Pembina and the incorporated Town of Manitou.

1.2 Legal Authority

On May 2nd, 2001 the Pembina Manitou Planning District was formed by Order in Council 164/2001.

Section 22 (1) of *The Planning Act* provides a Planning District Board with responsibility for preparation, adoption, administration and enforcement of a Development Plan and any amendments to the Plan.

Section 24 (1) of *The Planning Act* provides a Planning District Board or Council with authority to prepare and adopt a Development Plan.

Section 27(1) of *The Planning Act* provides that a Planning District Board or Council shall by By-Law adopt a Development Plan.

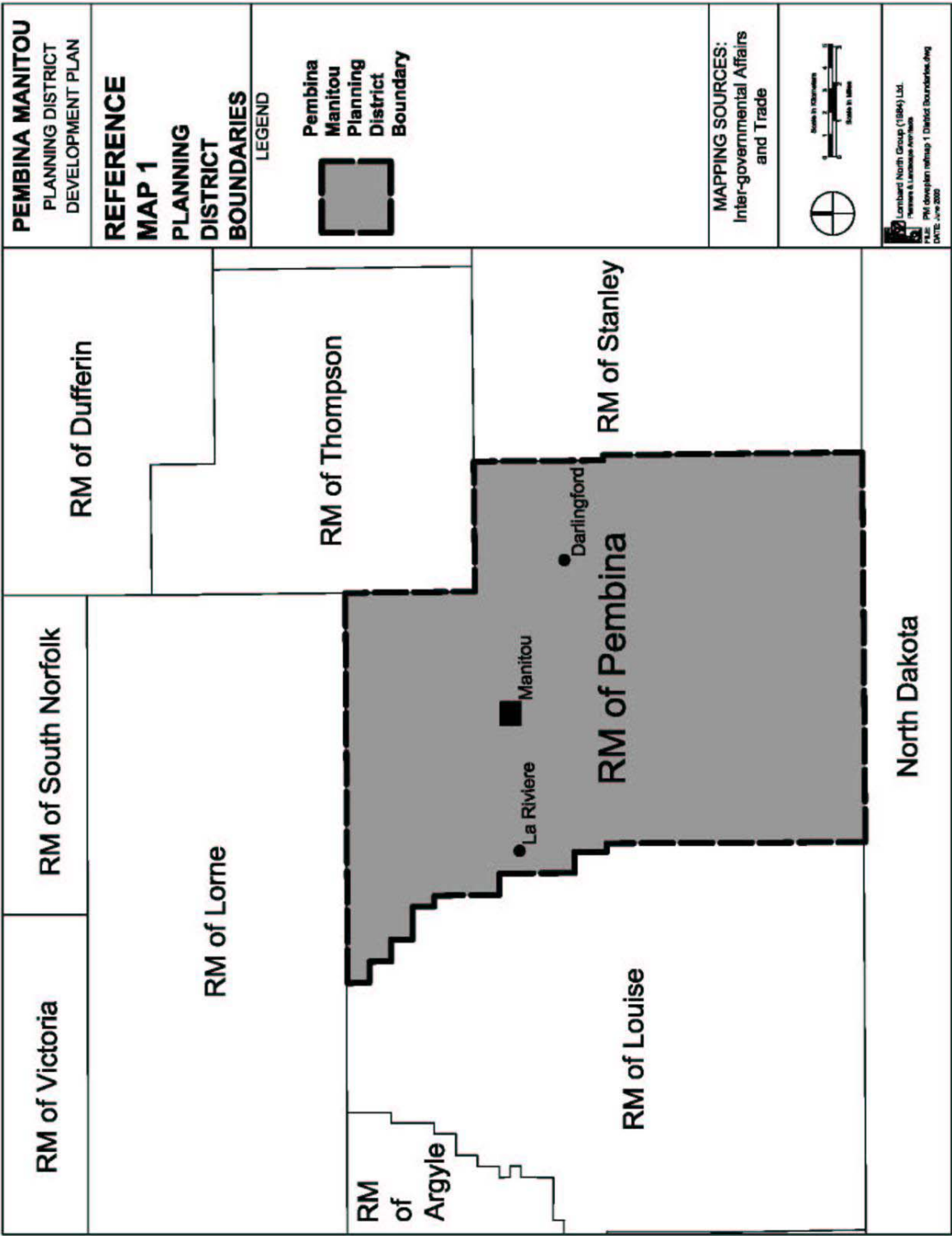
Section 30 of *The Planning Act* provides that, following second reading of the By-Law to adopt a Development Plan, the Minister's approval of the By-Law is required prior to proceeding to third reading and that on the date of third reading; the Development Plan shall take effect.

1.3 Planning History

The Pembina Manitou Development Plan represents the first time a Development Plan has been adopted by the Planning District and its member Municipalities, although the Town of Manitou had previously established its own development plan in 1992.

The Planning District was established by the Rural Municipality of Pembina with the Town of Manitou as the first major step in coordinating planning services and managing development.







Collectively, the Planning District's rural municipality, town and village centers share common goals and appreciate community objectives can best be achieved through co-operative actions. These actions include stimulating economic development, providing guidelines to reduce conflicts between livestock operations and other land uses; protecting sensitive environmental areas like the Pembina Valley, the District's ground and surface water resources and developing strategies to support community revitalization.

The Pembina Manitou Planning District Board completed on December 2001 the Planning District Development Plan Background Assessment and Inventory Report. The Background Report was divided into ten sections. It assessed community resources in terms of socio-economic characteristics, settlement patterns, culture and heritage, environment including groundwater sensitivity areas, livestock, rural infrastructure, community characteristics and their implications upon the preparation of a planning strategy. The natural and environmental resources were assessed in terms of agricultural soil capability, erosion risk and potential groundwater impact, intensive livestock operation inventory, surface and sub-surface water resources, aggregate deposits, natural features including vegetation characteristics, wildlife habitat areas and their associated implications on the preparation of the Development Plan.

There are influences external to the Planning District, which will have an impact upon the nature of the Development Plan. These most notably are the competitive world markets' impacts upon farm economies, changes in farming strategies and structures, resulting in farm consolidation and intensification of livestock operations and rural depopulation.

1.4 Purpose of Development Plan

Sub-section 25 (1) of *The Planning Act* states the purposes of a Development Plan as follows:

- (a) to serve as a framework whereby the Planning District or the Municipality and the Community as a whole may be guided in formulating development policies and decisions;*
- (b) to identify the factors relevant to the use and development*

of land;

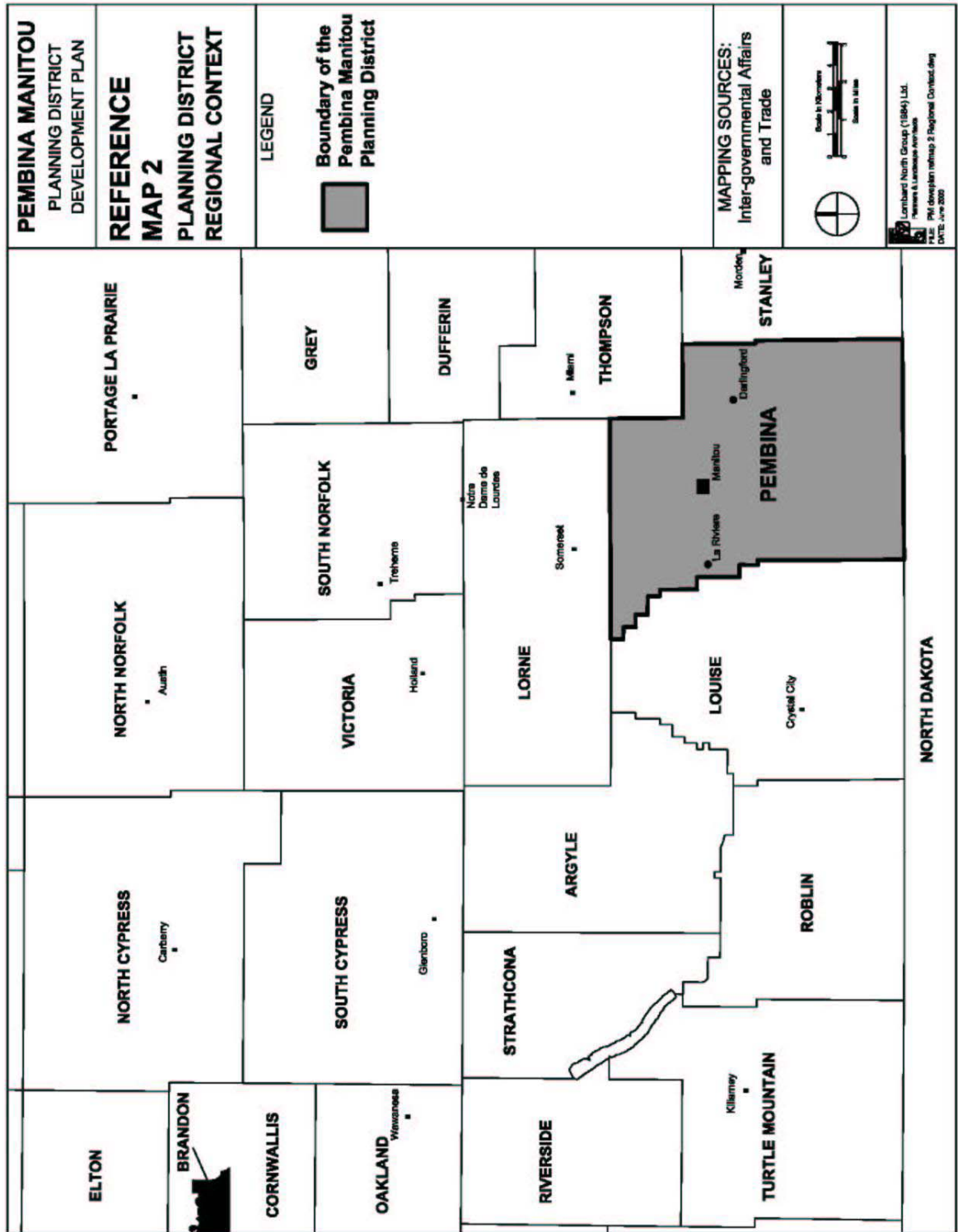
- (c) to identify the critical problems and opportunities concerning the development of land and the social, environmental and economic effects thereof;*
- (d) to set forth the desired timing, patterns and characteristics of future development of land and to determine the probable social, environmental and economic consequences thereof;*
- (e) to establish and specify the programs and actions necessary for the implementation of the Development Plan;*
- (f) to outline the methods whereby the best use and development of land and other resources in adjacent municipalities, Districts, or affected areas immediately abutting thereto, may be co-ordinated; and*
- (g) to identify those matters of government concern which affect the use and development of land and other resources within the Planning District.*

The Pembina Manitou Planning District Development Plan 2015 responds to the requirements of The Planning Act by providing policies based upon community goals and objectives for the conservation and use of community resources and the orderly and economic development of the Planning District municipalities. The day-to-day decisions of the Planning District Board and Municipal Councils will be based upon the objectives and will endeavour to implement the policies of the Development Plan to promote orderly and economic development within the Planning District.

The Development Plan will reduce uncertainty in both the public and private sectors with respect to the future use of land. It will assist to guide development, which is compatible with the capacity of the Planning District's land base to support it.

