

# **WHITE HORSE PLAINS PLANNING DISTRICT DEVELOPMENT PLAN**

**April 29, 2010**

**PREPARED BY:**

**Manitoba**   
Local Government  
Community Planning Services

 **Landmark**  
Planning & Design Inc.

**PREPARED FOR:**

**White Horse Plains Planning District  
1060 Highway 26  
St. François Xavier, Manitoba  
R4L 1A5**

**WHITE HORSE PLAINS PLANNING DISTRICT  
BY-LAW NO. 1-2008**

BEING a By-law of the White Horse Plains Planning District,  
in the Province of Manitoba, to adopt a Development Plan.

**WHEREAS** Section 40 of The Planning Act provides authority for the preparation of a development plan;

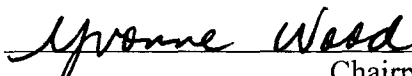
**AND WHEREAS** Section 45 of The Planning Act provides authority for the adoption of a development plan by By-law;

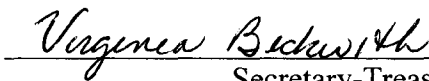
**AND WHEREAS** pursuant to the provisions of The Planning Act, the Minister of Intergovernmental Affairs approved the White Horse Plains Planning District Development Plan on the 9th day of March, A.D. 2010;

**NOW THEREFORE** the White Horse Plains Planning District Board, in meeting duly assembled, enacts as follows:

1. The Rural Municipality of St. François Xavier Development Plan, attached to and marked as "Schedule A" to By-law No. 20-94 of the Rural Municipality of St. François Xavier, and all amendments thereto are hereby rescinded.
2. The Rural Municipality of Cartier Basic Planning Statement, attached to and marked as "Schedule A" to By-law No. 960 of the Rural Municipality of Cartier, and all amendments thereto are hereby rescinded.
3. The White Horse Plains Planning District Development Plan, attached hereto and marked as "Schedule A" is hereby adopted.
4. The White Horse Plains Planning District Development Plan shall take force and effect on the date of Third Reading of this By-law.

**DONE AND PASSED 6th day of April, A.D. 2010.**

  
Chairperson

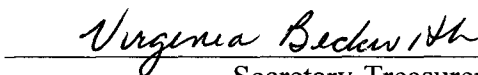
  
Secretary-Treasurer

Read a First Time this 12th day of August, A.D. 2008.

Read a Second Time this 4<sup>th</sup> day of August, A.D. 2009.

Read a Third Time this 6th day of April, A.D. 2010.

Certified a true copy of By-law No. 1-2008 of the White Horse Plains Planning District.

  
Secretary-Treasurer

**WHITE HORSE PLAINS PLANNING DISTRICT  
DEVELOPMENT PLAN**

*BEING SCHEDULE A*

**ATTACHED TO BY-LAW NO. 1-2008**

**OF**

**THE WHITE HORSE PLAINS PLANNING DISTRICT**

**TABLE OF CONTENTS**

	<u>Page No.</u>
<b>PART 1 INTRODUCTION</b> .....	1
<b>1.0 General</b> .....	1
1.1 Area Covered by the White Horse Plains Planning District Development Plan.....	1
1.2 Legal Authority .....	1
1.3 Purpose of a Development Plan .....	1
1.4 Interpretation of Requirements .....	2
1.5 Deadline for the Development Plan Review .....	3
<b>PART 2 PLANNING DISTRICT VISION, OBJECTIVES AND POLICIES</b> .....	4
<b>1.0 Planning District Vision</b> .....	4
<b>2.0 General Objectives and Policies</b> .....	4
2.1 Intent .....	4
2.2 General Objectives .....	4
2.3 General Policies .....	5
<b>PART 3 SETTLEMENT CENTRE POLICY AREAS</b> .....	14
<b>1.0 General Objectives and Policies</b> .....	14
1.1 Intent .....	14
1.2 General Objectives .....	14
1.3 General Policies .....	15
<b>2.0 Settlement Centre Policy Areas</b> .....	21
2.1 Intent .....	21
2.2 Objectives.....	21
2.3 Policies .....	21
<b>PART 4 RURAL POLICY AREAS</b> .....	25
<b>1.0 General Objectives and Policies</b> .....	25
1.1 Intent .....	25
1.2 General Objectives .....	25
1.3 General Policies .....	25
<b>2.0 Rural Limited Policy Areas and Rural General Policy Areas</b> .....	31
2.1 Intent .....	31
2.2 Objectives.....	32
2.3 Policies .....	32
2.3.1 Policies - General .....	32
2.3.2 Policies - Livestock Operations .....	37

**TABLE OF CONTENTS Con't**

	<u>Page No.</u>
<b>3.0 Rural Residential Policy Areas</b> .....	40
3.1 Intent .....	40
3.2 Objectives.....	40
3.3 Policies .....	40
<b>4.0 Business Policy Areas</b> .....	43
4.1 Intent .....	43
4.2 Objectives.....	43
4.3 Policies .....	43
<b>PART 5 ADMINISTRATION</b> .....	45
<b>1.0 Basic Implementation Measures</b> .....	45
1.1 Adoption of the Development Plan.....	45
1.2 Zoning By-laws.....	45
1.3 Subdivision Approvals .....	46
1.4 Concept Plans.....	46
1.5 Secondary Plans .....	46
1.6 Development Agreements .....	47
1.7 Development Permits .....	47
1.8 Development Officer.....	47
1.9 Conditional Use Approvals .....	47
1.10 Variation Orders.....	48
<b>2.0 Additional Measures</b> .....	48
2.1 Acquisition and Disposal of Land.....	48
2.2 Adoption of Other By-laws .....	48
2.3 Special Studies .....	48
2.4 Public Works .....	49
2.5 Capital Expenditure Program.....	49
2.6 Strategic Plans for Economic Development .....	49
2.7 Municipal Cooperation.....	49

**APPENDICES**

Map 1            Overall Land Use Plan

## **PART 1 INTRODUCTION**

### **1.0 General**

#### **1.1 Area Covered by the White Horse Plains Planning District Development Plan**

As shown on Map 1: Overall Land Use Plan (see Appendix), the White Horse Plains Planning District Development Plan (Development Plan) applies to the Rural Municipality (RM) of Cartier and the RM of St. François Xavier.

#### **1.2 Legal Authority**

*The Planning Act* provides the authority for the preparation and adoption of a Development Plan by a Planning District Board or Municipality, which shall be adopted by By-law.

#### **1.3 Purpose of a Development Plan**

The White Horse Plains Planning District Board wishes to adopt a Development Plan in order to provide the public with a set of fundamental planning policies that will apply to the development of lands in the Planning District. The general objectives seek to preserve and develop what is desirable in the Planning District. The policies are courses of action to be followed by the Planning District Board and the member Municipal Councils in the Planning District to achieve the general objectives.

*The Planning Act* also outlines the multi-faceted purposes of a Development Plan, which are as follows:

- (1) To set out the plans and policies of the Planning District or Municipality respecting its purposes and its physical, social, environmental and economic objectives;
- (2) To direct sustainable land use and development in the Planning District or Municipality;
- (3) To set out measures for the implementation of a Development Plan; and
- (4) To establish a livestock operation policy that will serve to guide Zoning By-law regulations dealing with livestock operations.

#### **1.4 Interpretation of Requirements**

- (1) The land use designations indicated on the Overall Land Use Plan Map illustrate the long-term land use and development strategy for the Planning District. The achievement of the land use objectives and policies will take place over a period of years. The Planning District Zoning By-law will provide one of the principal means to effect the transition.
- (2) The boundaries for the various land designations shown on Map 1: Overall Land Use Plan and any lot size, distance and area requirements mentioned throughout this Development Plan are meant to serve as guidelines only. Situations may arise that will necessitate a degree of flexibility in the application of these standards, provided the intent of the Development Plan is not compromised. These standards will provide general guidelines for the preparation of the more specific performance standards and requirements of the White Horse Plains Planning District Zoning By-law.

Arrows shown on Map 1: Overall Land Use Plan, indicate the direction in which the orderly expansion of a designated area may be acceptable in the future.

- (3) Individual policies of the Development Plan should be interpreted within the overall spirit and intent of all other objectives and policies of the Development Plan.
- (4) Examples of general land use classifications in the land use policy areas of the Development Plan are used for explanatory purposes only. Specific Permitted and Conditional Use regulations shall be established in the White Horse Plains Planning District Zoning By-law.
- (5) Unless the context clearly indicates the contrary, where a policy in the Development Plan involves two or more items, conditions, provisions or events connected by the conjunctions *and*, *or*, or *either-or*, the conjunctions shall be interpreted as follows:
  - (a) *and* indicates that all the connected items, conditions, provisions or events shall apply.
  - (b) *or* indicates that all connected items, conditions, provisions or events may apply singly or in combination.
  - (c) *either-or* indicates that the connected items, conditions, provisions or events shall apply singly but not in combination.

**1.5 Deadline for the Development Plan Review**

As per the requirements of *The Planning Act*, the White Horse Plains Planning District will complete a review of the White Horse Plains Development Plan within six (6) years of its adoption.

## **PART 2 PLANNING DISTRICT VISION, OBJECTIVES AND POLICIES**

### **1.0 Planning District Vision**

The following community vision has been used as a guide in formulating the land use policies in the Development Plan:

- (1) To provide direction for future land use and development including residential, commercial and industrial growth in the Planning District which will minimize conflicts and be in the best interests of the Planning District and its residents so that the Settlement Centre Policy Areas are enhanced, rural and agricultural activities as well as natural and recreational resources are sustained and public services are provided in an effective manner.

### **2.0 General Objectives and Policies**

#### **2.1 Intent**

- (1) The intent of the objectives and policies outlined in this section of the Development Plan is to address general issues that may arise from considering development proposals in the land use policy areas of the Development Plan, specifically those outlined in PART 3 (Settlement Centre Policy Areas) and PART 4 (Rural Policy Areas).

