



# STE. ANNE MUNICIPALITY

## BY-LAW #05-2020

BEING a By-Law of the Rural Municipality of Ste. Anne to adopt a Development Plan.

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

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

**NOW THEREFORE**, the Council of the Rural Municipality of Ste. Anne, in meeting duly assembled, enacts as follows:

1. That *The Rural Municipality of Ste. Anne Development Plan By-Law No. 13-2007* and all amendments thereto are hereby rescinded.
2. That the attached development plan, marked as Schedule "A", is hereby adopted and shall be known as: *The Rural Municipality of Ste. Anne Development Plan*.
3. That *The Rural Municipality of Ste. Anne Development Plan* shall take force and effect on the date of the third reading of this by-law.

DONE AND PASSED by the Council of the RM of Ste. Anne, in Council duly assembled in the RM of Ste. Anne, in Manitoba, this <sup>th</sup> day, 2020.

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Paul Saindon  
Reeve

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Jennifer Gilmore, CMMA  
Chief Administrative Officer

Read a first time this 22<sup>nd</sup> day of April, 2020.  
Read a second time this    day of    , 2020.  
Read a third time this    day of    , 2020.

I, Jennifer Gilmore, Chief Administrative Officer for the RM of Ste. Anne, certify that this document is a true copy of By-Law #05-2020 after 1<sup>st</sup> Reading of Council.

Jennifer Gilmore, CMMA

CAO May 4 2020

Chief Administrative Officer RM of Ste. Anne

# **The Rural Municipality of Ste. Anne**

## **Development Plan**

Schedule A to By-law #05-2020

April 2020 – First Reading Copy

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## Part 1: Introduction

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### 1.1 Purpose of the Development Plan

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

### 1.2 Legal Authority and Enabling Regulation

#### *The Planning Act*

*The Planning Act* provides a Council of a municipality with the authority to prepare and adopt a development plan and to perform periodic reviews of an adopted development plan.

Section 42(1) of *The Planning Act* identifies that a development plan must:

- a. set out the plans and policies of the planning district or municipality respecting its purposes and its physical, social, environmental, and economic objectives;
- b. direct sustainable land use and development in the planning district or municipality through maps and statements of objectives;
- c. set out measures for implementing the plan; and
- d. include such other matters as the Minister or Council considers advisable.

#### *The Provincial Planning Regulation*

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

### 1.3 Development Plan Structure

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

## **Part 1: Introduction**

This Part provides the legal framework for the Development Plan, an overview of its structure, and a guide for how it should be used.

## **Part 2: Background Information**

This Part contains key background information about the RM of Ste. Anne that provides a context for land use planning within the Municipality.

## **Part 3: Land Use Issues and Goals**

This Part provides an overview of the issues that have informed the objectives and policies contained in the Development Plan. Goals for future growth and development are provided.

## **Part 4: General Policies**

This Part contains general policies that are applicable to all land use designations identified on Map 1 – General Land Use Map. These policies, which identify and outline the general goals and objectives that guide land use and development, are applicable throughout the Municipality and shall be referenced for all land use and development proposals.

## **Part 5: Rural and Agricultural Policy Areas**

This Part provides objectives and policies to guide land use and development within designated rural and agricultural areas of the Municipality including the: *Agricultural Areas*, *Agricultural Mixed-Use Areas*, *Rural Natural Areas*, *Rural Residential Areas*, and the *Rural Business Areas*. This Part also contains livestock operation policies. Objectives and policies contained within this Part are supported by the land use maps found in the Appendices.

## **Part 6: Settlement Centre Policy Areas**

This Part provides objectives and policies to guide land use and development within the designated *Settlement Centre Areas*. The designated settlement centers include: the LUD of Richer, and the communities of La Coulee, Giroux and Greenland.

## **Part 7: Implementation**

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

## **Appendices**

The Appendices include a land use policy map and reference maps.

# **1.4 How to use the Development Plan**

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

The Development Plan also contains a policy and reference maps. The policy map contained in the Appendix A spatially illustrates the policy areas affected by policy statements. Reference maps are also provided to supplement the policy map by providing additional information for decision-making purposes.

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

### **Step 1**

- Review the Land Use Maps in Appendix A to determine how the subject land is designated;

### **Step 2**

- Review the policies in Parts 5 and 6 in relation to the subject lands current and proposed designation;

### **Step 3**

- Review the general policies in Part 4;

### **Step 4**

- Review the Reference Maps in Appendix B to determine potential future infrastructure improvements on the subject land; and

### **Step 5**

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

## Part 2: Background Information

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### 2.1 Location

The Rural Municipality (RM) of Ste. Anne is located in south eastern Manitoba approximately thirty kilometres southeast of the City of Winnipeg. Ste. Anne is bounded by the RM of Taché on the north, the RM of Reynolds on the east, the RM of La Broquerie on the south and by the RM of Hanover and the RM of Taché on the west.

Two major highways run through the RM of Ste. Anne – Provincial Trunk Highway (PTH) 12 and the Trans-Canada Highway (PTH 1). In addition, many Provincial Roads connect the settlement centres within the RM and Ste. Anne with adjacent municipalities. The most notable of the Provincial Roads is the historic Dawson Road (PR 207). The RM of Ste. Anne is also traversed by the Canadian National Railway (CNR), the Trans-Canada Pipeline and the Seine River.