1.5 Key Characteristics of the Planning District

The Pembina Manitou Planning District is located south of Winnipeg along the American border. The Planning District represents a planning area of approximately 437 square miles and is illustrated in Reference Map #2: Planning District Regional Context.



Statistics Canada 2001 census recorded a population within the Planning District of 2544 individuals. Of this population 30% or 775 people live in the Town of Manitou. The Planning District is characterized by a very low-density farm population distribution, which can be expressed as 1.7 square miles per family.

Property ownership within the rural areas of the Planning District is predominantly held in large titled parcels equal to or greater than 160 acres in area.

The majority of soils within the Rural Municipality of Pembina are comprised of class 1, 2 and 3 soils having high agricultural productivity rating with smaller areas of medium high and low capability along the Pembina Valley. Given the abundance of high capability soil, the majority of the District's land resources are utilized for crop production.



Physiographically, the District is located in the Saskatchewan Plain. The majority of the RM of Pembina occurs in the Manitou Plain, while the northern and north-eastern fringes of the municipality are in the Pembina Hills. The most prominent landscape feature is the melt water channel of the Pembina Valley.

The Planning District can be characterized as an area in transition. A number of issues are expected to impact upon the Development Plan including:

Changing demographics characterized by a population loss of approximately 18% since 1976 and an aging population profile present special challenges to the Planning District. These include a decreasing number of family farms, job loss, business uncertainty and community infrastructure serving the needs and financially supported by fewer people.

The Development Plan appreciates the Planning District is changing and the dynamics directing that change are more often than not, unpredictable. Therefore, the Development Plan has been developed as a collaborative initiative among the Planning District's Municipalities, to guide the management of change, by incorporating flexibility and leaving room for the unexpected.

The **intensification of the livestock** industry has been occurring across the Province, and while it has not made a significant impact on the

District it is an issue, which must be addressed. The Development Plan has considered the changing structure of the livestock industry and input from farm, livestock and community interests. In response it includes:

- recognition of agriculture's contribution to the local economy and the importance of providing policies that enable farm diversification, and sustainable livestock production.
- siting criteria to minimize community concerns regarding odours from confinement barns, manure storage and manure application to fields; and
- policies providing separation distances from residences and designated communities, guidelines for environmentally sensitive areas, and incorporation of vegetation buffers and manure management technologies to disperse odours.



The need to stimulate economic development and diversification within the Planning District to take advantage of growth opportunities associated with value added agricultural processing industries, local fabrication, manufacturing, and eco-tourism.

The Development Plan contains objectives and policies intended to resolve current issues and provide guidelines for the future sustainable development of the Pembina Manitou Planning District.

1.6 Community Issues and Priorities

The community was involved in the development plan process through participation in both the Open House and Issue Advisory Committees. A series of workshops were held on four separate occasions. One group discussed economic initiatives including decreasing population concerns in the area. From 1976 to 2001, Manitou's population decreased by 13%. Pembina was more severely impacted, with a reduction in population of 22% over the same period. Manitou's population decline has been moderated by in-migration of seniors. However, of greatest concern in both the urban and rural areas of the District, is the continuing loss of young adults, aged 20 to 34 years. Discussions in the workshop led to the discovery of several opportunities and strategies to promote the assets and quality of life in the District. These included investing in social and recreational services, together with arts and cultural programs and health services such as the



Wellness Centre, to market the area as a tourist destination, but also as a safe, friendly and thriving environment with a burgeoning retirement community.

The Agricultural Advisory Committee concentrated on livestock issues with the goal to establish clear guidelines that encourage environmentally and economically sustainable livestock operations. Considerations to include siting criteria, which minimize social and environmental issues, including odours from confinement barns, manure storage and field application, separation distances from residences, communities, environmentally sensitive areas and incorporation of vegetation buffers and manure management technologies to reduce odours. Also discussed were the benefits of the industry, along with the need for community involvement when expanding or starting operations to ensure that the public is educated in practices, but to also develop open lines of communication between both parties.

The Advisory Committees provided a forum in which residents were able to voice their concerns, express their opinions and work together on the development of solutions to manage change within the District, along with offering input on changes to improve and plan for the future prosperity of the community. The Development Plan balances current needs with the long term sustainability objectives of the agriculture sector and communities within the Planning District. Community input provided by the Advisory Committees and feedback from the Planning Strategy Open House helped define the District's planning priorities and directly impacted the policies of the final Development Plan.



2

Part 2: Shaping the Pembina Manitou Planning District

2.1 Introduction



Encouraging agricultural diversification, managing livestock production and stimulating population growth to support social-economic development within the District, are needed to create a better future for Pembina Manitou. A healthier community will grow from a successful strategy to promote agricultural diversification and attract more residents and more jobs to the District's service centers.

This section of the Development Plan outlines the general objectives and policies, which will guide the overall use, planning and development of land in Pembina Manitou. Parts 3 and 4 represent specific policy directions for the Rural and Urban and general development Areas of the Planning District.

The Planning District's foreseeable future is expected to be one of restructuring to address the quickly changing farm economics and regenerating the vitality of the District's service centers.

2.2 District Objectives

- .1 This Plan will support and create clear directions for the diversification of agriculture and management of livestock production, in a manner which addresses concerns associated with environmental protection, manure management, separation distances from residences, designated communities and environmentally sensitive areas.
- .2 This Plan will encourage community economic development initiatives and the use and development of land in a manner that contributes positively to the physical, environmental, social and economic health and well being of the community.
- .3 This Plan will provide well planned areas for living, working, shopping and recreation that are visually attractive, represent efficient use of land and public services, with a minimum of incompatibility both within areas and between areas.
- .4 This Plan redirects development away from lands which are not suitable for the proposed development, unless appropriate

mitigation measures are taken to reduce any potential negative impacts and/or enhance the capability of the land to support the proposed development.

- .5 This Plan will provide for new development which is compatible with existing and anticipated land uses, utility and transportation networks, and which minimizes the risks to quality of life, public health and safety.
- .6 This Plan will minimize risks to people and property that are associated with natural hazards or human-made features.
- .7 This Plan will protect and encourage public and private development to maintain the health and integrity of the natural environment within the Planning District for the continued well-being of area residents.
- .8 This Plan promotes the wise use of renewable and non-renewable resources including aggregates, minerals, forests, soils, surface and potable ground water.
- .9 This Plan promotes the preservation and enhancement of areas which have natural beauty, scenic value, recreational potential, or historic / cultural significance.
- .10 This Plan promotes initiatives, which protect past, present and future investments in public and private infrastructures, including utilities and transportation networks in order to maintain cost-effective operations and to provide for new, upgraded or extended infrastructure services, where appropriate.
- .11 This Plan promotes inter-municipal co-operation and consensus in order to undertake joint land use planning, municipal servicing, economic and sustainable development initiatives that will benefit the community-at-large, as well as establishing economic development initiatives taking advantage of value added agricultural production and job creation opportunities based upon the District's proximity to the Morden-Winkler growth corridor.
- .12 This Plan promotes the District's unique natural heritage and cultural resources by building awareness and by supporting

cooperative development with tourism programs.

- .13 This Plan protects the natural groundwater, surface water resources, Mary Jane reservoir and the environment within the Planning District for the continued well being of the area residents.
- .14 This Plan promotes the incorporation of best practices in livestock management and the effective management of livestock development within the District, by coordinating the technical evaluation inputs of the Manitoba Livestock Technical Advisory Committee, with Council review of livestock development proposals within the District.

2.3 District Policies

The policies outlined in this section address issues, which may arise throughout the Planning District and its member municipalities.

2.3.1 Utilities

- .1 Essential activities of government and public and private utilities should be permitted in any land use designation subject to requirements in a municipal Zoning By-Law. Such uses to be located and developed in a manner, which is sensitive to and will minimize any incompatibility with neighbouring land uses.
- .2 Cooperation will be encouraged with Manitoba Hydro, Centra Gas, Manitoba TeleCom Services and other similar utilities to ensure the provision of their services in the most economical and efficient manner possible.
- .3 Prior to the installation of major utility systems, such as hydro transmission lines, fibre optic telephone cables, wind energy generating systems, the utility companies are encouraged to consult with the Planning District Board and Municipal Councils on matters such as location, route selection and impact on local road systems.
- .4 To protect existing public and private utilities, from incompatible or potentially incompatible land uses, which may threaten or adversely affect their operation.

- .5 Cooperative and inter-municipal servicing initiatives will be encouraged including possible revenue sharing agreements to equitably share costs and benefits of future development in the Planning District.

2.3.2 Industrial Developments

- .1 Industrial developments, which are characterized by any of the following characteristics:
- requires a provincial license or permit;
 - generates traffic that may impact provincial or municipal road systems;
 - need for a large land base for operations;
 - major capital investment;
 - access to municipal services; and
 - potential for major environmental damage, or incompatibility with nearby land uses;

shall be subject to development agreements that shall specify locations and site development parameters within a designated industrial area, under the municipal zoning by-law. The designation of industrial areas shall be directed to locations that can efficiently provide municipal services, have superior access to inter-regional or inter-provincial transportation networks. Where a designated industrial area does not exist, a proposed site may be considered, subject to the objectives and policies of the Development Plan and amendment to the municipal zoning by-law and development agreement parameters setting out the standards and requirements for development.

- .2 Where areas are designated for Industrial Development, the municipal zoning by-law may establish special limitations and conditions for potentially incompatible uses, including residences, within a specified distance of the designated area.
- .3 Agriculturally related commercial or industrial development may be located in appropriate rural areas. The zoning by-law may establish procedures and conditions to ensure rural industrial development is compatible with surrounding uses, the natural environment and has access to the primary rural transportation network.

2.3.3 Hazardous Uses



- .1 Facilities or developments, which manufacture, handle, store or distribute hazardous materials, will be governed by the following:
 - (a) Wherever possible, new facilities should be well separated from roadways, residential areas and buildings used for human occupation;
 - (b) Hazardous facilities should not be located closer to dwellings and roadways than permitted or recommended by the Department of Conservation;
 - (c) Where new development or expansion of a potentially hazardous use is proposed, information may be required relating to the nature of any potential discharges into the air, soil or water; the nature of outside storage requirements; the compatibility of surrounding land uses; and plans for buffering such activities from adjacent uses.
 - (d) In instances where the risk is severe, development may be directed to a suitable rural location, as an alternative to a community.

2.3.4 Natural Areas & Environmental Conservation

Strong communities and a competitive agricultural economy need a healthy environment. Clean air, soil, surface water, ground water and natural ecosystems underlie the health and well being of our communities and attract people to work and invest in the District. Planning for the future development of the District, while protecting and enhancing the natural environment is the aim of good stewardship. The natural environment is complex. It does not recognize municipal boundaries and there are limits to the stresses of human activities that it can absorb.



- .1 Good stewardship of the Pembina Manitou Planning District's natural environment begins with the Plan acknowledging the potential for human activity to have environmental impacts; by determining the location of environmentally sensitive areas; and by directing uses to these areas, which respect their environmental limits.