#### **2.2 General Objectives**

- (1) To promote cooperation between the member Municipalities in the Planning District regarding the planning and development of areas of local or mutual concern.
- (2) To encourage and promote community economic development initiatives, which utilize the land base in a manner that contributes to the physical, social and economic vitality of the Planning District.
- (3) To ensure the availability of an adequate supply of land to meet present and future land use requirements.
- (4) To ensure development occurs in a manner that is harmonious with surrounding land uses.
- (5) To encourage and promote the use and development of land in a manner that is consistent with the principles and guidelines of sustainable development.
- (6) To support and enhance the Settlement Centre Policy Areas in the Planning District.
- (7) To support and enhance the agricultural economy in the Planning District.

- (8) To protect the Settlement Centre Policy Areas and Rural Residential Policy Areas from incompatible agricultural activities.
- (9) To ensure that developments do not occur on lands that are unsuitable for what is being proposed.
- (10) To protect local and regional investments in public and private infrastructure, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.
- (11) To encourage development review processes that include careful consideration of the short and long term costs and benefits that may result from proposed developments.
- (12) To ensure the sustainability of the natural resources and promote compatible relationships between the environment, resources and the use of land.
- (13) To ensure drainage works are conducted under appropriate approval from *Manitoba Water Stewardship* and to promote coordination with neighbouring planning districts where drainage works occur on shared watersheds.
- (14) To ensure the sustainability of water quantity and quality within the planning district.

## **2.3 General Policies**

### 2.3.1 Overall

- (1) Prior to development approval, a development proponent may be required to provide information that is satisfactory to the Planning District Board or the member Municipal Council in which the proposed development is located in order to establish:
  - (a) That the proposed land use(s) will be developed in such a manner that will eliminate or minimize conflicts with adjacent land uses;
  - (b) That consideration has been given to the current and projected demand for the type of development being proposed;
  - (c) That the land is physically suited for the purpose intended and in particular that the soil and drainage conditions are adequate for the proposed development;
  - (d) That appropriate arrangements have been made for the provision of water supply, sewage disposal, solid waste disposal, storm drainage and any other necessary infrastructure services;
  - (e) That the land has legal access to a public road; and
  - (f) That the land is not subject to an environmental hazard or that appropriate remedial measures have been or will be taken to protect public health, safety and property.

- (2) Essential activities of government and public and private utilities shall be allowed in any land use designation subject to the White Horse Plains Planning District Zoning By-law requirements. Such uses shall be located and developed in a manner that minimizes any conflict with adjacent land uses.
- (3) Cooperation shall be provided to 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. Special consideration will be given to reviewing site requirements associated with such uses as communications towers and maintenance compounds to ensure they will not have adverse impacts on adjacent land uses.
- (4) Public and private utilities shall be protected from incompatible land uses that could adversely affect their operations.
- (5) Facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials as defined in *Manitoba Regulation Nos. 282/87 and 236/89* will be governed by the following:
  - (a) New facilities shall not locate:
    - (i) within or in proximity to the Settlement Centre Policy Areas and Rural Residential Policy Areas; or
    - (ii) in proximity to dwellings used permanently or occasionally outside the Settlement Centre Policy Areas and Rural Residential Policy Areas.
  - (b) The proposed expansion of an existing facility shall require Planning District approval, as provided in the White Horse Plains Planning District Zoning By-law.
  - (c) Anhydrous ammonia facilities shall not locate:
    - (i) within or in proximity to the Settlement Centre Policy Areas and Rural Residential Policy Areas; or
    - (ii) closer to Provincial highways and dwellings used permanently or occasionally outside the Settlement Centre Policy Areas and Rural Residential Policy Areas than what is permitted or recommended by Provincial regulations and guidelines.
  - (d) A site-specific groundwater pollution hazard appraisal may be required prior to the approval of a proposed new development or expanded facility.
  - (e) Information may be required relating to the nature of any discharges into the air, soil or water; the nature of outside storage requirements; the compatibility of the proposed development or facility expansion with adjacent land uses; the nature of plans for buffering such activities from adjacent land uses and watercourses.

- (6) Development or activities that could cause pollution under normal operating conditions may not be permitted in an identified groundwater pollution sensitivity area unless:
  - (a) It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the groundwater supply; or
  - (b) Appropriate remedial measures have been or will be taken to sufficiently mitigate the risk of endangering the potability of the groundwater supply.
- (7) No subdivision of land shall be permitted unless it conforms to the general intent and provisions of the Development Plan and *The Planning Act*.
- (8) In reviewing development applications, the Planning District Board or the member Municipal Councils in the Planning District will encourage the most appropriate use and development of land and other resources by:
  - (a) Protecting and strengthening the agricultural industry in the RM of Cartier and maintaining the agricultural industry in the RM of St. Francois Xavier;
  - (b) Protecting the viability of the Settlement Centre Policy Areas and Rural Residential Policy Areas;
  - (c) Directing urban-like uses to existing Settlement Centres unless allowed for in other policies of the Development Plan; and
  - (d) Encouraging sustainable economic development initiatives.
- (9) Where development proposals are within the vicinity of a Provincial highway, a copy of the proposal shall be sent to the appropriate Provincial government department for review and comment.
- (10) Home-based businesses, which shall be subject to the White Horse Plains Planning District Zoning By-law requirements, are accessory to a primary residential use and shall not have adverse effects on adjacent land uses.
- (11) Overall concept plans or secondary plans shall be prepared for undeveloped or under-developed areas that are designated for future urban or non-agricultural land uses and experiencing development pressures in order to provide for an efficient, well-planned development. The concept plan or secondary plan shall illustrate the general arrangement of future roadways, building lots, open spaces, area drainage or other major features. The design of the roadways and building lots shall be integrated with existing roadways and services, and generally conform to recognized engineering and planning standards. The concept plan or secondary plan shall also consider the proposed water supply and wastewater management infrastructure.

- (12) Adherence to all provincial regulations developed under *The Environment Act*, *The Water Protection Act*, *The Water Rights Act* and others will be required for developments.

### 2.3.2 Hazard Lands, Flooding and Erosion

#### *A. Objectives*

- (1) To minimize personal hardship and inconvenience, adverse effects on public health, and loss of life and safety.
- (2) To minimize property damage and public expenditures for relief or protection.
- (3) To ensure that development does not occur in hazard areas which are not suitable for the proposed development, unless appropriate mitigating measures are taken that either reduce any potential negative impacts or enhance the capability of the land to support the proposed development.
- (4) To maintain the natural capability of streams to convey flood flows.
- (5) To restrict activities that could negate the benefits derived from existing flood control works.

#### *B. Policies*

- (1) Low intensity uses such as some agriculture or open space recreational activities may be acceptable within hazard areas, but any other use involving higher intensity of development shall be restricted, if warranted by the Planning District Board or the member Municipal Council in the Planning District in which the proposed development is located. Hazard areas include lands subject to flooding, water erosion, bank instability, landslides or subsidence. More specific criteria are as follows:
  - (a) Lands subject to flooding are all lands that would be flooded by a 100-year flood, or a flood specified by to the appropriate Provincial government department in areas of protected flood control works;
  - (b) Lands subject to water erosion are all lands that would, within a 50-year period, be eroded or become unstable due to the action of water contained in an adjacent waterway or waterbody; and
  - (c) Lands subject to other hazards such as landslides or subsidence are those lands where actual effects of such hazards have occurred or have been predicted by an accredited source such as a Provincial or Federal government agency.
- (2) It may not be practical or desirable for economic or social reasons to restrict development in all hazard areas. Developments shall, however, be carefully controlled to ensure that they are compatible with the risks or that the hazard has been eliminated or protected against. Where such exceptions are made, the following criteria shall be applied:
  - (a) The development shall not adversely alter, obstruct or increase water flow, flood velocities or flood stages and should only be allowed if the

- cumulative effects of all foreseeable development in the flood prone area is within limits specified in Provincial regulations or by-laws of the Municipality in which the proposed development is located;
- (b) There shall be no added risk to life, health or safety;
  - (c) All structures and services shall be protected against damage and shall be functional under hazard conditions;
  - (d) Activities such as dumping, excavation and clearing, which could accelerate or promote damages due to causes such as erosion or bank instability, shall be prohibited; and
  - (e) Natural tree and vegetative cover shall be preserved to reduce erosion and assist in maintaining bank stability.
- (3) Development proposals in hazard areas shall require the completion of environmental, geotechnical or hydrological engineering studies to determine if the land has potentially hazardous slopes or could be subject to flooding. The said studies shall include recommendations regarding preventative and mitigating measures, which:
- (a) Eliminate the risk; or
  - (b) Reduce the risk to an acceptable level; and
  - (c) Restore or rehabilitate damage that may occur.
- (4) Development proposals in flood plain hazard areas shall be referred to the appropriate Provincial government department for review and comment.
- (5) Minimum setback regulations may be established in the White Horse Plains Planning District Zoning By-law for developments in proximity to active waste disposal grounds, sewage treatment lagoons, energy generating systems, natural gas and hydro transmission line rights-of-way, railway rights-of-way and other public utilities, as appropriate.
- (6) In areas where the specific hazard has not been determined, buildings shall be set back from all waterways a distance of at least 10 times the height of the bank above channel grade or 30 metres (98 feet), whichever is greater, unless an engineering investigation shows that these limits may be reduced.

### 2.3.3 Water and Shoreland

#### *A. Objectives*

- (1) To maintain the natural capacity of waterways and waterbodies to convey flows.
- (2) To preserve and maximize the capability of waterways and waterbodies to be used for a variety of purposes.

- (3) To maintain and manage key shorelands to meet recreation, erosion protection and water table retention requirements and to ensure the viability of critical environments for local flora and fauna. In addition to these specific reasons, it is anticipated that certain shorelands will be designated for protection solely to ensure the right of the public to fully utilize major waterways and waterbodies.
- (4) To ensure that developments do not impact fish habitat, aquatic ecosystems or water quality.

*B. Policies*

- (1) Land shall be developed in a manner which ensures that waterways, waterbodies, aquatic ecosystems, groundwater and shoreland areas of significance are sustained. The Planning District Board or the Councils of the RM of Cartier or RM of St. François Xavier may consult with appropriate Provincial government agencies in this regard.
- (2) Identification of waterways, waterbodies, groundwater and shorelands requiring protection or enhancement will be achieved through ecological programs at the Provincial, Planning District and Municipal levels. The extent of the required protection or enhancement will be directly related to the characteristics of the local situation such as size and configuration of the waterway, waterbody, shoreland or groundwater, the need for public access, erosion rates, recreational potential among other criteria. Shoreland reserves or specific setback regulations may be created to protect shoreland, waterways or waterbodies. Where appropriate, public acquisition may occur by direct purchase, dedication through the subdivision approval process, easement, lease or a combination thereof.
- (3) Development shall occur in a manner that sustains the yield and quality of water from significant aquifers.
- (4) Public access to water and shore land areas shall be encouraged to foster appreciation for and enjoyment of nature although such access shall not lead to levels of activity that will exceed the capability of the area to sustain the ecosystem.
- (5) Groundwater pollution hazard areas identified by the Province shall be taken into account in development proposals. For sites where there is a potential for groundwater pollution, the proposed development shall not be approved unless the development proponent incorporates mitigating measures that either eliminate the risk or reduce it to acceptable levels.
- (6) The preservation and rehabilitation of native vegetation will be promoted in order to stabilize banks, filter run-off and protect surface water quality.

- (7) In the case of development proposals which require significant volumes of surface water and/or groundwater, the proponent shall be required to investigate the need for a *Water Rights License*. Development approval shall be withheld until such time as the need for a *Water Rights License* has been finalized.
- (8) Stream and shoreline alterations shall not be undertaken without the approval of the appropriate Provincial and Federal government departments.
- (9) Any proposed development adjacent to fish(eries) habitats, spawning sites and fish nursery areas shall conform to the following development criteria:
  - (a) Measures to limit nutrient and sediment inflow shall be implemented before, during and after development;
  - (b) The construction of dykes is preferred to channel deepening and straightening;
  - (c) Land shall not be cleared, cultivated or developed to the water's edge of creeks, streams and lakes; and
  - (d) Organic loading or siltation from agricultural run-off shall be prohibited.
  - (e) Any approval requirements shall be obtained from applicable Provincial or Federal government departments.
- (10) In order to reduce nutrient loading to the Assiniboine and La Salle rivers, the Planning District will maintain riparian vegetation, support the use of non-phosphorus based lawn fertilizers and promote the proper maintenance of septic fields and tanks.
- (11) Lands should generally not be cleared or developed to the water's edge of creeks, streams and lakes. For first and second order drains a 15.00m (49.21 ft.) buffer of undisturbed native vegetation, upslope from the high water mark, should be retained or restored to provide wildlife cover, and to protect the aquatic ecosystem and water quality. For third order drains or higher order drains, a 30.48m (100.00 ft.) buffer on undisturbed native vegetation, upslope from the high water mark, should be retained or restored to provide wildlife cover, and to protect the aquatic ecosystem and water quality. Where indicator fish species (e.g. walleye, pike and suckers) are present or the water body provides spawning, nursery, feeding or migratory habitat, a 30.48m (100.00 ft.) buffer, upslope from the high water mark, will be retained or restored. Within this buffer area, shoreline alteration (e.g. pathways, docks and boat houses) should be not more than twenty-five (25) percent.

- (12) Proposed major subdivisions and zoning amendments adjacent to waterways and water bodies shall be forwarded to the appropriate Provincial and Federal government departments for comment and review.

#### 2.3.4 Heritage Resources

##### *A. Objectives*

- (1) To identify sites and structures having historic, architectural or archaeological significance and to protect these sites and structures from uses or activities that would endanger them.
- (2) To encourage public awareness, understanding and appreciation of these historic and cultural sites.

##### *B. Policies*

- (1) The subdivision or development of those areas or sites that either have been formally identified by the appropriate Provincial government department, or are in the process of receiving Municipal or Provincial heritage designation, may be considered only after consultation with the appropriate Provincial government department and an examination of the site or area to determine if the heritage resources would be endangered.
- (2) The Planning District Board or the member Municipal Councils in the Planning District may take any steps warranted to preserve the character of sites and structures of significance including using the provisions of *The Heritage Resources Act*.
- (3) The development, designation and preservation of heritage resources shall be coordinated with other heritage and recreational resources in the Planning District to maximize interpretive and tourism potential.

## **PART 3 SETTLEMENT CENTRE POLICY AREAS**

### **1.0 General Objectives and Policies**

#### **1.1 Intent**

- (1) In addition to the general objectives and policies outlined in PART 2 of the Development Plan, the intent of the objectives and policies outlined in this section of the Development Plan is to address general issues that may arise from considering development proposals in the Settlement Centre Policy Areas in particular.

#### **1.2 General Objectives**

- (1) To maintain or improve the social and physical character of the Settlement Centre Policy Areas.
- (2) To recognize the diversity of land uses in the Settlement Centre Policy Areas and promote the further growth of residential, commercial, industrial, institutional and recreational developments in such a manner that they can coexist with minimal land use conflicts.
- (3) To protect and improve the economic well-being of the Settlement Centre Policy Areas by encouraging and participating in programs that will promote new jobs, new capital investment, economic growth and an increased Municipal tax base.
- (4) To ensure orderly growth of the Settlement Centre Policy Areas in a manner beneficial to residents, businesses and landowners.
- (5) To facilitate the development of a range of community services and facilities in proximity to new or expanding neighbourhoods.
- (6) To ensure attractive, affordable and compatible housing choices are available to meet changing socio-economic and demographic needs.
- (7) To develop efficient, attractive and well-planned industrial areas serving the interests of businesses and local and area residents.
- (8) To promote commercial development activities in order to create, enhance and retain viable retail services.
- (9) To ensure adequate recreational, leisure and cultural opportunities for the health and enjoyment of local and area residents.
- (10) To ensure the development and maintenance of Municipal infrastructure that supports local and regional services.

### **1.3 General Policies**

#### 1.3.1 Transportation

##### *A. Objectives*

- (1) To protect and facilitate the various functions of the transportation network in order to move traffic safely and efficiently.
- (2) To direct large volumes of commercial, industrial and automobile traffic outside of residential areas.
- (3) To ensure safe pedestrian movements.

##### *B. Policies*

- (1) New or expanding developments shall have adequate and sufficient legal access to public roads.
- (2) The following criteria shall be complied with for proposed developments adjacent to Provincial Trunk Highway (PTH) No. 1 and No. 26 and Provincial Road (PR) Nos. 241, 248, 332, 424, 427, Elie Provincial Access Road, and St. Eustache Provincial Access Road:
  - (a) Developments that rely on direct connections to, or contribute to the evolution of a row of lots with each lot relying on direct access to:
    - (i) PTH No. 1 and 26 shall not be permitted unless approval is granted by the Highway Traffic Board; and
    - (ii) PR Nos. 241, 248, 332, 424, 427, Elie Provincial Access Road, and St. Eustache Provincial Access Road shall not be permitted unless approval is granted by the appropriate Provincial government department.
  - (b) Notwithstanding the above, the RM of Cartier is responsible for setbacks, changes in land use, signage, landscaping and access for that portion of PR No. 248 that extends from PTH No. 1 south to the Canadian National Railway line in the Settlement Centre Policy Area of Elie.
- (3) Developments shall not generate traffic in an amount that would unduly impair the Provincial highway system from functioning safely and efficiently, unless adequate mitigation measures are put in place, as determined by the Council of the Municipality in which the proposed development is located, and in consultation with its Public Works Department and the appropriate Provincial government department.

- (4) Where an area of development is bordered on one side by a PTH, PR or railway line, any new development should be directed to the same side of the said corridor to maintain safety conditions by reducing turning and cross-corridor movements.
- (5) Any improvements required to upgrade the existing Provincial highway system deemed necessary by the appropriate Provincial government department, which are directly associated with a development, shall be the responsibility of the development proponent.
- (6) Proponents of major new developments, as determined by the Council of the Municipality in which the proposed development is located, and in consultation with its Public Works Department, shall where appropriate and feasible:
  - (a) Provide their own collector road systems so as not to impose increased traffic on adjoining local streets;
  - (b) Design the local road network in accordance with both existing and planned road systems of neighbouring areas;
  - (c) Provide through routes that are direct, safe and pleasant for residents to walk and cycle to neighbours, schools, shops and related community services;
  - (d) Provide mid-block crossing opportunities on major roads to make it easier for residents to access commercial and community service areas; and
  - (e) Prepare transportation concept or secondary plans and traffic impact studies.
- (7) The separation of vehicular, cycle and pedestrian traffic along major traffic routes shall be promoted by the Councils of the RM of Cartier or RM of St. François Xavier, as appropriate.
- (8) The responsibility for internal roads associated with bare land condominium developments shall be stipulated in the development agreement between the development proponent and the Council of the Municipality in which the proposed development is located, pursuant to *The Planning Act*.
- (9) The subdivision of land or development of existing land parcels in areas designated for highway widening or expansion shall incorporate provisions suitable to the appropriate Provincial government department to accommodate future widening or expansion projects.

### 1.3.2 Municipal Services

#### *A. Objectives*

- (1) To maintain a safe, efficient, effective and economical servicing system on a local and regional basis.
- (2) To ensure that development proponents pay a fair share of related servicing costs and do not unfairly burden the local taxpayers or the Province of Manitoba.
- (3) To ensure that the expansion of utility services and corridors are coordinated with other Municipalities, landowners and utility companies.
- (4) To maintain and enhance environmentally acceptable and economical methods of disposing all waste materials.