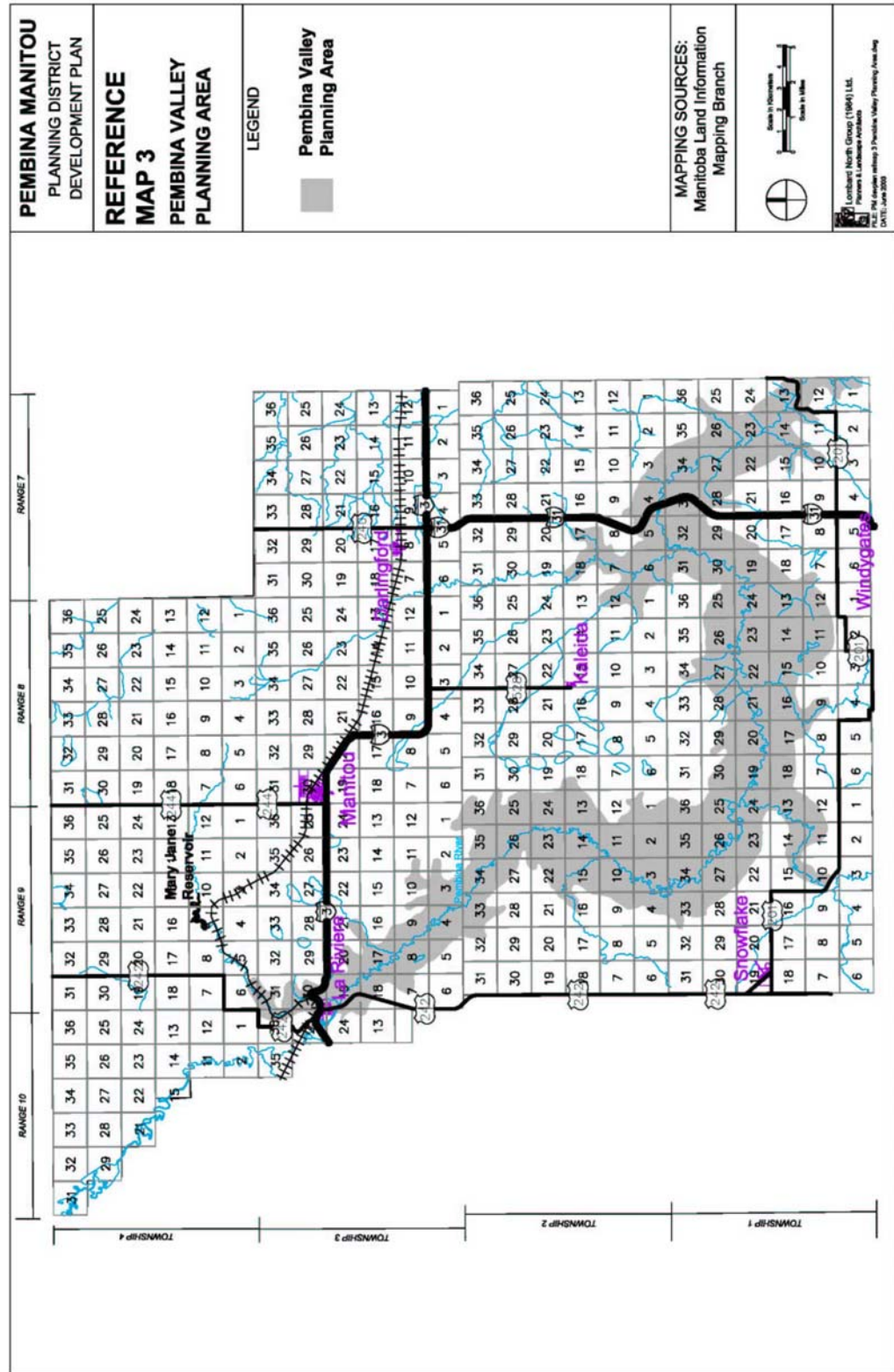
- .2 Protecting natural areas and habitats, from incompatible or potentially incompatible uses where:
 - (a) Rare or endangered flora and fauna have received Provincial designation and protection under *The Endangered Species Act* or federal designation under the *Species At Risk Act*;
 - (b) Lands have received Provincial designation and protection under the Protected Area Initiative;
 - (c) Lands have been identified as Wildlife Management Areas;
 - (d) Private lands have been voluntarily protected by landowners.
- .3 Identify and protect significant natural areas and sensitive environmental areas where human activities may create potential to stress the environment, by managing these activities as conditional uses in the Municipal Zoning By-laws.
- .4 Although there is a desire to provide for conservation areas, there is also a concern that these areas should be balanced with agricultural interests, particularly with regard to the potential loss of land for agricultural activities. Therefore, where privately initiated habitat conservation land leases, or land transfers are proposed for consideration to Manitoba Conservation, the Department will be encouraged to consult with the District municipalities affected prior to approving the designation of a private habitat conservation area.
- .5 Applications of environmental protection measures, as outlined in the Pembina Valley Conservation District Management Plan shall be encouraged.
- .6 Public access to natural areas and wildlife and fisheries habitat will be encouraged, where feasible, to foster appreciation for and enjoyment of nature, but such access should not lead to levels of activity which will exceed the capability of the area to sustain the environment and ecosystem integrity. In cases where private lands are involved, access to these areas will be subject to the approval of landowners.



2.3.5 Pembina Valley Planning Area



- .1 The Pembina River Valley represents one of the District's most unique physical features. Its route winds some 40 miles from the southeast to the northwest corners of the Planning District. Within the boundaries of the Pembina Valley traditional agricultural livestock uses some in operation for over 100 years, co-exist with new eco-tourism, recreation and cultural uses including, a Provincial Park, Holiday Mountain Ski Resort and golf course, Oak Valley outdoor theatre and Pembina Crossing banquet/conference centre. The Development Plan promotes balancing protection and continued use of the Valley for agricultural uses with carefully managed accommodation of commercial recreation uses which attract investment and visitors to the Valley for its scenic, recreation and ecological values.
- .2 Designate the Pembina River Valley illustrated in Reference Map#3, as a Special Planning Area under the District Plan. The purpose of the Pembina Valley Planning Area Policies will be to:
 - a) Protect existing agricultural uses, preserve the natural vegetation and manage the development of recreation, limited non-farm residential and tourist related uses attracted to the valley in a manner compatible with the existing agricultural use and character of the Valley;
 - b) Ensure recreation, residential and commercial tourism developments are compatible with the area's agricultural uses and can be sustained by municipal infrastructure; and
 - c) Promote a healthy eco-system within the Pembina River Valley by ensuring development proposals assess the opportunities and constraints posed by the environment and impacts upon the character of the valley are consistent with the objectives of the District Development Plan.
- .3 Recreation, rural residential and tourism related commercial developments may be considered under the Pembina Valley Special Planning Area Policies as conditional uses in the Zoning By-law.



2.3.6 Hazard Lands, Flooding and Erosion

- .1 Non-farm and confined livestock developments will generally be directed away from hazard areas. Hazard lands include the following:
 - (a) The immediate area surrounding the Mary Jane Reservoir, the Town of Manitou's water supply source;
 - (b) Lands subject to flooding – all lands which would be flooded by the 100 year flood, or by a recorded flood exceeding the 100 year flood; as flood records do not exist for La Riviere, the only community within a potential risk area, local experience of flood risk should be identified; and
 - (c) Lands subject to water erosion – all lands which would, within a 50 year period, be eroded or become unstable due to the action of water contained in an adjacent waterway or water body.
- .2 Land assessed as having high risk of soil erosion due to slope and soil type will be encouraged to employ soil management and agricultural practices which minimize the risk of impacts of erosion and impacts upon surface water.
- .3 Low intensity uses such as cropping, grazing, forestry or open space recreational activities are generally acceptable within hazard areas.
- .4 It may not be practical or desirable for economic or social reasons to restrict certain development in hazard areas. Developments should, however, be carefully controlled and planned to ensure that they are compatible with the risks or that the hazard has been eliminated or protected against. In these instances, the following criteria should be applied:
 - (a) Proposed developments should not obstruct, increase or otherwise adversely alter water and flood flows and velocities;
 - (b) There should be no added risk to life, health or personal safety;

- (c) Structures and services should be protected against damage and should be fully functional during hazard conditions;
 - (d) Activities which alter existing slopes and may accelerate or promote erosion or bank instability should be prohibited, unless appropriate mitigation measures are taken to minimize the potential of such erosion or bank instability;
 - (e) Existing tree and vegetation cover should be preserved where appropriate to reduce erosion and maintain bank stability.
- .5 Development proposals in flood plain hazard areas should be referred to the Department of Conservation for review prior to approval by the Planning District.
 - .6 Where an area is known to be subject to ponding due to snowmelt or prolonged rainfall events, all proposed building sites shall be located outside of the ponding area wherever possible. Otherwise, the proponent shall provide a suitable amount of fill at the building site to provide a satisfactory level of protection for the buildings.
 - .7 Development proposals in hazard areas may require completion of engineering studies, including recommendations regarding prevention and mitigation measures, which eliminate the risk or reduce the risk to an acceptable level and remedial measures, which restore or rehabilitate damage, which may occur.
 - .8 Livestock operations and manure application in areas defined as high risk for erosion shall be subject to an impact assessment and implementation of measures to reduce livestock farming operations risk upon the environment.

2.3.7 Water and Shore Land

- .1 Developments will be encouraged in a manner, which ensures that waterways, water bodies, shore land areas and groundwater resources are sustained.
- .2 The preservation and reintroduction of native vegetation will be encouraged in sensitive environmental areas, such as along the Pembina Valley slopes, to filter run-off and to maintain the quality of water in these waterways.



- .3 Waterways, water bodies and shore lands in the Planning District may require protection to limit impacts of development. This may be achieved through site-specific planning programs and referred to Manitoba Conservation for review. The extent of protection required will be directly related to the characteristics of the local situation. The size and configuration of the waterway, water body or shore land; the need for public access; environmental characteristics; and economic potential will all have a bearing on the method of protection adopted. In order to provide protection, shore land reserves may be created.
- .4 In the case of development proposals, which require significant volumes of surface water and/or groundwater, including irrigation projects, the proponent will be required to investigate the need for a Provincial Water Rights License. Development approval may be withheld until such time as a license is issued.
- .5 To use best management practices for agricultural enterprises, particularly with regard to nutrient management in order to minimize risks to groundwater, surface water and the Mary Jane Reservoir serving the Town of Manitou as its drinking water supply.
- .6 The preferred locations for major development or activities that may cause pollution under normal operating conditions or by accident are outside sensitive environmental areas as defined by locations such as the Mary Jane Reservoir, areas displaying soil characteristics associated with high risks of groundwater impacts and slope conditions where erosion risks have the high potential of surface water impacts.