#### *B. Policies*

- (1) Any costs to undertake an up-to-date review of servicing requirements in response to a proposed development will be passed on to the development proponent, as determined by the Council of the Municipality in which the proposed development is located.
- (2) The installation of major servicing facilities will be designed to accommodate long-term development. Where these costs are front-ended by development proponents, the Council of the Municipality in which the development is located will endeavour to collect funds within a reasonable time frame from future benefiting landowners and repay appropriate costs to the development proponent.
- (3) All new developments in the Settlement Centre Policy Areas of Elie, Springstein and St. François Xavier shall be serviced by Municipal sewer and water.
- (4) All new developments in the Settlement Centre Policy Areas of St. Eustache and Dacotah shall be serviced by Municipal water and must be capable of supporting on-site sewage disposal, as approved by Manitoba Conservation.
- (5) Where new Municipal water or sewer services are supplied in the Settlement Centre Policy Areas, all abutting non-agricultural land uses shall be encouraged to connect to these services.
- (6) When considering development proposals, the Council of the Municipality in which the proposed development is located shall ensure that protective and emergency services such as police and fire services are sufficient to meet increased demands and that these services are easily accessible to the proposed development.

- (7) New or expanding development will only be allowed where there is or will be sufficient capacity in municipal wastewater treatment facilities or approved on-site sewage disposal capability to accommodate the development.

### 1.3.3 Urban Design and Community Improvements

#### *A. Objectives*

- (1) To promote and maintain an attractive and well designed appearance of the Settlement Centre Policy Areas, particularly with respect to new or expanding multiple-family residential, commercial, industrial, institutional and recreation facility developments.
- (2) To recognize the long term benefits of urban design as a sound investment for the development proponent, landowner, purchaser, tenant and general public.
- (3) To encourage flexibility in the application of the urban design policies so as not to stifle creativity in the development process.

#### *B. Policies*

- (1) The siting of buildings should accommodate, wherever possible, views of parks, as well as natural and landscaped areas both on and off-site.
- (2) Local environmental effects of new developments, particularly view blockage and sunshadow, should be minimized.
- (3) For new or expanding multiple-family residential and commercial development projects the following design criteria should be considered when assessing development proposals:
  - (a) All exterior finishing materials should be of good quality, durable and attractive;
  - (b) Exterior finishing materials of exposed faces of the building(s) in a proposed development should be of equal standard and appearance;
  - (c) Consideration should be given to whether the proposed building design maintains the character of the surrounding area;
  - (d) Where a proposed development is adjacent to existing residential areas, consideration should be given to the proposed location of mechanical equipment, outdoor storage and garbage collection areas to reduce any negative impacts to surrounding land uses;
  - (e) The extent of the projection of a proposed building on a site should relate

- to neighbouring properties;
  - (f) The building footprint should attempt, wherever possible, to preserve existing on-site trees or other natural features, including riparian buffers along watercourses;
  - (g) Building and site designs should incorporate features that address the functional needs of residents of all ages and abilities;
  - (h) The appearance of a solid wall of buildings should be avoided by varying the street edge treatment through such means as the use of strategically placed open spaces and plantings, and varied building setbacks;
  - (i) Major entrance points to proposed developments should be accentuated through landscaping, signage, lighting, and other design techniques in order to enhance security and reinforce a scale and rhythm to the street that is complimentary to local uses and pedestrian activities;
  - (j) Signs should be compatible in scale and character with the building to which they relate;
  - (k) All utilities should be underground, wherever possible; and
  - (l) Outdoor storage areas should be screened from adjacent streets by fencing or landscaping.
- (4) For new or expanding mobile home parks or subdivisions the following design criteria should be considered when assessing development proposals:
- (a) All utilities should be underground, wherever possible.
  - (b) Existing natural features such as treed areas should be retained, wherever possible.
  - (c) The undercarriage of each mobile home dwelling should be screened from public view.
- (5) For new or expanding industrial developments the following design criteria should be considered when assessing development proposals:
- (a) All buildings should be constructed and finished with durable materials and designed to maintain the initial appearance of the development throughout the life of the project.
  - (b) Any exposed projections outside the building, such as mechanical and electrical equipment, should be screened from public view if such projections are inconsistent with the character and appearance of surrounding developments.
  - (c) Outdoor storage areas should be screened from adjacent streets by fencing and landscaping.
  - (d) Setbacks and building placements should be consistent with other buildings in the area.
- (6) New or expanding commercial, industrial, institutional and multiple-family

- residential developments shall prepare landscape plans as part of the development agreement process, as determined by the White Horse Plains Planning District.
- (7) Parking areas shall incorporate appropriate landscaping, fencing and other treatments in order to improve the appearance of the lots and contribute to the continuity of the street edge.
- (8) New or expanding recreation facility developments should comply with the following design criteria:
- (a) A diversity of tree species shall be encouraged to increase the survival ratio of new landscaping.
  - (b) Indigenous or native trees shall be used, wherever possible.
  - (c) New tree plantings shall be clustered to divide open spaces into smaller, more intimate areas for residents, while avoiding heavily partitioned elements.

## **2.0 Settlement Centre Policy Areas**

### **2.1 Intent**

- (1) The intent of the Settlement Centre Policy Areas in the Development Plan is to outline policies that recognize their roles as important service centres for surrounding rural areas.

### **2.2 Objectives**

- (1) To maintain and strengthen the viability of the Settlement Centre Policy Areas as places to live and as service centres for the surrounding rural population.
- (2) To ensure land uses reflect the demographic and market profile of the community.
- (3) To accommodate a variety of residential, commercial, industrial, recreation and institutional uses in the Settlement Centre Policy Areas in the Planning District.
- (4) To ensure that uses located in the Settlement Centre Policy Areas do not adversely affect adjacent uses.
- (5) To ensure that the Settlement Centre Policy Areas remain compact and are not adversely affected by the uses on their periphery.
- (6) To identify suitable areas for future development in keeping with the anticipated demand for land and efficient infrastructure servicing strategies.

### **2.3 Policies**

- (1) The following land uses shall be accommodated in the Settlement Centre Policy Areas:
  - (a) A range of housing opportunities such as single-family dwellings, multiple-family dwellings, seniors' housing and mobile home dwellings.
  - (b) Commercial developments that serve local and non-local residents such as restaurants, general retail stores, professional offices, household repair businesses, service stations, bed and breakfast homes, hotels and motels and various support services.
  - (c) Industrial uses, such as general contractor services, warehouse sales as well as equipment or implement sales or rentals that accommodate a mix of manufacturing, assembly, distribution and services with indoor or outdoor operational storage characteristics.
  - (d) Institutional and governmental facilities such as hospitals, personal care homes, churches, public and private schools, libraries, art galleries and museums as well as police and fire stations.
  - (e) Recreation and open space uses ranging from parks and nature trails to various sports facilities, including arenas, golf courses, swimming pools and curling rinks.

- (f) Mixed use projects such as:
    - (i) commercial-residential that accommodates commercial uses at ground level and residential uses above street level; and
    - (ii) residential-institutional that accommodates multiple-family dwellings such as seniors' housing with institutional facilities such as day care facilities and churches.
  - (g) Limited agriculture activities such as crop and cereal production and horticultural operations.
- (2) Any new development shall occur in a manner such that it is compatible with adjoining land uses while potential conflict between uses is minimized. The use of buffers may be required to minimize conflicts.
  - (3) Priority for new developments in the Settlement Centre Policy Areas of Elie, Springstein and St. François Xavier shall be given to vacant lots that are serviced by Municipal sewer and water.
  - (4) In the Settlement Centre Policy Areas of St. Eustache and Dacotah, minimum lot sizes shall be established in the White Horse Plains Planning District Zoning By-law to permit effective disposal of sewage and to minimize the risk of groundwater pollution, in accordance with *The Environment Act*.
  - (5) The growth of Settlement Centre Policy Areas bordering on one side of a Provincial highway shall be directed to that side of the highway.
  - (6) Infilling and revitalization of existing built-up areas shall be encouraged as a means to accommodate new development in the Settlement Centre Policy Areas. Where suitable vacant land is not available, new development shall be encouraged to locate adjacent to built-up areas where public services can be efficiently and economically expanded.
  - (7) Expansion of the Settlement Centre Policy Areas shall, wherever possible, be directed away from prime agricultural land, viable lower class land, operations and other resource-related uses to avoid incompatibilities and so that land is not prematurely taken out of production or its use prematurely inhibited.
  - (8) Proposed single-family residential subdivisions as well as multiple-family dwelling, seniors' housing, mobile home dwelling, commercial, institutional and mixed-use developments shall be evaluated based on:
    - (a) The cost and feasibility of providing Municipal and utility services.

- (b) The development proponent demonstrating that the proposed development is in response to market demand and reflects the demographic and socio-economic characteristics of the area.
  - (c) Local and regional impacts regarding pedestrian safety, lighting, parking, universal access and noise attenuation measures, traffic volumes and movement.
  - (d) The availability and convenience of public open space and recreational facilities.
  - (e) The protection or enhancement of existing treed or natural areas.
  - (f) The use of transition space, including berms, walls, fencing, landscaping, plantings or a combination thereof, between adjacent or incompatible land uses.
- (9) Commercial and industrial lot sizes shall be of a sufficient size to provide adequate space for the needs of the development, particularly with respect to exterior display, storage and service areas. This shall be regulated through the White Horse Plains Planning District Zoning By-law.
- (10) Commercial and industrial uses, which are incompatible or potentially incompatible with other Settlement Centre Policy Area uses, shall be developed at suitable locations where they will not endanger public health and safety. If selection of such a site is not possible, a location in the Business Policy Areas shall be considered.
- (11) In order to protect Municipal services and the environment, all proposed new or expanded industrial businesses in the Settlement Centre Policy Areas shall be evaluated to ensure that:
- (a) The volume of water consumption in the peak use periods will not unduly strain the Municipal water supply or distribution system;
  - (b) The amount and type of waste will not reduce the effectiveness of the said Municipality to collect, treat and dispose of solid or liquid wastes;
  - (c) The proposed development, particularly its gas, noise or light emissions, will neither disrupt adjacent areas nor diminish the quality of the environment beyond the site being used;
  - (d) The proposed development incorporates berms, walls, fencing, landscaping, plantings or a combination thereof, between adjacent or incompatible land uses; and.
  - (e) The proposed storage, treatment and discharge of all effluent and emissions and disposal of all wastes are in compliance with Provincial regulations.