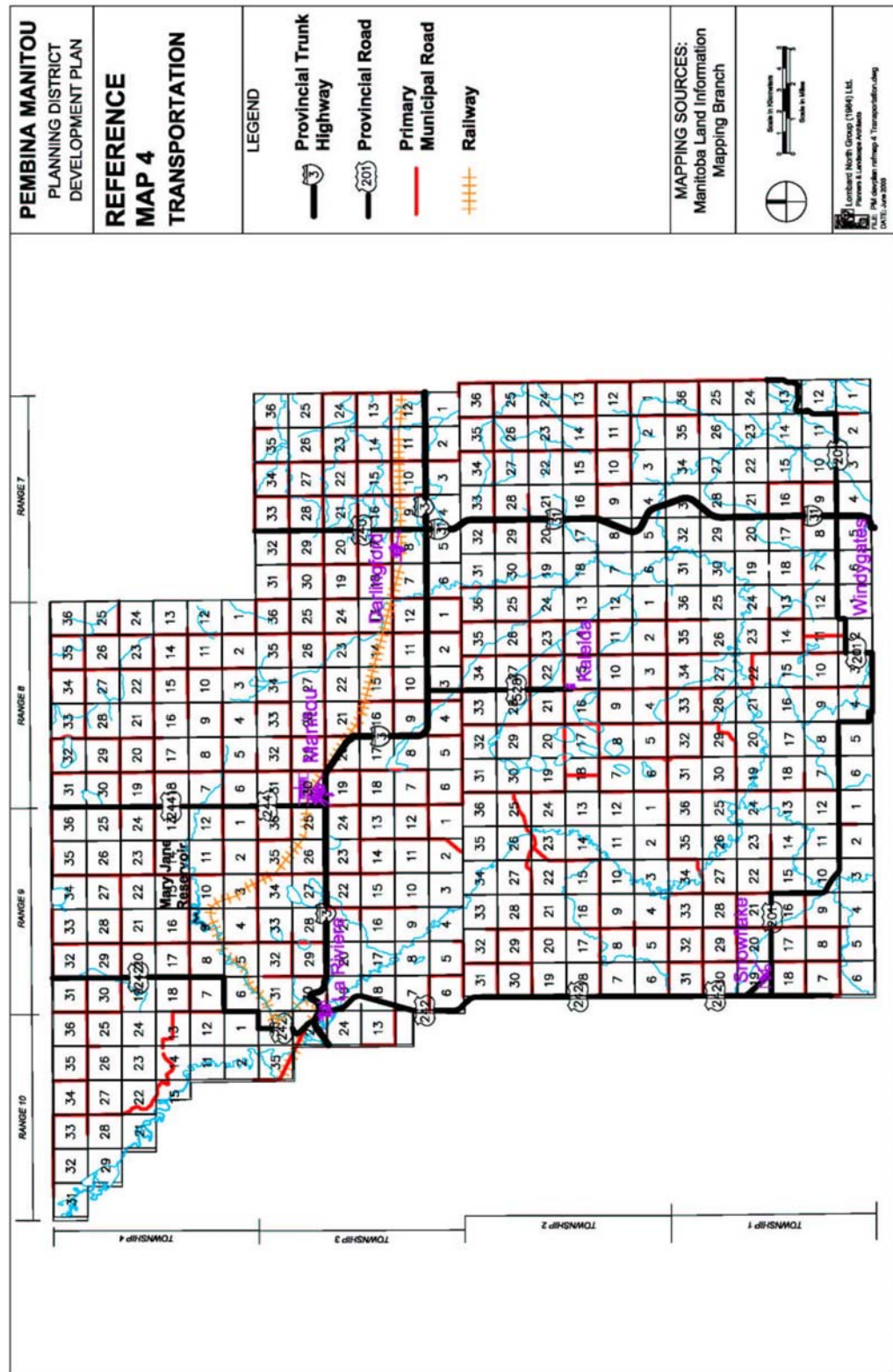
2.3.8 Transportation



- .1 Aerial approaches to airfields within the Planning District should be protected from incompatible or potentially incompatible land uses that may adversely impact their operation and/or endanger public safety.
- .2 New developments should have access to the existing all-weather road network as illustrated in Reference Map# 4: Transportation, unless the proponent makes an agreement with the municipality to upgrade an existing road or develop new

road to a standard acceptable to the municipality.

- .3 Land uses which generate significant amounts of regional vehicular traffic and/or significant truck traffic should be encouraged to locate in proximity to major municipal roadways, provincial roads and provincial highways. Private approach access to the provincial highway system will be discouraged. Access will be consolidated at major points and directed onto the provincial highway system from the municipal road network.
- .4 New development, which has the potential to generate significant vehicular traffic, should be directed away from those areas and land uses where such levels of traffic could endanger public safety.
- .5 Commercial uses which primarily serve the traveling public should be encouraged to locate where there is access available from major roadways, including provincial roads and provincial highways where appropriate.
- .6 Any development or access that is to occur within the control areas of provincial roads and provincial trunk highways under provincial authority will be subject to approval by the Department of Transportation and Government Services and the Highway Traffic Board respectively prior to the issuance of an access or a development permit.



- .7 Where a local traffic authority has control over roadways, new development adjacent to such roadways will be subject to approval by that traffic authority.
- .8 All proposals which create new building sites within 1,000 ft. of major provincial highways (P.T.H. Nos. 3 and 31), shall be circulated to the Department of Transportation and Government Services for review, prior to the issuance of a development permit. This policy shall not apply to infilling within existing subdivided areas of communities, nor to the construction of conventional farm buildings within existing farm yards in rural areas.
- .9 Building setback standards shall be applied to new development along municipal roads, in order to provide a measure of safety for the traveling public, to provide a measure of buffering of buildings from roadway nuisances, such as noise and dust, and to reduce snow drifting problems along rural roads.
- .10 Proposed developments which may be adversely affected by noise, dust and fumes from roadways and railways (e.g. residential uses, hospitals) should be encouraged to locate where there is adequate separation from these corridors and/or to incorporate sound barriers or landscaped buffers to mitigate these impacts.
- .11 Where an area of development is bordered on one side by a major transportation corridor 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.
- .12 Municipal road allowances should be maintained for public access. Any proposals for clearing, cultivation or cropping of unimproved road allowances shall be subject to review and approval by the Municipal Council.
- .13 Where there are existing or anticipated high volumes of truck traffic, the Municipality may designate certain roadways as truck routes, in order to limit deterioration of the local road system and to minimize safety problems and nuisance factors within communities.

- .14 The local road or street network associated with any type of proposed development should be designed to conform to both the existing and planned road and street system of the neighbouring areas.
- .15 Development should not be permitted in areas identified for highway widening or expansion unless provisions suitable to the province are made to accommodate the future widening or expansion.
- .16 Development that contributes to the evolution of a row of lots (strip development) each relying on direct access should not be permitted adjacent to a provincial highway; and
- .17 Development that may have a detrimental impact on the safe and efficient operation of the provincial highway system shall not be permitted unless mitigative measures, and allocation of responsibility for improvements deemed necessary are acceptable to Manitoba Transportation and Government Services and the local municipal authority, are incorporated into the development agreement.

2.3.9 Mineral Resources

- .1 Areas designated by the Department of Industry, Economic Development and Mines as being of high aggregate potential should be protected from incompatible and potentially incompatible land uses that would restrict exploration and development.
- .2 In areas designated by the Department of Industry, Economic Development and Mines as being of medium aggregate potential, incompatible and potentially incompatible land uses may be permitted following review by the Department of Industry, Economic Development and Mines.
- .3 Existing aggregate operations should be protected from incompatible and potentially incompatible land uses, in nearby areas.
- .4 In areas with known aggregate or areas having 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.

- .5 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 lands.



2.3.10 Heritage Resources

- .1 The identification of heritage resources should be encouraged within the Planning District.
- .2 Heritage resources should be protected where:
 - (a) Buildings or landscapes have received municipal and/or Provincial heritage designation;
 - (b) Buildings or landscapes are in the process of receiving or are being considered for municipal and/or Provincial heritage designation; and,
 - (c) Buildings or landscapes have been developed and operate as heritage sites.
- .3 Existing heritage resources should be protected from incompatible or potentially incompatible land uses, which may threaten their integrity or operation.
- .4 Sites and groupings of sites with heritage potential will be considered for designation as municipal heritage sites under *The Heritage Resources Act*, and/or municipal heritage conservation zones under *The Planning Act*.



2.3.11 Outdoor Recreational Resources

- .1 Areas with high recreational capability, interesting and/or rare natural features such as Pembina Valley and the Planning District's Wildlife Management Areas should be protected for outdoor recreation and related uses.

- .2 Areas with lower recreational capability should be protected where high recreation capability resources are not sufficient to satisfy local and regional needs.
- .3 Existing outdoor recreational uses and areas should be protected from incompatible or potentially incompatible land uses, which may threaten their integrity and/or operation.
- .4 Proposed recreational development should not preclude access to and use of public resources (e.g. lakes and streams).
- .5 Proposed recreational developments will be encouraged to carefully match the activity and its intensity to the capability of the land and its ability to sustain the use over an extended period.

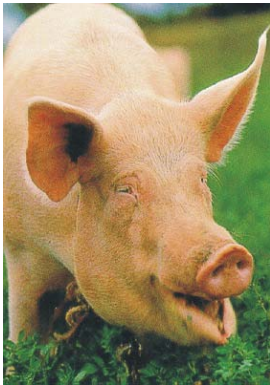


3

Part 3: Rural Policy Areas

3.1 Introduction

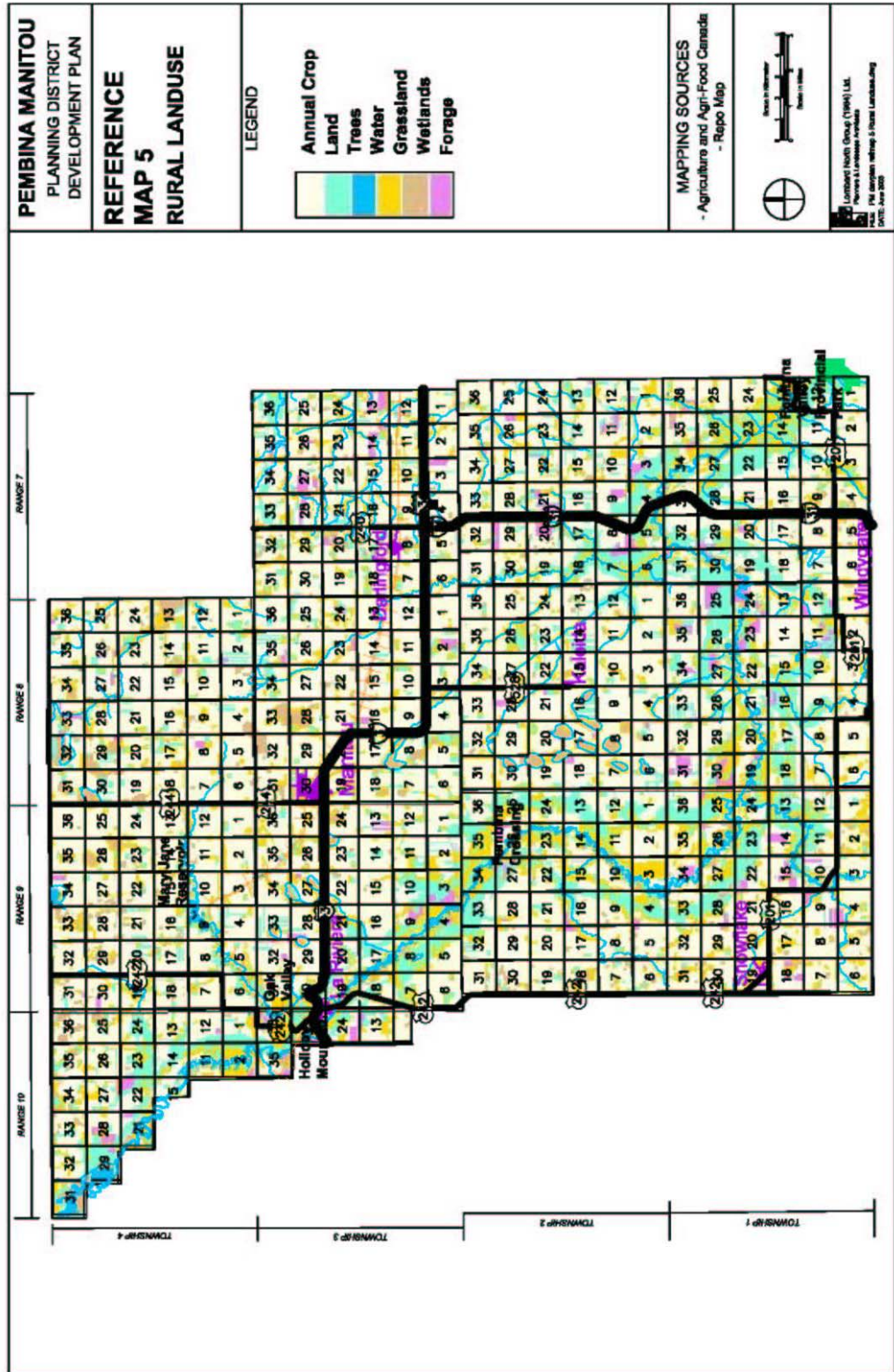
Ensuring the long term health of the District's agricultural sector and farm economy will be keys to sustaining a viable agri-food industry and the economic base in Pembina Manitou. The pace of change within Manitoba's and the District's farm sector, have created concerns about our readiness to manage impacts and support the long term social, economic and environmental values of the District. The District Plan builds foundations for sustainable agriculture and a healthy community, by protecting agricultural uses and investment and by assisting agricultural producers to make decisions in the context of land resources, environmental conditions, adjacent land uses and relationships with other landowners.