- (12) The Council of the Municipality in which a proposed residential subdivision is located may either obtain public reserve land not exceeding 10 percent of the land being subdivided, payment in lieu, or a combination thereof, pursuant to *The Planning Act*.
- (13) Any proposed recreational trail systems shall, wherever feasible, inter-connect residential neighbourhoods with commercial and community service areas.

## **PART 4 RURAL POLICY AREAS**

### **1.0 General Objectives and Policies**

#### **1.1 Intent**

In addition to the general objectives and policies outlined in PART 2 of the Development Plan, the intent of the objectives and policies outlined in this section is to address general issues that may arise from evaluating development proposals in the Rural Policy Areas in particular, specifically the Rural Limited Policy Areas and Rural General Policy Areas (PART 4 – Section 2.0), Rural Residential Policy Areas (PART 4 – Section 3.0) and Business Policy Areas (PART 4 – Section 4.0).

#### **1.2 General Objectives**

- (1) To ensure land uses are compatible with adjacent areas.
- (2) To provide a measure of protection for investments in the transportation networks in order to maintain cost-effective operations of new, upgraded or extended transportation infrastructure services.
- (3) To ensure the sustainability of the environment and natural resources and promote compatible relationships between the environment, resources and the use of land.
- (4) To ensure that development does not occur on lands that are unsuitable for the proposed development.

#### **1.3 General Policies**

##### 1.3.1 Transportation

###### *A. Objectives*

- (1) To maintain a safe, convenient and efficient network of highways capable of moving people, goods and services.
- (2) To protect the Provincial and Municipal investments in the transportation network that are already in place and prevent premature obsolescence of existing infrastructure.
- (3) To minimize disruption to future local development and reduce public costs for land acquisition when upgrading to the transportation network is required.

*B. Policies*

- (1) Existing and proposed aircraft landing fields and aerial approaches in the Planning District shall be protected from incompatible land uses that may adversely impact their operation or endanger public safety.
- (2) Unless approved by the Highway Traffic Board and the appropriate Provincial government department, respectively, strip development along a PTH or PR, whereby direct connections to the roadway are continuously relied upon for providing access to abutting properties, shall not be permitted.
- (3) Developments that would generate traffic in an amount and/or type that would unduly impair the present and potential capability of the adjoining highway to carry traffic safely and efficiently, shall not be permitted unless adequate measures are taken to mitigate the problem(s), suitable to the appropriate Provincial government department.
- (4) Any improvements required to upgrade the existing Provincial highway system deemed necessary by the appropriate Provincial government department, which are directly associated with a development, shall be the responsibility of the development proponent.
- (5) The local road or street network associated with any type of proposed development shall be designed to conform to both the existing and planned transportation network of the neighbouring areas.
- (6) Highway commercial developments may be permitted where interference with other resources is minimized and the safe and efficient operation of the highway is maintained. Direct private access to the highway shall be minimized by means of service or internal roads, where appropriate.
- (7) Municipal roads shall be improved at the discretion of the RM Council in which the said Municipal road is located and cost-sharing of improvements to unimproved road allowances or upgrading to existing improved roads may be required.
- (8) The location and construction of accesses to Municipal roads shall be subject to the approval of the RM Council in which the said Municipal road is located.

- (9) Anhydrous ammonia facilities in the vicinity of PTHs and PRs shall be located in accordance with Provincial regulations and guidelines. These facilities shall have legal access to a public road.
- (10) Any development and signage that is to occur within the control areas of PTHs and PRs under Provincial authority shall be subject to approval by the Highway Traffic Board and the appropriate Provincial government department, respectively.
- (11) The location and construction of an access: to a PR will be subject to approval by the appropriate Provincial government department and to a PTH will be subject to approval by the Highway Traffic Board.
- (12) New development shall have legal access to an all-weather road of sufficient standard and capacity, unless the development proponent makes an agreement with the RM Council in which the development is located to upgrade an existing road or develop new road access to an appropriate standard. The development proponent may be responsible for part or all the costs of any necessary roadway construction.
- (13) Land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic shall be located in proximity to major roadways, including PRs and PTHs, if appropriate. Direct access to the Provincial highway system shall be discouraged, whereby access to the Provincial highway system shall be via the Municipal road system.
- (14) New development, which has the potential to generate significant vehicle traffic, shall be directed away from those areas and land uses where such levels of traffic could endanger public safety. Proposed developments that may be adversely affected by noise, dust and fumes from roadways and railways shall be located where there is adequate separation from these corridors or shall incorporate measures such as sound barriers or landscaped buffers to mitigate the conflict.
- (15) Where an area of development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, any new development shall be directed to the same side of a corridor to maintain maximum safety conditions by eliminating unnecessary cross-corridor movements.
- (16) The subdivision of land or development of existing land parcels in areas designated for highway widening or expansion shall incorporate provisions suitable to the appropriate Provincial government department to accommodate future widening or expansion projects.

- (17) The draining of any water into the highway drainage system shall require the approval of the appropriate Provincial government department. Any improvements required to upgrade the existing highway drainage system, which are directly associated with a development, shall be the responsibility of the development proponent.

### 1.3.2 Recreation and Natural Environment Areas

#### *A. Objectives*

- (1) To encourage the protection of scarce recreational and scenic resources.
- (2) To prevent overuse and consequent degradation of recreational resources.
- (3) To ensure that land uses are compatible with adjacent Provincial recreation and resource areas.
- (4) To protect natural areas and habitats from incompatible or potentially incompatible uses including rare or endangered flora and fauna that have received designation and protection under *The Manitoba Endangered Species Act* or the *Federal Species At Risk Act*.
- (5) To recognize, protect and ensure the sustainability of Provincial parks, wildlife protection zones and protected areas.
- (6) To minimize the impacts of development upon aquatic ecosystems, wetland environments and riparian areas.

#### *B. Policies*

- (1) Subdivision or development on or affecting lands with significant capability for recreation shall only be permitted after the proponent has proven to the satisfaction of the Planning District Board, or the RM Council in which the proposed development is located, that there will be no adverse affects on those lands or that it cannot practically be located elsewhere. The Planning District Board or the said RM Council may consult with appropriate Provincial government agencies in this regard.
- (2) Public access to recreation and natural areas shall be encouraged to foster appreciation for and enjoyment of nature, however such access shall not lead to levels of activity that will exceed the capability of the area to sustain the ecosystem and recreation integrity.
- (3) Development of a recreation area shall be limited to a level of intensity that permits the sustainable use of the recreational resource.

- (4) Proposed land uses or developments in proximity to areas that have high recreational or natural capability such as Beaudry Provincial Park shall only be considered if the development proponent has proven to the satisfaction of the White Horse Plains Planning District that public access to, as well as the ecological and recreational integrity of the area would not be endangered. The White Horse Plains Planning District will also consult with appropriate Provincial government departments and agencies in this regard.
- (5) Recreational development shall be planned to be compatible with the natural environment, resource-related uses and other adjacent uses.
- (6) The Province may identify areas that are representative of major natural regions and may protect them from land uses that would negatively affect their ecological integrity. Natural areas and habitats shall be protected from incompatible or potentially incompatible uses where:
  - (a) Rare or endangered flora and fauna have received Provincial designation and protection under *The Manitoba Endangered Species Act* or the Federal *Species At Risk Act*;
  - (b) Lands have received Provincial designation and protection under the Protected Area Initiative;
  - (c) Lands have been identified as Wildlife Management Areas or Provincial Parks; or
  - (d) Private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.
- (7) Developments that would drain or fill any significant wetland or marshland area shall be prohibited, unless appropriate remedial measures have been or will be taken that are acceptable to the Province to sufficiently mitigate environmental risks.
- (8) The retention of tree cover shall be encouraged on unused road allowances, other Municipal lands, lands along watercourses and land having low agriculture capability as a means to control erosion and wind damage and protect significant wildlife and aquatic habitat areas. Tree cover and wildlife shall also be protected by clustering developments separated by treed open space, and retaining natural drainage ravines to act as corridors for wildlife.
- (9) The Planning District Board or the RM Councils shall encourage private landowners to seek advice from an appropriate Provincial government department with respect to habitat removal and wildlife depredation and will support educational programs undertaken by the appropriate Provincial government department.

- (10) Proposed developments located near waterways and water bodies that have the potential to alter, disrupt or destroy aquatic habitat, including the riparian area, may be referred by the Planning District Board or Municipality to the appropriate Provincial government department for review.
- (11) Appropriate and compatible zoning will be applied to all lands that are adjacent to, or border designated Crown Lands

### 1.3.3 Mineral and Forestry Resources

#### *A. Objectives*

- (1) To protect mineral resources, including known sand and gravel deposits, from conflicting land uses which may prevent the economic extraction of minerals.
- (2) To rehabilitate, in accordance with applicable Provincial government regulations, lands disturbed by mineral exploration, development and production to a condition that is environmentally safe, stable and compatible with adjoining lands.

#### *B. Policies*

- (1) The Province designates areas of “High”, “Medium” and “Low” mineral, quarry mineral, metallic mineral and oil and gas potential on maps for all regions of Manitoba. The following development status criteria shall be used:
  - (a) Within an area designated as “High”, no potentially incompatible land uses shall be allowed. Uses shall be limited to general agriculture, temporary uses or other uses that will permit access to the resource.
  - (b) Within an area designated as “Medium”, with input from the Mines Branch, a potentially incompatible land use may be permitted.
  - (c) Within an area designated as “Low”, potentially incompatible land uses are permitted.
- (2) Aggregate and other quarry mineral deposits shall be protected from conflicting and potentially conflicting land uses.
- (3) Lands disturbed by mineral, quarry mineral or metallic mineral exploration or development shall be rehabilitated by the development proponent in accordance with Provincial government legislation to a condition that is environmentally safe, stable and compatible with adjoining lands.

- (4) Minimum setback regulations shall be established in the White Horse Plains Planning District Zoning By-law for extraction operations and adjacent land uses.
- (5) Extraction operations shall be a Conditional Use in the White Horse Plains Planning District Zoning By-law. Conditions may include a site plan showing the staging of extraction, proposed buffering measures, a rehabilitation plan, a letter of credit related to proposed rehabilitation works, or cost-sharing of Municipal infrastructure improvements.
- (6) Extraction operations shall require the acquisition of a permit under *The Mines and Minerals Act*.
- (7) Property owners who carry out timber harvesting activities on private lands shall be encouraged to ensure that:
  - (a) Roads, landings and excavated trails are:
    - (i) constructed and maintained or deactivated in a manner that minimizes soil erosion and landslide hazards and ensures that nearby streams are maintained in their natural or existing courses; and
    - (ii) rehabilitated to the extent necessary to ensure that reforestation requirements are achieved.
  - (b) Woodland debris on the site does not result in damage to lakes, rivers, creeks, streams and wildlife habitat areas.
- (8) The re-establishment of tree cover and restocking of harvested areas shall be encouraged through public works, private initiatives and cooperative programs between private landowners and Provincial government departments.

## **2.0 Rural Limited Policy Areas and Rural General Policy Areas**

### **2.1 Intent**

- (1) The intent of the Rural General Policy Areas in the Development Plan is to outline policies that support and enhance the agricultural industry and associated rural uses.
- (2) The intent of the Rural Limited Policy Areas is to protect Settlement Centre Policy Areas as well as other farms, residences and businesses from large livestock operations (300 AU or more) and incompatible agricultural practices, while encouraging specialized agricultural operations (tree nurseries, vegetable and fruit production, woodlots, etc)

## **2.2 Objectives**

- (1) To protect the agricultural industry in the Rural General Policy Areas of the Planning District.
- (2) To foster the sustainable growth and development of the agricultural industry in the Rural General Policy Areas.
- (3) To protect prime agricultural land and viable lower class land (where agriculture is the dominant land use) for a full range of agricultural activities and operations in the Rural General Policy Areas.
- (4) To prevent incompatible land uses from intermixing.
- (5) To provide buffer areas between potentially incompatible land uses.
- (6) To ensure flexibility for farm operators to engage in a full range of agricultural activities and operations in the Rural General Policy Areas.
- (7) To encourage the efficient use of land resources.
- (8) To maintain the rural character and quality of life presently enjoyed in the Rural Limited Policy Areas and Rural General Policy Areas.
- (9) To recognize that uses associated with agriculture that cannot be suitably located in the Settlement Centre Policy Areas can be accommodated in the Rural Limited Policy Areas and Rural General Policy Areas.
- (10) To ensure that proposed developments can be serviced to an appropriate rural standard and in a cost-effective manner with respect to road access, water supply and wastewater disposal.

## **2.3 Policies**

### **2.3.1 Policies - General**

- (1) The following land uses may be accommodated in the Rural Limited Policy Areas and Rural General Policy Areas:
  - (a) General agricultural uses such as farming, pasturage, agriculture, apiculture, floriculture, horticulture, livestock operations and agricultural product storage facilities.
  - (b) Housing opportunities limited to single family dwellings that have been subdivided under Section 2.3.1(4), farmstead dwellings, farm-related dwellings, communal farm dwellings, and residential related uses that are part of an approved rural residence such as bed and breakfast homes, non-commercial farms and home businesses.
  - (c) Agri-commercial, agri-industrial uses such as commercial seed cleaning plants, agricultural implement sales establishments and farm equipment and machinery repair shops, and highway commercial developments if adjacent to existing highway commercial operations and only if no

- suitable site is available in a Settlement Centre or Business Area or other appropriately zoned area.
- (d) Industrial, business and commercial operations that are accessory to an active farming operation and shall be treated as a conditional use in the Zoning By-law.
  - (e) Natural resource developments such as forestry activities, mineral exploration and extraction operations, and wildlife conservation reserves and shall be treated as conditional use in the Zoning By-law.
  - (f) Limited institutional facilities, such as private schools, churches and cemeteries, which are accessory to an active farming operation and cannot be suitably accommodated in Settlement Centre or Rural Residential Policy Areas, and shall be treated as conditional use in the Zoning By-law.
  - (g) Recreation and open space uses ranging from parks and nature trails to various sports facilities, including golf courses, sports fields, lodges, campgrounds and group retreats which shall be treated as a conditional use in the Zoning By-law.
- (2) Non-Commercial Farms with less than 10 animal units that are part of an approved rural residence in the Rural Limited Policy Areas and Rural General Policy Areas shall comply with the following development criteria:
- (a) Non-Commercial Farms shall be located and developed on a site in such a manner that the keeping of animals does not interfere with the use and enjoyment of adjacent land uses.
  - (b) Where a Non-Commercial Farm is proposed within the vicinity of a provincial highway, a copy of the proposal shall be sent to the appropriate Provincial government department for review and comment.
- (3) Small land holdings for small-scale or specialized agricultural operations such as, but not necessarily limited to, tree nurseries, apiaries, market gardens and other bona fide agricultural practices may be considered for approval on existing small land holdings, provided that such proposals are compatible with other existing agricultural operations, and that the size of the subject parcel is appropriate for the intended use.
- (4) The subdivision of land for residential purposes shall be allowed in the Rural Limited Policy Areas or Rural General Policy Areas in accordance with the following options and subject to PART 4 – Subsection 2.3(5) of the Development Plan:
- (a) Where an existing farmstead, which contains a habitable dwelling, is no longer required as part of a farm operation and has become surplus for the purposes of farm enlargement;

- (b) Where a farmer wishes to subdivide his or her residence from the farm and retain the said dwelling for retirement purposes;
  - (c) Where a farm is incorporated and it is necessary to establish a separate residential site from the farm holdings for business or mortgaging purposes;
  - (d) Where a building site for a home required by an individual actively participating in the farm operation;
  - (e) Where a remnant parcel of land with a site width of 100.00 m. (328.10 ft.) or less has been created through the development of a transportation, drainage or utility corridors or natural land features and where the said parcel cannot be used for viable agricultural purposes;
  - (f) In infill situations, where the existing subdivision is such that small remnant parcels exist that are impractical to use for agricultural purposes as the remnant parcel has a site width of 100.00 m. (328.10 ft.) or less and where unused road frontage exists between existing lots; and
  - (g) Where separate titles are proposed in cases where more than one dwelling exists under one title as of the date of the adoption of this Development Plan.
- (5) The subdivision of land in the Rural Limited Policy Areas or Rural General Policy Areas for those residential purposes outlined in PART 4 – Subsection 2.3(4) of the Development Plan shall be subject to the following criteria:
- (a) Municipal services such as roads, drainage, school bussing, fire protection or other infrastructure services shall be available to the proposed subdivision or can be provided without undue cost to the RM of Cartier or the RM of St. François Xavier;
  - (b) The proposed subdivision shall accommodate the proper function of a septic field or other acceptable method of domestic effluent disposal, and a potable water supply, pursuant to *The Environment Act*, *The Public Health Act* and *The Drinking Water Safety Act*;
  - (c) The proposed subdivision shall comply with the mutual separation distances between livestock operations and residences not accessory to an operation, as established in the White Horse Plains Planning District Zoning By-law. The White Horse Plains Planning District may, pursuant to *The Planning Act*, vary the separation distance as provided for in the White Horse Plains Planning District Zoning By-law;
  - (d) The proposed subdivision shall, wherever possible, be directed away from prime agricultural land, operations and other resource-related uses to avoid incompatibilities and so that land is not prematurely taken out of production or its use prematurely inhibited;
  - (e) Residential lots shall be of such dimensions so as to maintain the rural character of the land and shall take into consideration existing shelterbelts

- as well as other physical and natural features. A suggested minimum lot size of 0.8 hectares (2 acres) is required with a maximum lot size of 4 hectares (10 acres). Where it can be demonstrated that the minimum and maximum figures are either deficient or excessive for their purposes due to the physical characteristics of the site such as topography, existing shelterbelts or fence lines, they may be altered at the discretion of the approving authority; and
- (f) There must be a minimum 100m setback from any property line unless a variance has been granted under Section 17 of MR 42/98 by the Director (Manitoba Conservation).
- (6) The subdivision of land for the realignment of farm boundaries around rivers, streams, highways, drains and other features may be permitted if deemed necessary for agricultural purposes.
- (7) Agri-commercial, agri-industrial, commercial, industrial and highway commercial uses should locate in the Settlement Centre Policy Areas and/or Business Policy Areas. However, such uses may be allowed in the Rural Limited Policy Areas or Rural General Policy Areas, subject to provisions in the White Horse Plains Planning District Zoning By-law, and the following criteria:
- (a) They will not conflict with agriculture or the Provincial highway system.
  - (b) They cannot locate in the Settlement Centre Policy Areas due to:
    - (i) their requirement for larger parcels of land;
    - (ii) the lack of suitable sites;
    - (iii) the hazardous nature of or potential nuisance created by associated traffic;
    - (iv) the potential danger to public safety or nuisance from materials associated with the operation of the development; or
    - (v) the operation is a family business being operated from a home property or farm that may be beneficial to the community.
  - (c) The compatibility with surrounding developments in terms of land use function, operational emissions and scale of development.
  - (d) The relationship to Municipal land, rights-of-way or easement regulations.
  - (e) The effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area.
  - (f) The relationship to the documented concerns and opinions of area residents regarding the application.
  - (g) The use is located wherever possible on lower class land.
  - (h) The site is of adequate acreage to meet the needs of the use intended, but is not wasteful of agricultural land.