In addition to the general objectives and policies of Part 2, this section of the Development Plan outlines additional objectives and policies for rural areas within the Planning District. Rural areas are differentiated from urban and general development areas by less dense development and larger land parcels, with agriculture activities as dominant land uses. Reference Map #5: Rural Land Use illustrates the existing distribution and type of rural land uses in the District. Rural areas depend on urban and general development areas for a range of commercial and public services and facilities. In the rural areas, public services such as a common water supply and delivery system and a common sewage collection and treatment system do not exist.

3.2 Objectives

- .1 Encourage economic agricultural development and diversification in rural areas in an orderly, efficient manner that will sustain a viable agri-food industry in Pembina Manitou.
- .2 Encourage agricultural development and growth which is sustainable, and which efficiently uses land and existing road networks.
- .3 Promote new developments in rural areas which are compatible with agricultural land uses and the objectives and policies of urban and general development areas when located in the rural fringe of designated settlement centers.
- .4 Maintain the rural agricultural character and quality of life presently enjoyed in rural areas.





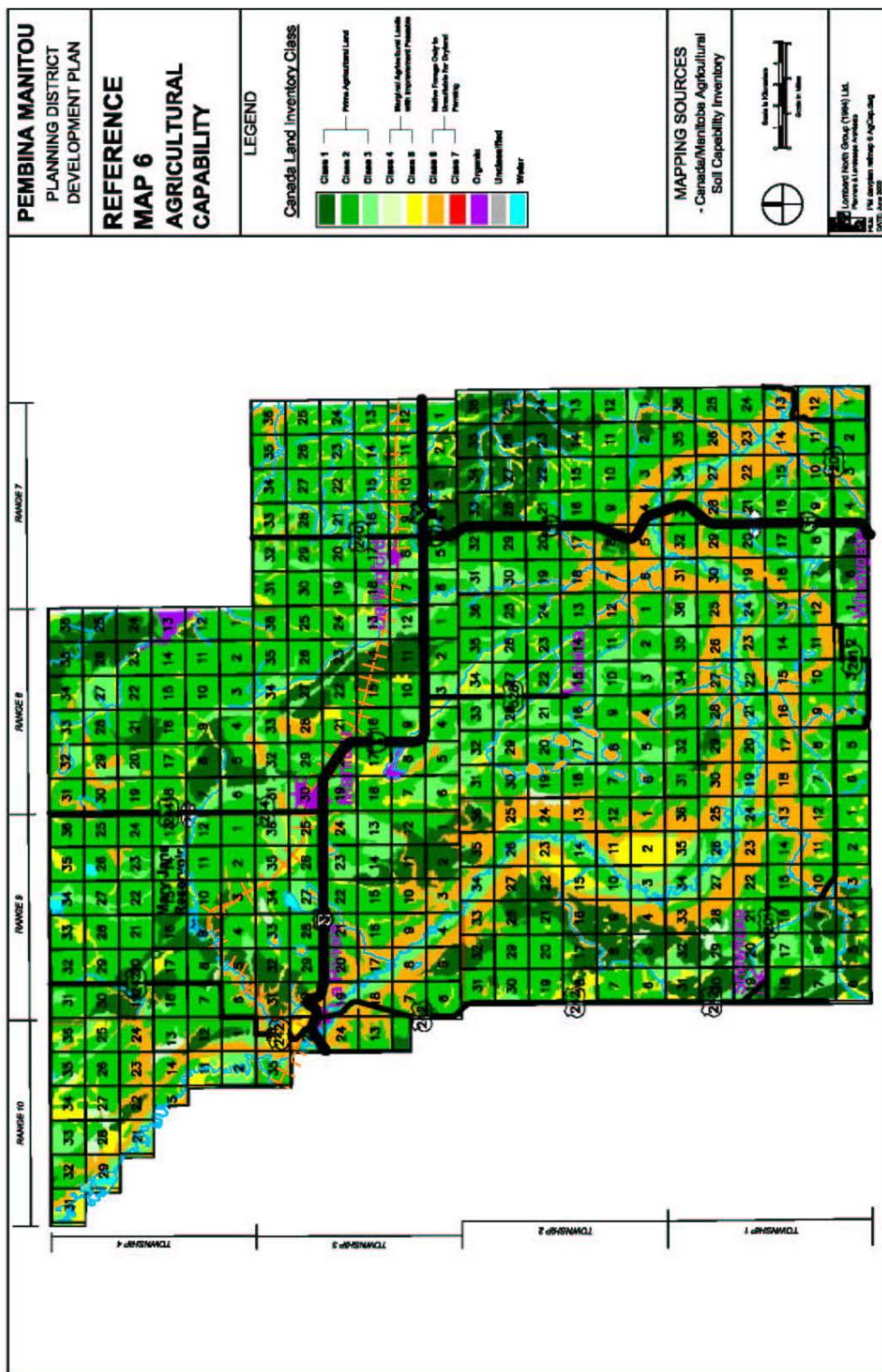
- .5 Use the Government of Manitoba's Farm Practice Guidelines for livestock operations as a guide. However, when changes are desired they should involve consultation with livestock operators as well as the community.
- .6 Regulations should include incentives to encourage environmentally and economically sustainable livestock operations.
- .7 Controls affecting operations should ensure appropriate land base size to support operations (if contract land is utilized for manure management it must be long term).
- .8 Support local ownership of livestock operations within the Planning District.
- .9 Zoning By-Laws will provide set-back buffers between new and expanding livestock operations and residential areas, to moderate impacts upon residential uses. The set-backs may vary based upon intensity of livestock operations, population concentration in designated settlement centres, proximity to rural residences and method of manure storage and management.

3.3 Policies

3.3.1 General



- .1 Land uses such as agriculture, extensive outdoor recreation, agro-commercial, agro-industrial and other commercial and industrial uses as outlined in Section (3.3.6) are appropriate in rural areas. In general, urban-like uses such as commercial, industrial, indoor recreational, intensive outdoor recreational, institutional, public and small lot and multiple residential uses should be directed to existing communities.
- .2 New non-farm developments should be directed away from prime agricultural lands and viable lower class agricultural lands. The District's agricultural soils classifications for crop production are illustrated in Reference Map #6: Agricultural Capability.





- .3 New developments in rural areas should be located in a manner compatible with existing or potential resource extraction or harvesting activities.
- .4 The establishment of urban like uses in rural areas, which would compete with urban and general development areas, or have the potential to create land use conflicts should be discouraged.
- .5 Protect the dominant role of agriculture and promote a full range of agricultural development in a manner compatible with the environment and adjacent land uses.

3.3.2 Agriculture



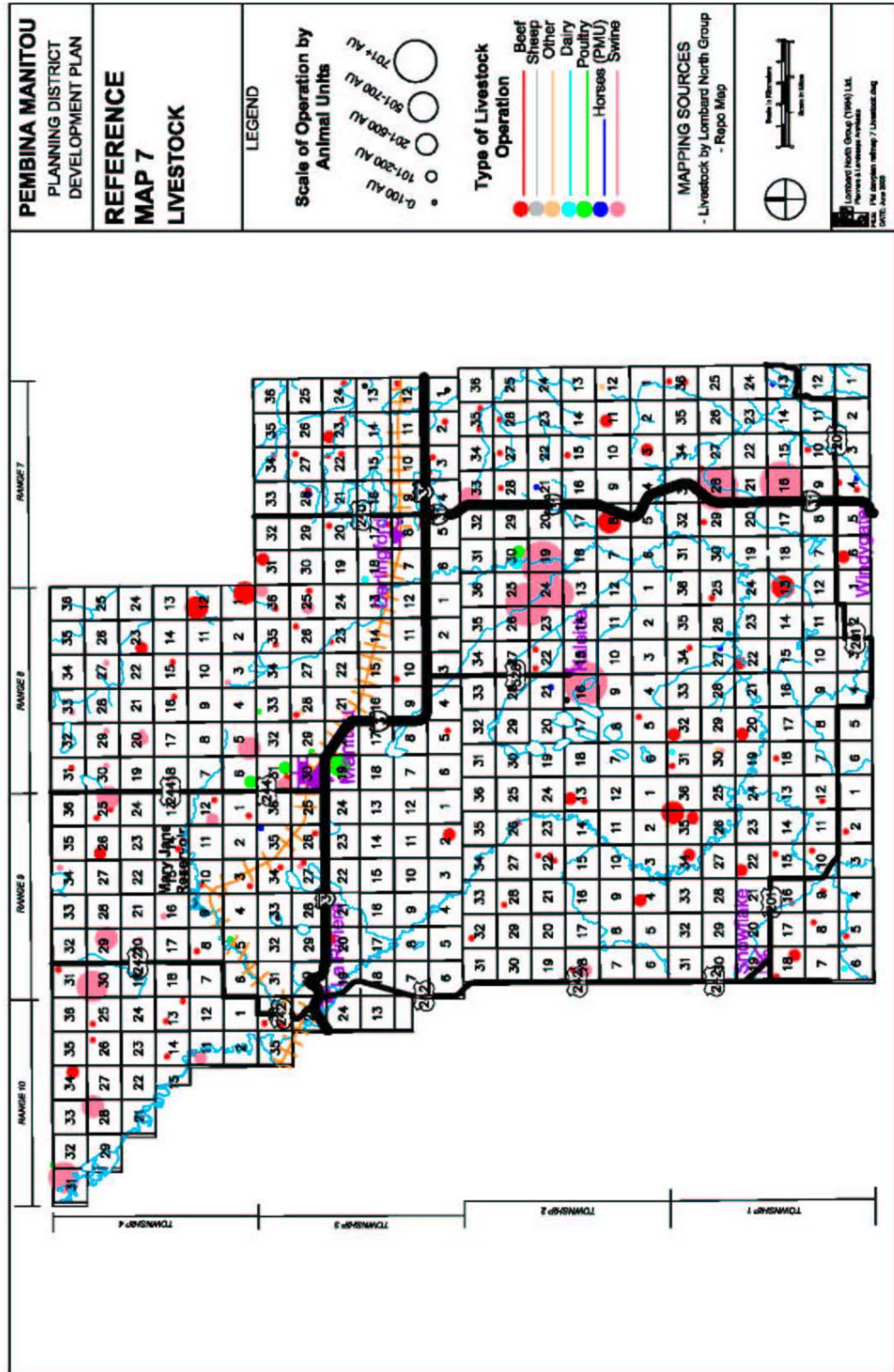
- .1 Highly productive prime agricultural lands should not be developed for non-agricultural uses, unless there is no suitable alternate site or if the development meets an important public need.
- .2 Areas should be preserved for a full range of agricultural activities on prime agricultural land, and where agriculture is the dominant activity on lower class land and where it is desirable and feasible to provide protection to such activities.
- .3 Prime and viable lower class agricultural lands should be protected from fragmentation into smaller parcels.
- .4 Small land holdings for small - scale or specialized agricultural operations may be considered for approval, provided that such proposals are compatible with other existing agricultural operations, and that the size of the proposed parcel is appropriate for the intended use.
- .5 Agricultural operations that involve the field application of organic or synthetic fertilizers to land will be guided by the policies under Sub-section 3.3.5 Nutrient Management Areas. Policies for the Nutrient Management Areas endeavour to protect soil, surface and ground water resources within the District from environmental degradation. Proposals to establish or expand agricultural operations will be guided by the nutrient application rates defined for each of the Nutrient Management Areas.