- (i) Direct access to the Provincial highway system will be discouraged, whereby access to the Provincial highway system should be via the Municipal road system.
  - (j) The use shall not impede the orderly expansion of the Settlement Centre Policy Areas.
  - (k) Water, drainage, sanitary disposal, hydro, telephone and road access can be economically provided.
  - (l) The storage, treatment and discharge of all effluent and emissions and disposal of all waste meeting the approval of the appropriate Provincial government department and the RM Council in which the proposed development is located.
- (8) The Planning District Board or the RM Councils shall work closely with the appropriate Provincial government department in regards to ensuring that the permitting or leasing of Crown land is in accordance with Province of Manitoba regulations and requirements as well as the objectives and policies of the Development Plan.
- (9) New solid waste disposal sites and sewage lagoons shall comply with the following development criteria:
- (a) Sites shall comply with provincial environmental site and design standards.
  - (b) Sites shall not adversely affect the recreational amenities of the area.
  - (c) Sites shall not be located in close proximity to residential areas and other non-compatible uses.
  - (d) Sites shall be designed and operated in such a manner so as to ensure that waste is not scattered onto adjacent properties.
  - (e) Development in the vicinity of sewage lagoons and solid waste disposal sites shall be restricted in order to minimize the potential adverse affects of such uses, subject to the White Horse Plains Planning District Zoning By-law.
- (10) The use of wind turbines for commercial or personal purposes shall be considered conditional use in the White Horse Plains Planning District Zoning By-law as a means to encourage and promote the development of a renewable energy resource that is consistent with the principles and guidelines of sustainable development. Wind turbines shall be compatible with surrounding developments.

Wind turbines for commercial purposes may be located in the Rural General Policy Area and shall:

- (a) have a collective nameplate rating of 0.75 megawatts or greater; and
- (b) be connected to the transmission grid or a local distribution grid.

Wind turbines for personal use may be located in the Rural Policy Areas (ie. Rural General Policy Area, Rural Limited Policy Area or Rural Residential Policy Area) or Business Policy Area.

Wind turbines may be further regulated in the White Horse Plains Planning District Zoning By-law. Where a wind turbine is proposed within the vicinity of a provincial highway, a copy of the proposal shall be sent to the appropriate Provincial government departments for review and comment.

### **2.3.2 Policies – Livestock Operations**

- (1) In recognition of these lands being either prime agricultural lands or lands where agricultural activities and livestock operations are dominant or could be viable on lower class agricultural land, the Rural General Policy Areas as shown on Map 1: Overall Land Use Plan, shall be preserved and protected for a full range of agricultural activities and livestock operations with no maximum size limits subject to meeting provincial government regulations and municipal zoning provisions.
- (2) To avoid land use conflicts with adjacent developments including urban centres and existing and proposed rural residential development, within the Rural Limited Policy Areas as shown on Map 1: Overall Land Use Plan, new or expanding livestock operations shall be allowed to establish to a maximum of 200 animal units.
- (3) The White Horse Plains Planning District Zoning By-law shall apply the following to areas coinciding with Rural General Policy Areas:
  - (a) New or expanding operations to a maximum of 299 animal units shall be allowed as a permitted use in the Agricultural General Zone subject to meeting provincial regulations and municipal zoning provisions.
  - (b) New or expanding operations greater than 299 animal units shall be considered as a conditional use in the Agricultural General Zone subject to meeting provincial regulations and municipal zoning provisions.
  - (c) Notwithstanding 3 (a) and (b) in recognition of existing land use patterns in portions of the RM of St. Francois Xavier, the Planning District Board through the District Zoning By-law may lower the threshold for conditional use applications in the Agricultural General Zone provided sufficient rationale exist, such as proximity to sensitive lands and drainage.

- (4) The White Horse Plains Planning District Zoning By-law shall apply the following to areas coinciding with Rural Limited Policy Areas:
  - (a) New or expanding livestock operations to a maximum of 200 animal units shall be allowed as a conditional use in the Agricultural Limited Zone subject to meeting provincial regulations and municipal zoning provisions.
- (5) Minimum mutual separation distance(s) will be maintained in the Rural Limited Policy Areas and Rural General Policy Areas between new or expanding livestock operations, including confinement facilities and manure storage facilities, and designated Settlement Centre Policy Areas, Rural Residential Policy Areas and Provincial Parks, and those residences not accessory to the livestock operation. These mutual separation distances shall be established in the White Horse Plains Planning District Zoning By-law and shall be fifteen (15) percent higher than the recommended Provincial setback standards for livestock operations which recognizes the semi-rural nature of the communities that also includes urban centres, water bodies and rural residential areas. The White Horse Plains Planning District may, pursuant to *The Planning Act*, vary the mutual separation distance(s) as provided for in White Horse Plains Planning District Zoning By-law.
- (6) Any new or expanding livestock operation in the Rural Limited Policy Areas and Rural General Policy Areas shall be subject to the following development criteria:
  - (a) The livestock operation shall not locate in areas identified by detailed soil survey information at a scale of 1:50,000 or better to have an agricultural capability of Class 6, 7, or unimproved organic soils. In an area identified as Class 6, 7 or unimproved organic soils based on reconnaissance scale mapping, the applicant may be required to submit detailed soil survey for the site acceptable to the Province at a scale of 1:50,000 or better;
  - (b) Disposal of livestock manure and mortalities shall comply with all applicable Provincial statutes and regulations; and
  - (c) Where the livestock operation is within the vicinity of a provincial highway or other designated Crown Lands (i.e. Provincial Park/Protected Area), a copy of the proposal shall be sent to all appropriate/applicable Provincial government departments for review and comment.
- (7) Where an application for a Permitted or Conditional Use approval for a new or expanding livestock operation in the Rural Limited Policy Areas or Rural General Policy Areas is required, the said application shall be accompanied by the following information:
  - (a) A detailed description of the proposed livestock operation.
  - (b) The corporate identity and proof of property ownership.

- (c) A legal description of the land on which the proposed development is to occur, by lot, block, subdivision and registered plan numbers.
  - (d) The owner's (and applicant if different from owner) name, address, signature and interest in the land.
  - (e) A site plan showing the location of housing, storage and other facilities relative to the boundaries of the site.
  - (f) Servicing needs.
  - (g) The appropriate application fee.
- (8) A report on proposed new or expanding livestock operations involving the production of 300 animal units or more is required and shall be prepared by the Technical Review Committee and submitted to the Planning District Board. The said report shall be made available to the public for a minimum of 30 days prior to the date of the Conditional Use hearing.
- (9) For livestock operations less than 300 animal units the Planning District Board may request the Technical Review Committee to prepare a report. This report will also be made available to the public.
- (10) When considering approval of new or expanding livestock operations that require a Conditional Use permit, the White Horse Plains Planning District will consider the following:
- (a) Based on the information provided by the Technical Review Committee:
    - (i) The type (i.e. cattle, hogs, etc.) and size (i.e. the total number of Animal Units, cumulative across the species) of the livestock operation and its location in relation to neighbouring land uses.
    - (ii) Water supply (i.e. its source and consumption levels).
    - (iii) The proposed manure storage system (i.e. earthen lagoon, above ground storage tank, etc).
    - (iv) The proposed manure application strategy (i.e. spreading, injection, etc).
    - (v) The nature of the land base (i.e. soils, crop practice, proximity to surface water, etc).
    - (vi) Provincial guidelines and regulations governing livestock operations.
  - (b) Reports from appropriate provincial review agencies
  - (c) Local resident concerns.
  - (d) The potential impacts generated by the livestock operation on the provincial highway and municipal road systems.
  - (e) The need for a development agreement to be entered into between the proponent and the White Horse Plains Planning District or member

municipalities dealing with the affected property and any contiguous land owned or leased by the owner, on one or more of the following matters:

- (i) the timing of construction of any proposed building,
- (ii) the control of traffic,
- (iii) the construction or maintenance - at the owner's expense or partly at the owner's expense - of roads, traffic control devices, fencing, landscaping, shelter belts or site drainage works required to service the livestock operation,
- (iv) the payment of a sum of money to the White Horse Plains Planning District or member municipalities to be used to construct anything mentioned in subclause (iii) at the expense of the proponent; or
- (v) requiring the covering of manure storage facilities and/or requiring shelterbelts to be established.

### **3.0 Rural Residential Policy Areas**

#### **3.1 Intent**

- (1) The intent of the Rural Residential Policy Areas in the Development Plan is to outline policies that accommodate non-farm rural residential developments as well as related uses in appropriate rural settings.

#### **3.2 Objectives**

- (1) To plan rural residential development in such a manner so as to minimize the effects on agriculture and the Settlement Centre Policy Areas while offering an alternative housing choice to residents.
- (2) To preserve the rural character of the Planning District.
- (3) To ensure that the development of rural residential areas occurs in a logical manner and on an economically sound basis.
- (4) To ensure that proposed developments can be serviced to an appropriate rural standard and in a cost-effective manner with respect to road access, water supply and wastewater disposal.

#### **3.3 Policies**

- (1) The following land uses shall be accommodated in the Rural Residential Policy Areas:
  - (a) Rural residential opportunities such as single-family dwellings and cottage dwellings.
  - (b) Limited recreation and open space uses such as parks, playgrounds and nature trails.