- .6 Existing agricultural enterprises which operate within generally accepted practices of farm management and in conformance with Provincial regulations should be protected from new development which might unduly interfere with their continued operation.

3.3.3 Livestock Production



- .1 Proponents, owners and operators of intensive livestock production operations will be required to develop facilities and conduct their operations in a manner which reduces the production of offensive odours and reduces the potential for pollution of soils, groundwater and surface water. Reference Map #7: Livestock illustrates the location by type of livestock operations within the Planning District.
- .2 Intensive livestock production operations will be required to locate where they will be compatible with surrounding land uses and where they have sufficient land to spread manure.
- .3 The environmental stewardship of livestock operations will be guided by policies and related nutrient management guidelines developed for each of the District's Soil Nutrient Management Areas. Development, application and monitoring of nutrient management guidelines is proposed to be undertaken with Manitoba Departments of Agriculture, Food and Rural Initiatives and Conservation. The application of the nutrient management guidelines are to ensure the Planning District's land use decisions and agricultural operating practices regulated by the province are coordinated. The objective of this coordination is to ensure the capabilities of the various soil groups to utilize nutrients can be sustained without risk of leaching, surface runoff or degradation of soils, ground and surface water quality within the Planning District and neighbouring areas.
- .4 Livestock operations will be characterized by the total number of animal units. Where livestock animal units exceed criteria specified in the Zoning By-Law, they will be conditional uses and subject to the procedures and requirements for conditional uses specified in *The Planning Act* and in the Zoning By-Law.



- .5 A mutual separation distance will be maintained between livestock production operations, designated communities and residences not accessory to the operation. Council may, pursuant to *The Planning Act*, vary the separation distance as provided for in the Zoning By-Law. Special review and approval by Council, as a conditional use, may be required for residences and other non-agricultural developments, which may be proposed, within this mutual separation distance.
- .6 When small scale livestock confinement facilities are proposed within close proximity of residences considered a conditional use in the Zoning by-laws.

3.3.4 Natural Areas Conservation and Heritage

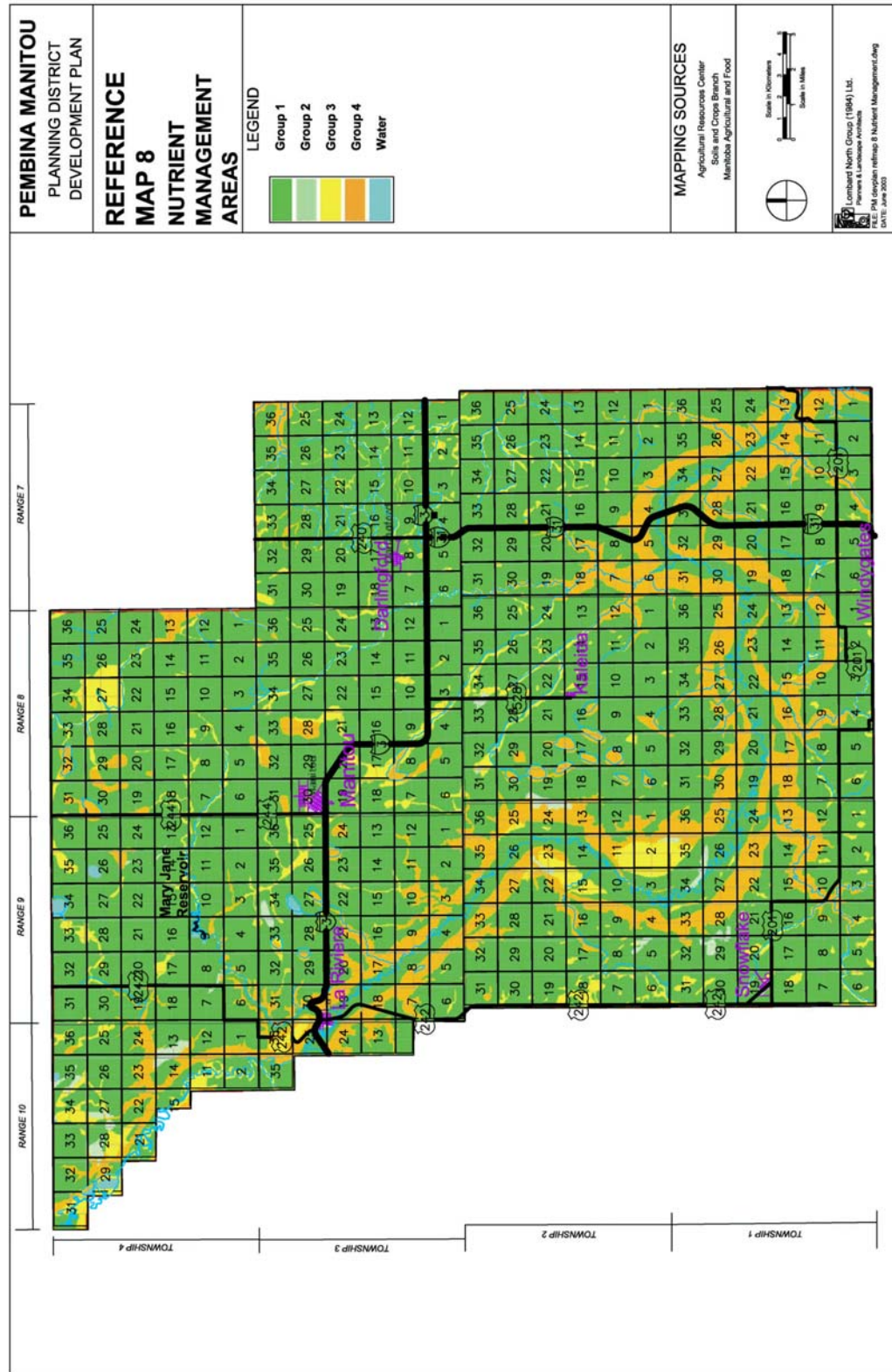
- .1 Protect and promote the District's unique natural, heritage and cultural resources by building awareness within the District and region of their value to the community's quality of life and potential for tourism development.
- .2 Preserve the natural vegetation cover within the Pembina River Valley and encourage co-operation among agricultural operations, land owners and the community in connecting the Valley's key features including the Pembina Valley Provincial Park in the southeast, Pembina Crossings in the center and La Riviere and the Oak Valley Productions site in the northwest as part of the Valley.



3.3.5 Nutrient Management Areas

Sustainable agricultural practices place increasing responsibilities upon farmers and municipal councils to address public concerns over farm management & environmental protection. Farmers are asked to assume more responsibilities including public relations for neighbour approval of operations and more direct responsibility for environmental stewardship. Much of the community's concerns over farm management relate to limited public information on how best practices will be specifically applied to local conditions.

- .1 Development Plan Reference Map #8, entitled Nutrient Management Areas, identifies the location of nutrient management groups associated with the various soil resources



within the Planning District. The nutrient management groups reflect the capacity of different soil characteristics to sustain agricultural activity and assess the risk of nutrient loss to leaching or surface run off.

- .2 Reference Map #8 will guide development and use of environmentally sustainable nutrient management guidelines for District agriculture and rural development. The nutrient management guidelines will be based upon the determination of the maximum annual nitrogen application rates determined by crop uptake potential and leaching risk based on season of application and soil properties. Source information for Reference Map#8 is based upon agricultural capability ratings as applied to 1:20,000 and 1:50,000, detail mapping of the Planning District and has been developed by the Manitoba Agriculture, Food and Rural Initiatives on behalf of the Planning District. Agricultural capability ratings of the soils are based on the Canada Land Inventory system of classification.

Nutrient Management Group	Canadian Land Inventory Agricultural Capability Rating of Soils
1	Class 1, 2 and 3 (Except for 3M and 3MW)
2	Class 3M, 3MW and 4
3	Class 5
4	Class 6, 7 and Organic Soils (0)



- .3 Development and the use of land for agricultural purposes will under the Municipal zoning by-laws be directed to occur in a manner which ensures the environmental capacities of the various soil nutrient management groups are respected and their agricultural use can be sustained for present and future agriculture operations within the Planning District.
- .4 Confined livestock production operations involving the storage and application of manure to fields and agriculture operations involving the application of chemical fertilizers to fields are considered inappropriate uses if located in Nutrient Management Group 4 and will not be permitted under the District's municipal zoning by-laws.
- .5 To work cooperatively with Manitoba Conservation to monitor intensive livestock operations and application of manure and chemical nutrients within the Nutrient Management Soil Groups

designated in the Planning District. Monitoring may require annual assessment of residual nutrients levels in the soil, ground and local surface water by a qualified professional demonstrating:

- a) The development and on-going operation of activities associated with the land use will not pose a risk or cause pollution of the soil, surface water or groundwater resources; and
- b) The precautionary measures which are required to be taken to sufficiently mitigate the potential risks of endangering soil, surface and groundwater quality resources.

- .6 The District Board will seek technical input from the Province of Manitoba to prepare Nutrient Management Guidelines, under Section 5.2 Implementation, specifying nutrient management guidelines which address the application rates, season of application, crop nutrient requirements and monitoring programs for livestock and agricultural operations within the District's designated Nutrient Management Groupings.

3.3.6 Rural Development

- .1 Non-farm residential and related land use developments shall generally be directed towards sites within existing communities and designated general development centers.
- .2 Rural residential developments are not considered appropriate in agricultural areas. Rural residential and related land use proposals may within designated rural clusters be considered as a conditional use under the zoning by-law. Further development may occur if in the opinion of Council, it is compatible with adjoining agricultural uses, can be sustained by the environmental capacity of the site and will not adversely impact the efficient provision of public services. The three rural clusters designated are Kaleida, Snowflake and Windygates. Windygates serves as a Canadian Customs border crossing and may be considered for rural development uses serving its customs function.
- .3 New rural residential developments will be carefully regulated at the periphery of existing urban and general development areas,

- so that it will not impede future growth of the urban area.
- .4 New dwellings and developments will be encouraged to locate where there is an adequate supply of potable water.
 - .5 Where new residential development proposes on-site wastewater treatment; the location and size of building lots should reflect the capability of local soils to adequately support an approved on-site wastewater treatment system.
 - .6 The subdivision of land for residential purposes in agricultural areas is generally not encouraged, but may be considered in the Zoning By-law as a conditional use in the following circumstances:
 - (a) Where it is necessary to establish a separate residential parcel for a person actively engaged in the operation of the farm; and
 - (b) Where a farm residence, as a consequence of farm consolidation becomes surplus to the new farm operation and will be retained by a retiring farmer who is conveying the farm to an interest that will maintain the land in production.