- (c) General agricultural uses such as farming, pasturage, agriculture, apiculture, floriculture, horticulture, non-commercial farms legally operating as of the date of the adoption of this Development Plan.
  - (d) Agri-commercial, agri-industrial uses and highway commercial operations legally operating as of the date of the adoption of this Development Plan.
  - (e) Mobile home parks and subdivisions.
- (2) Rural residential development shall be directed away from prime agricultural land and existing or approved livestock operations.
  - (3) Rural residential development shall be planned in a manner that will not produce unacceptable social or economic costs. The approving authority, planning district and municipal councils will consider the impact of such development on the provision of such public services as schools, school bussing, hydro, telephone, highways, police and fire protection, health care and recreational facilities, snow removal and refuse collection.
  - (4) Rural residential lots shall be of such dimensions so as to maintain the rural character of the land. For un-serviced sites, a suggested minimum lot size of 0.81 hectares (2.0 acres) is recommended with a maximum lot size of 4.0 hectares (10.0 acres). Where it can be demonstrated that the minimum and maximum figures are either deficient or excessive for their purposes due to the physical characteristics of the site such as topography, existing shelterbelts or fence lines, they may be altered at the discretion of the approving authority.
  - (5) Rural residential development shall accommodate adequate drainage, the proper function of a septic field or other acceptable method of domestic effluent disposal, and a potable water supply, pursuant to *The Environment Act, The Public Health Act and The Drinking Water Safety Act*.
  - (6) Proposed developments shall protect or enhance existing treed acreage.
  - (7) It shall be the responsibility of the development proponent to demonstrate that:
    - (a) There is sufficient demand for developed lots to justify the subdivision of land.
    - (b) The proposed development is compatible with existing land uses and natural areas in proximity thereto.
  - (8) Infilling of existing built-up areas shall be encouraged as a means to accommodate new development in order that public services can be efficiently and economically expanded.

- (9) Rural Residential Policy Areas shall not develop on the fringe or periphery of Settlement Centre Policy Areas.
- (10) Mobile home parks and mobile home subdivisions should locate within Settlement Centre Policy Areas. However, such uses may locate outside the boundaries of Settlement Centre Policy Areas in Rural Residential Policy Areas in cases where:
- (a) They will not conflict with agriculture or the provincial highway system; and/or
  - (b) They cannot locate within Settlement Centre Policy Areas due to:
    - (i) Their requirement for larger parcels of land; or
    - (ii) The lack of suitable sites.
- Mobile home parks and mobile home subdivisions shall be regulated by the White Horse Plains Planning District Zoning By-law.
- (11) All new rural residential developments shall comply with the minimum mutual separation distances between new or expanding livestock operations, including barns and manure storage facilities, and those residences not accessory to the operation, pursuant to the White Horse Plains Planning District Zoning By-law. Said mutual separation requirements shall meet the minimum recommended Provincial setback standards for livestock operations. The White Horse Plains Planning District may, pursuant to *The Planning Act*, vary the mutual separation distance(s) as provided for in the White Horse Plains Planning District Zoning By-law.
- (12) All rural residential developments shall comply with all Municipal and Provincial flood protection policies and regulations.

## **4.0 Business Policy Areas**

### **4.1 Intent**

- (1) The intent of the Business Policy Areas in the Development Plan is to outline policies that accommodate general commercial and industrial as well as agri-commercial/industrial and related land uses in appropriate rural settings.

### **4.2 Objectives**

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

### **4.3 Policies**

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

- (ii) A need to provide essential services to highway users.
- (3) The RM Council in which the proposed business development is located shall use the following criteria when considering proposed developments:
- (a) The compatibility with surrounding development in terms of land use function, operational emissions and scale of development;
  - (b) The relationship to Municipal land, rights-of-way or easement regulations;
  - (c) The effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;
  - (d) The use is located wherever possible on lower class land;
  - (e) The site has adequate acreage to meet the needs of the use intended, but is not wasteful of agricultural land;
  - (f) Direct access to the Provincial highway system will be discouraged, whereby access to the Provincial highway system should be via the Municipal road system;
  - (g) Water, drainage, sanitary disposal, hydro, telephone and road access can be economically provided;
  - (h) The storage, treatment and discharge of all effluent and emissions and disposal of all waste meeting the approval of Manitoba Conservation and the RM Council in which the proposed development is located; and
  - (i) Where the development is proposed in the vicinity of a Provincial highway, a copy of the proposal shall be circulated to the appropriate Provincial government department for review and comment.

## **PART 5      ADMINISTRATION**

### **1.0      Basic Implementation Measures**

This section outlines the actions that are required in order to facilitate the overall community growth objectives and development policies of the Development Plan. The Development Plan is based on short and long range policies, regulations and criteria for the area to grow and prosper in a sustainable manner that reflects a diversity of interests and needs. However, a Development Plan does not in itself manage and control development. Rather, it is used in conjunction with other planning controls such as a Zoning By-law, development agreements, and subdivision plans. With this in mind, the policies outlined in the Development Plan will be implemented by the measures and methods provided below.

#### **1.1      Adoption of the Development Plan**

Adoption of this Development Plan by the Planning District Board by By-law will give the plan 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, pursuant to *The Planning Act*. *The Planning Act* also states that adoption of a Development Plan does not require the Planning District Board to undertake any proposal suggested or outlined in the Development Plan.

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. Should it be necessary to amend the Development Plan, the public should be given adequate notice to respond to the proposed changes. *The Planning Act* provides notification procedures for informing the public regarding Development Plan amendments.

#### **1.2      Zoning By-laws**

A major planning tool to implement Development Plans is a Zoning By-law. *The Planning Act* provides that individual municipalities or planning districts can enact a Zoning By-law following the preparation and approval of a Development Plan. A Zoning By-law establishes various Zoning Districts, determines both permitted and conditional uses, and provides details regarding the appropriate development standards and applicable Zoning District regulations. This can include minimum lot sizes, maximum building heights, sign controls, landscaping, and home occupation regulations.

A Development Plan is used as a guide in preparing, amending or varying the regulations of the Zoning By-law. For instance, when dealing with a Zoning By-law amendment, the White Horse Plains Planning District should base its decision on the objectives, policies and development regulations as laid out in the Development Plan. However, the Development Plan outlines a long-term growth strategy and there are situations where the White Horse Plains Planning District may allow the Zoning By-law to reflect current uses and zoning until specific needs or demands change or if land use conflicts arise. Having stated this, any proposed Zoning By-law amendments must be in conformance with the Development Plan.

### **1.3 Subdivision Approvals**

Subdivision is the process of altering legal property boundaries. Most often this involves splitting larger tracts of land into separate legal properties. Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review and approval process involving the member Municipal Council in the Planning District and the Planning District Board, utility companies and certain Provincial government departments. 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 the member Municipal Council in the Planning District and the approving authority. Council or the approving authority may attach conditions to a subdivision approval in accordance with *The Planning Act*.

### **1.4 Concept Plans**

Development Plans primarily deal with general land use and development within the overall community, while concept plans show how specific areas may develop. Concept plans may be required in undeveloped or under-developed areas in the Planning District that are designated for future urban or non-agricultural land uses and are experiencing development pressures, but the landowners have not yet developed a strategy for the long-term development of their properties. Concept plans provide general information dealing with road layout, lot structure, parkland dedication, and servicing and topographical features. Prior to new development taking place in a concept plan area, the landowner or developer has to subdivide his/her land holdings and meet Municipal and Provincial government regulations, including legal and site surveys as well as engineering studies.

### **1.5 Secondary Plans**

Where appropriate, the White Horse Plains Planning District or member municipalities will consider preparing and adopting Secondary Plans as per the requirements of *The Planning Act*. Secondary Plans typically deal with matters pertaining to overall land use

patterns, regional and local infrastructure requirements, regional and local transportation needs, development phasing, recreation, open space and linkage provisions, interface with adjacent land uses, regulatory requirements, and land ownership and cost sharing considerations.

### **1.6 Development Agreements**

The approval of subdivisions and zoning amendments can be conditional on development agreements which will protect the applicant, Planning District and the Municipality. The development agreement on subdivisions may deal with the responsibilities of the applicant and the municipality and/or planning district in providing services to the land in question. A development agreement on a zoning amendment may deal with such issues as the use of the land, the location of buildings on the site, the installation of services and the provision of open space.

### **1.7 Development Permits**

New development generally requires a development permit issued by the Planning District. Before a permit is issued, proposals should be reviewed to determine their conformance with the Development Plan and the White Horse Plains Planning District Zoning By-law.

### **1.8 Development Officer**

The Planning District may authorize its Development Officer to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to the requirements of the White Horse Plains Planning District Zoning By-law.

### **1.9 Conditional Use Approvals**

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

### **1.10 Variation Orders**

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

## **2.0 Additional Measures**

In addition to the measures outlined above, the Planning District may also utilize the measures provided below.

### **2.1 Acquisition and Disposal of Land**

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

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

The member Municipal Councils in the Planning District may 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.

### **2.3 Special Studies**

While the Planning District, including its member Municipalities, wants to encourage growth and development to provide opportunities for its residents, it also wants to ensure that consideration is given to the possible effects of a development proposal. For this reason, development 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 development proposals affected by traffic issues along Provincial highways and Municipal roads, flooding hazards, endangered species, potential for groundwater and surface water pollution, and general risk to health and the environment.

## **2.4 Public Works**

The capital works program and public improvements of the member Municipalities in the Planning District shall 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.

## **2.5 Capital Expenditure Program**

The member Municipal Councils in the Planning District shall consult the Development Plan when revising the annual five-year capital expenditure program.

## **2.6 Strategic Plans for Economic Development**

As outlined in Section 258 of *The Municipal Act*, the member Municipal Councils in the Planning District may adopt a strategic plan for economic development. Strategic plans should be consistent with the Development Plan. The member Municipalities in the Planning District can also consider preparing community vision statements and action plans as part of a community round table process to ensure consistent objectives, policies and programs.

## **2.7 Municipal Cooperation**

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

**Map 1**

**Overall Land Use Plan**