3.3.7 Commercial and Industrial Development

- .1 Commercial and industrial developments should locate in rural areas only when no suitable urban location exists or where their activities or nature is more suitable for a rural location, such as some type of agro-related enterprises (e.g. bulk fuel storage, anhydrous fertilizer depots) in designated areas as agreed to by the District.
- .2 Commercial and industrial developments in rural areas should be encouraged to locate at appropriate locations with access to major roadways and provincial highways. Where ever possible development site access to the provincial highway system will be provided from the municipal road network.
- .3 Commercial and industrial developments should be encouraged to provide enough land for potential expansion, while not wasting land.
- .4 Home or agricultural based businesses may occur generally in

rural and urban and general development areas. Home or agricultural based businesses are secondary to a primary residential use or agricultural use of land and are, generally, modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. For certain types of businesses, an agricultural or a home based setting may be appropriate when first starting-up however, as the business grows and level of commercial activity increases, it may be more appropriate to relocate to a business area within a designated community. Home or agricultural based businesses will be designated as conditional uses in the Municipal Zoning By-Law.



4

Part 4: Urban Policy Areas

4.1 Introduction

The process of managing development and change will be different among the Pembina Manitou Planning District's communities, because some areas will have greater or lesser potential to attract and accommodate development. Communities which may have traditionally competed for development will need to look to new models of inter-community co-operation to be successful in attracting economic and population growth to the District.

Stimulating the revitalization of the District's communities requires a strategic approach. The urban policies of the Plan build upon the economic potential of Manitou's infrastructure, social services and location assets to attract development and distribute benefits to other communities within the District.



In addition to the general objectives and policies of Part 2, this section of the Development Plan outlines additional objectives and policies for urban and general development areas within the Planning District. Urban and general development areas include Manitou, and the local urban districts of La Riviere and Darlingford. Urban and general development areas are differentiated from rural areas by more dense development and smaller lots. Within the larger communities, the higher population densities and smaller lots allow for a greater variety of shared services (e.g. piped water and sewer) to be provided more efficiently and economically.

4.2 Objectives

- .1 To sustain and strengthen existing urban and general development areas by encouraging community development initiatives which promote investment, job creation, economic growth and population retention in the District's urban service centers.
- .2 To encourage development and growth of Manitou and the District's community service centers of Darlingford and La Riviere in manner, which efficiently uses land, infrastructure and public services.
- .3 To provide a range of commercial, industrial, recreation and community facilities and services to the residents of Manitou

and residents of the region.

- .4 To promote development, which is compatible with adjacent land uses, both existing and anticipated.
- .5 To encourage growth and development of urban and general development areas in a manner, which is compatible with the objectives and policies for urban and general development areas.
- .6 Find opportunities and create reasons to encourage young adults to stay in the community.
- .7 Support and encourage local investment in community business development by promoting the benefits within the community of shopping locally and by supporting a joint marketing campaign promoting the lifestyle of Manitou and the Rural Municipality of Pembina.
- .8 Improve marketing and encourage partnerships among community interest groups and businesses to promote the District's cultural, heritage and recreational assets.
- .9 In co-operation with local financial services, private investors and senior government, encourage local utilization of existing and potential business development capital funds, to assist new business start-up, and expansion of existing business enterprises within the District.
- .9 Partner with senior governments to make affordable rental housing available in our communities for new employees.
- .10 Expand the commercial and agricultural tax base.



4.3 Policies

4.3.1 General

- .1 In general, 'urban-like' uses such as commercial, industrial, indoor recreational, intensive outdoor recreational, institutional, public and small lot residential uses should be directed to existing urban and general development policy areas.

- .2 Urban and general development areas should provide for an appropriate mix of residential, commercial, institutional, recreational, industrial and public uses in quantities reasonably related to demand.

- .3 Proposed developments should take into account the health, safety and general welfare of the residents, and the viability and character of the urban area.

- .4 Those uses or activities, which are permitted in urban and general development areas should be located so as to be compatible with other existing or proposed uses.



- .5 Infill and revitalization of existing built-up areas should be encouraged as a means to accommodate new development in urban and general development areas.

- .6 Expansion of urban and general development areas should be directed away from prime agricultural land. Mutual separation distances will be considered in the zoning by-law for livestock operations and other resource-related uses to avoid incompatibilities among land uses.

- .7 Where suitable vacant land is not available, new development should be encouraged to locate adjacent to built-up areas where public services, including roads, water and sewer services, power lines and other services can be efficiently and economically expanded.



- .8 Lot sizes and densities should be governed by the limitations of existing sewer and water services within each urban area:

- (a) Where no existing piped services are available within the community, lot sizes should be sufficiently large to minimize the risk of contamination of private wells, and to allow for the installation of suitable types of sustainable on site wastewater management system in accordance with ***Environment Act*** regulations;
- (b) Where piped services are available, lot sizes may be smaller to provide for a higher density of development, and thus

more efficient operation of piped services; and

- (c) In the case of commercial and industrial developments, lot sizes should be large enough to provide adequate space for the needs of the development, particularly with respect to exterior display, storage and service areas.

However, lot sizes should not be so large that they are wasteful of land.

- .9 Within urban and general development areas, where large undeveloped areas are being considered for future community development, an overall sector plan should be prepared for the area, in order to provide for an efficient, well-planned development. The sector plan should illustrate the general arrangement of future roadways, building lots, open spaces, piped services, area drainage, and other major features. The design of the roadways, piped services and building lots should be integrated with existing roadways and services, and should generally conform to recognized engineering and planning standards.



- .10 Where a developer is proposing new development, the Council should specify the standards for new infrastructure (such as roadways or piped services), and may, in its discretion, require the proponent to contribute towards the cost of establishing new infrastructure that may be needed to adequately service the new development. Council may, in its discretion require rural or seasonal residential developments to contribute a fee for disposal of holding tank wastes in municipal sewage lagoons.
- .11 Designate Manitou, La Riviere and Darlingford as the principal urban community development areas within the District and sustain and strengthen these communities by encouraging new development and economic revitalization.
- .12 Promote the attraction of agri-services and manufacturing jobs by developing and promoting an industrial park to serve the District as a joint venture between the Rural Municipality of Pembina and Town of Manitou.

4.3.2 Piped Water and Sewer Services

- .1 Where a municipality provides water and sewer services within a developed area, new developments should be required to connect to these services at the time of development.
- .2 Where new water or sewer systems are provided to designated communities, existing development will be required to connect to these systems within time frames established by Council.
- .3 Where piped water or sewer services are not available in urban and general development areas, future development will be acknowledged as urban in form through a designation in the Policy Map as “**Urban Reserve**” policy area and will be planned so as to provide for the staged conversion of “**Urban Reserve**” policy areas to appropriate urban uses based upon an amendment to the Municipal Zoning By-laws to guide the efficient and economical extension of roads, piped water and sewer services in the future.
- .4 Lands generally located on the periphery of Manitou, north of the rail line and adjacent to the waste water treatment lagoon are not easily serviced with a full range of urban services. This area is generally considered appropriate for non-residential uses including limited service industrial and Limited Agriculture uses, other than confined livestock operations.

4.3.3 Vehicle Traffic

- .1 Commercial and other types of potentially high traffic developments should be located within urban and general development areas designated in the Policy Map as “**Commercial or Industrial**” policy areas and along major roadways, away from areas where traffic would create incompatibilities with surrounding land uses, create health or safety hazards, or cause excessive wear and tear on road networks.
- .2 Commercial uses which primarily serve the traveling public should be encouraged to locate at planned locations with access to major roadways and Provincial highways, subject to the approval of the highway authority.



- .3 Land uses and developments that have potential to generate significant truck traffic should be encouraged to locate at planned locations with access to major roadways and Provincial highways, subject to the approval of the highway authority.

4.3.4 Residential Development

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

4.3.5 Commercial Development

- .1 Commercial developments will be encouraged to locate within existing urban and general development areas, designated in the Policy Map as “**Commercial Areas**” or “**CBD**” Central Business District.
- .2 The central commercial area “**CBD**” should be promoted as the principal location for specialized retail, professional offices, financial institutions, as well as government offices, cultural and indoor recreational amenities.

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

4.3.6 Industrial Development

- .1 Industrial uses which are incompatible or potentially incompatible with other uses and/or which pose a significant risk to public health and safety, due to the storage or processing of hazardous materials or requirements for heavy truck traffic, should be developed at suitable locations in the urban area designated in the Policy Map as “Industrial Areas” where they will be compatible with other uses and will not endanger public health and safety. If selection of such a site is not possible, a suitable location in the rural area may be considered.
- .2 New developments which could be incompatible with industrial uses, should be directed away from areas where industrial uses occur or are anticipated to occur.
- .3 Industrial uses which are likely to be unsightly due to the nature of the industrial operations, exterior storage, or type of building or structures, should generally be discouraged from locating

along the highway approaches and entrance roadways to urban and general development areas. If such uses are proposed in these areas, special landscape buffering or other mitigation measures should be taken to screen these industrial uses from view.

- .4 Promote and establish a designated Industrial Park in the Manitou area north of PTH #3 in conjunction with the RM of Pembina to serve development attracted to the District.

4.3.7 Institutional, Recreational and Cultural Development

- .1 In order to strengthen and diversify existing urban and general development areas, the development of institutional, recreational or cultural facilities, should be encouraged at appropriate locations designated in the Policy Map as **“Living or Commercial”** policy areas, where services can be shared or have a joint use. Locations should be selected which can be adequately serviced and which will be reasonably compatible with other nearby developments.

4.3.8 Restricted Development Areas

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

5

Part 5: Implementation

Plans are only as good as their implementation. This Chapter outlines a variety of tools that The Pembina Manitou Planning District can bring to bear to make things happen, including both the traditional tools that govern plans of subdivision, zoning by-laws, minor variances, consents, development agreements and also policies that provide guidance as to the form of municipal influence needed to fulfill this Plan's objectives. Also presented is a framework for ongoing monitoring processes that will ensure that the Plan is effective over the long term.

The Planning Act provides traditional tools that govern plans of subdivision, zoning by-laws, minor variances, consents and development agreements. These are the basis for the day-to-day development approval process.

The Planning Act provides tools to help municipalities create new parks, open space and community infrastructure for the additional residents and workers that growth brings. Used thoughtfully and consistently, these mechanisms ensure balanced growth that will help make The Pembina Manitou District a good place to live, work and play.



5.1 Planning Tools

This section of the Plan contains the required authorization and policies for these tools.

5.1.1 Adoption of this Development Plan

Adoption of this Development Plan by the Planning District Board by By-Law will give it the force of law. Once adopted, no development or land use change may be carried out within the area affected by the Development Plan that is inconsistent or at variance with the proposals or policies set out in the Development Plan (Sub-Section 32 (1), *The Planning Act*).

The application of the Development Plan Policies is illustrated in the General Planning Policy Maps contained in Appendix A. The General Policy Maps are intended to illustrate the locations of the major land uses within the Planning District's, RM of Pembina and the Town of Manitou.

The Policy Maps illustrated in Appendix "A" designate Manitou as an Urban Development Area and the communities of La Riviere and

Darlingford as General Development areas under the urban policy designation. Precise boundaries for residential and other development areas will be determined by a Zoning By-Law adopted by Manitou. The arrangements of these zoning boundaries shall be cognizant of the varying policies of this Development Plan. The smaller unincorporated communities, of La Riviere and Darlingford will be designated and zoned as General Development areas only, with no further differentiation in land use.

5.1.2 Adoption of Municipal Zoning By-Laws

Following adoption of the Development Plan, each municipality comprising the Planning District is required to enact a Zoning By-Law, which will set out specific regulations for land use and development.

Zoning By-Laws designate areas for certain types of development. Permitted and conditional uses and development standards are prescribed for each zone.

A Zoning By-Law must generally conform to a Development Plan adopted for the area.

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

5.1.3 Conditional Use Approvals

Within a Zoning By-Law, there will be provisions for the approval of various types of development as a conditional use in each zone. This will provide the Council with the flexibility to review specific development proposals, to receive public input from nearby landowners, and to make decisions either approving or denying the proposals. In addition, this process provides Council with the opportunity to establish conditions of approval appropriate for each proposal. In utilizing the conditional use process, Council will have an opportunity to influence the location of some types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community. The Development Plan policies and objectives provide guidance for the conditional use approval process.

5.1.4 Variation Orders

The Planning Act enables Council to issue variation orders for the purpose of varying or altering the application of its Zoning By-Law. The various ways that a Zoning By-Law may be varied are outlined in *The Planning Act*. Council may attach conditions to a variation order in order to maintain the intent and purpose of the Development Plan or the Zoning By-Law. Council may authorize its development officer or the development officer of the Planning District to grant or refuse a minor variation as set out in *The Planning Act*.

5.1.5 Existing and Non-Conforming Use

In general where land use is designated in the Plan, which, differs from existing use, the existing use will be allowed to continue as a non-conforming use. However, any redevelopment of the parcel of land will be required to comply with the use designated in the Plan.

5.1.6 Development Permits

New development generally requires a development permit issued by the Planning District Board.

Before a permit is issued, proposals should be reviewed to determine their conformance with the Development Plan and Municipal Zoning By-law(s).

5.1.7 Development Officer

Council may authorize its development officer or the development officer of the Planning District to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to the requirements of a Zoning By-Law.

5.1.8 Subdivision Approvals

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review process involving the Municipal Council and Planning District Board, utility companies and certain Provincial government departments (Part VI of *The Planning Act*).

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

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

Council, or the approving authority, may attach conditions to a subdivision approval in accordance with Section 70 of *The Planning Act*.

5.1.9 Development Agreements

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

5.1.10 Review & Amendment

The Development Plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the Planning District. The Development Plan may be amended at any time when considered appropriate or necessary by the Planning District Board. Section 26 of *The Planning Act* states that a Municipal Council or a District Board shall review a Development Plan no later than five (5) years after the date on which the Plan came into effect or after the date of the previous review

5.1.11 Acquisition & Disposal of Land

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

5.1.12 Adoption of Other By-Laws

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

5.1.13 Special Studies

Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering or other professional studies may be required for highway traffic analysis, development of intensive livestock operations, for lands affected by flooding hazards, endangered species, heritage and historic site assessments, potential for groundwater / surface water pollution, and general risk to health and the environment.

5.1.14 Public Works

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

5.1.15 Capital Expenditure Program

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

5.1.16 Municipal Cooperation

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

5.2 Making Things Happen

Successful implementation of this Plan depends to a large degree on whether its policies can guide local development and action in a variety of contexts over the next 15 years. This Section contains policies to ensure that planning is sensitive to local conditions in specific locations of the District, while at the same time advancing the Plan's core principles and building on its broad objectives. The policies which follow refer to the initiation of:

- **Strategic Plans** – providing localized policies and land use guidelines for areas within the Planning District which the District Board may determine to have a significant importance; and of
- **Nutrient Management Guidelines** – providing guidelines for rural development and agriculture operations within the Planning District's Nutrient Management Soil Groups.

5.2.1 Strategic Plan Policies

- .1 Strategic Plans should be prepared for areas demonstrating one or more of the following characteristics:
 - a) large tracts of vacant or underutilized land, which would benefit from comprehensive planning, to enable suitable development or redevelopment;
 - b) areas targeted for major public or private investment; and
 - c) areas where development is occurring, or proposed which may change the character of the area.
- .2 Objectives for Strategic Planning Areas will identify or indicate the following:
 - a) a vision for the planning area;
 - b) interrelationships between existing and proposed uses in the area;
 - c) opportunities or constraints posed by unique environmental, economic, heritage, cultural and other features or characteristics;
 - d) policies for conservation, development or redevelopment;
 - e) land use objectives, guidelines and parameters; and
 - f) necessary infrastructure investment with respect to any aspect of achieving the Strategic Plan's vision.
- .3 Strategic Plans may provide direction for refining municipal zoning by-laws and developing capital works programs in support of plan implementation.

5.2.2 Nutrient Management Guidelines

Policies

- .1 Initiate the development of Nutrient Management Guidelines for the Planning District based upon Manitoba Department of Agriculture, Food and Rural Initiatives research, soil characterization and detailed mapping of the District's soil characteristics.
- .2 Seek input from Manitoba Water Stewardship, The Department of Conservation, the District's Conservation Authorities and area stakeholders in the application of Nutrient Management Guidelines to rural land use decision making.
- .3 Work in consultation with Manitoba Agriculture, Food and Rural Initiatives and Manitoba Conservation use the guidelines to promote best agricultural practices and sustainable rural development in the protection, maintenance and/or conservation of soil, surface and ground water resources within the Planning District.
- .4 The Nutrient Management Performance Guidelines will provide direction regarding:
 - a) The capabilities of the various soil groups to sustain the application of nutrients without risk of leaching or surface runoff which may have the impact of degrading soils, ground and surface water quality within the District and neighbouring areas;
 - b) specify nutrient management guidelines for application rates, season of application, crop nutrient requirements and monitoring programs for livestock and agricultural operations within each of the nutrient management soil groups;
 - c) Identify nutrient management guidelines respecting rural land use and development of private residential and non-residential waste disposal systems within each of the nutrient management soil groups; and

- d) Identify the requirements and make recommendations on how nutrient management by Manitoba Agriculture, Food and Rural Initiatives and Department of Conservation may be integrated with land use planning decision processes by the Planning District and Municipalities.

5.3 The Plan Guides Actions

As a statutory document for guiding development and land use in The Pembina Manitou Planning District, the Plan gives direction to Councils on their day-to-day decision making. The Plan's land use policy areas illustrated in **APPENDIX "A" Policy Maps** provide geographic references for the Planning District's policies. If the Planning District is to move closer to the future envision by the Plan, the Plan must guide other related decisions of Council. *The Planning Act* requires that all by-laws enacted and public works undertaken by the District's Municipal Councils conform to its Plan.

Policies

1. Municipal by-laws and public works will conform to this Plan;
2. The decisions and actions of Councils and staff, including public investment in services, service delivery and infrastructure, will be guided by this Plan;
3. Implementation plans, strategies and guidelines, consistent with this Plan will be adopted, identifying priorities, detailed strategies, guidelines and actions, to advance the vision, goals and objectives of this Plan;

5.4 The Future Is a Shared Responsibility



Municipal governments cannot build great communities on their own. Planning Districts and Municipalities can lead by example, but ultimately, leadership needs to be shared with business leaders, other public institutions, non-governmental organizations, community groups, residents and community volunteers to unleash ideas, energies and resources in common ventures. A community is successful when all sectors care enough to give their time, effort and money to enhance the quality of life in their community. A Planning District with an engaged and informed citizenry, agriculture and business sectors, will attract greater levels of involvement and investment from other levels of government.

Policies

- .1 To achieve the goals and objectives of this Plan, the District will:
 - a) lead by example and pursue excellence and leading edge practices in all fields of municipal endeavour;
 - b) advocate for provincial partnerships and technical assistance commensurate with the expectations placed on municipalities to deliver services and programs to establish sustainable agriculture and community economic revitalization;
 - c) exert influence through policy levers and partnerships; and
 - d) seek partnerships with agriculture producers, the business sector and non-government and community organizations.
- .2 Initiate campaigns to promote creative inter-municipal partnerships, public engagement and community based leadership and where appropriate, link with existing initiatives, to maintain a vital, attractive, inclusive and economically competitive communities within the District .
- .3 Initiate campaigns to engage community groups, business, agriculture and industry, non-governmental organizations, our educational, arts and cultural communities, Councils and representatives of other levels of government, to achieve progress over time, in the priority areas:
 - a. Guiding livestock development and the rural agricultural restructuring process within the District.
 - b. Addressing changing farm economics, and regenerating economic vitality within the District's community service centres.
 - c. Protecting sensitive surface/groundwater environmental areas.
 - d. Protecting natural areas in recognition of their value for tourism, agriculture, recreation & maintenance of healthy environments.
 - e. Initiating inter-community cooperation to coordinate the efficient provision of services & infrastructure.
 - f. Promote environmentally & economically sustainable agricultural practices.
 - g. Stimulating population growth to support social-economic development.

- h. Coordinate local and senior government economic development initiatives.

5.5 Monitoring Performance

The Pembina Manitou Development Plan is a high-level policy document intended to guide decision making over the long term. Even so, course correction will still be needed over the life of the Plan and policy changes may be warranted from time to time. New implementation initiatives will be needed and priorities will require adjustment in response to the varied and changing conditions in the District. Monitoring facilitates our ability to respond to these changes and can improve the quality of our decision-making. Responsiveness, adaptability and continuous improvement will be enhanced through a commitment to tracking key indicators of social, economic, environmental and fiscal conditions and by understanding the real changes to our quality of life and their underlying causes. It is vital to monitor and track how far we have come and to see how we can do even better.

Success can be measured by our accomplishments in managing agricultural diversification and livestock development, environmental stewardship, revitalization of our communities, population growth, and the quality of life we have created.

These assessments may reveal new emerging priority areas that should be addressed through Secondary Plans, strategic reinvestment initiatives, or changes to the Plan itself. As required by *The Planning Act*, every five years the Board will determine whether there is a need to review the Plan.

The following policies provide guidance for the understanding and interpretation of the text, maps, schedules, figures and images of this Plan.

Policies

1. The Plan should be read as a whole to understand its comprehensive and integrative intent as a policy framework for priority setting and decision-making;

2. Chapters One to Five and Appendix “A” Policy Maps are part of the Plan. Other maps or illustrations contained in the Plan are not official policy maps, but reference maps and are provided for information and are not part of this Plan;
3. Boundaries of land use designations are general, except where they coincide with fixed distinguishable features such as roads, railroads, watercourses or other clearly defined physical features. Where the general intent of the Plan is maintained, minor adjustments to boundaries will not require amendment to this Plan;
4. The implementation of this Plan will take place over time and the use of words such as “will” or “must” should not be construed as The District Board’s or Councils’ commitments to proceed with all of these undertaking immediately. These will typically occur in the phased manner, subject to budgeting and program availability.

5.6 Interpretation

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

Appendices: POLICY MAPS
Attached to and Being Part
of Schedule “A”

**PEMBINA MANITOU
PLANNING DISTRICT
DEVELOPMENT PLAN 2015**