### 2.2 Physical Environment

The RM of Ste. Anne contains extremely diverse topography. The western and central portion of the RM is predominantly level and of very high agricultural productivity. The majority of this area is cultivated and has long been used for a variety of agricultural purposes. Alternatively, the eastern portion of the Municipality exhibits a transition from a fertile prairie ecosystem to a boreal ecosystem. This portion of the RM is largely wooded, hilly and of low agricultural productivity. A large number of gravel, aggregate and peat deposits are located in this transitional area.

### 2.3 Planning History

As early as 1974, the RM of Ste. Anne established an Advisory Planning Committee to study developmental conditions and concerns within the Ste. Anne. The RM worked toward adopting a Basic Planning Statement in 1979. Background studies were prepared and public meetings were held, however, the Basic Planning Statement was never formally adopted.

The process of adopting a land-use planning document was resurrected in the early 1990's and in 1993 the RM of Ste. Anne adopted *The Rural Municipality of Ste. Anne Development Plan By-law 10-1993*. This by-law was then replaced by *The Rural Municipality of Ste. Anne Development Plan By-law No. 13-2007* which remained in force until 2020. This Development Plan now replaces *By-law No. 13-2007*.

### 2.4 Growth and Development Trends

The Municipality continues to experience population growth as illustrated in Figure 1.0. The municipality grew by 10.96% between 2006 and 2016, from 4,509 residents to 5,003 residents. This growth represents an average annual change of 1.05% per year over a ten-year period. Based on residential supply and demand projections, land has been designated under this Development Plan to allocate 70% of future residential growth to the Municipality's designated *Settlement Centre Areas*, and the remaining 30% of future residential growth the Municipality's designated *Rural Residential Areas*.

**Figure 1.0: RM of Ste. Anne – Population Increase**

Characteristics	RM of Ste. Anne	Manitoba
2016 Population	5,003	1,278,365
2011 Population	4,689	1,208,268
2006 Population	4,509	1,148,401
2001 Population	4,427	1,119,583
1996 Population	4,213	1,113,898

In addition to population gains and residential growth, the agricultural and recreational sectors within the RM of Ste. Anne have also been experiencing growth. The western and central portion of the RM, which had long been a productive and diversified agricultural area, has been experiencing steady growth in the livestock industry.

## Part 3: Land Use Issues & Goals

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The intent of this Development Plan is to identify municipal goals, objectives and policies that will guide future development in the municipality and address major land-use issues. Some issues the RM of Ste. Anne continues to experience are summarized as follows:

### *Sustainable Development*

- Sustainable development has been identified as a priority to inform the objectives and policies of this Plan. Planning sustainably addresses the natural environment, social issues, environmental concerns, socio-economic development potential, fiscal responsibility, and transportation issues. Factors ranging from the location and type of new housing developments, to how wastewater is managed, to how infrastructure improvements are financed, all contribute to the RM of Ste. Anne's level of sustainability and quality of life. Planning sustainably also involves planning for climate change and reducing GHG emissions. Land use decisions directly influence total GHG emissions created which contribute to climate change, and as such, planning can play a vital role ensuring the long-term sustainability of the Municipality. The RM of Ste. Anne has already taken proactive measures to adapt to climate change by initiating a *Climate Change Local Action Plan*, undertaken a self-assessment through the *Climate Adaptation Maturity Scale* developed by the Federation of Canadian Municipalities (FCM), as well as collaborated with Eco-West who has undertaken GHG inventories in 2011 and 2015 for the Municipality.

### *Protection of Agriculture*

- Agriculture is the largest contributor to the municipal economy and an appropriate land use for many rural portions of the municipality. However, the potential for land-use conflict between agricultural and non-agricultural uses will increase as the non-agricultural development in rural areas increases. This plan will identify policies that will ensure existing agricultural producers can continue to conduct their operations and will identify areas for the sustainable future expansion of the agricultural industry. Planning for sustainable agriculture also includes sustainable livestock development practices.

### *Rural Residential Development*

- Much of the increase in population that Ste. Anne has experienced has occurred throughout rural portions of the municipality. Although rural residential development is an appropriate use in certain rural areas, it must be planned so that it does not create land use conflict with the agricultural industry or lead to unplanned requests for municipal services and result in high costs to the municipality. In order to minimize land use conflict and financial burdens on the municipality, this plan will identify existing areas of significant rural-residential development and identify appropriate areas where rural-residential development should be directed in the future.

### *Service Provision*

- All types of development (residential, agricultural and / or commercial) have long-term costs associated with them. By way of school and property taxes, municipal residents are responsible for providing services such as school bussing, waste disposal and public road and ditch maintenance. This plan will contain policies that will encourage sound land use planning to ensure that ratepayers of the municipality will not be unduly

responsible for long-term costs associated with poorly planned development.

#### *Community Development*

- The historical communities of Richer and La Coulee have both experienced growth in recent years. Rural residential areas to the southern end of the Municipality have also experienced growth. Future growth of these communities and rural residential areas shall occur in a manner that demonstrates an efficient use of land and allows for economical provision of public services. This plan will contain goals and objectives that enable and encourage the future growth of these settlement centres.

#### *Environmental Protection*

- The RM of Ste. Anne is reliant on groundwater as its primary source of potable water. The municipality recognizes that groundwater pollution can result from both poorly planned agricultural and residential development. This plan will contain policies to encourage the protection of surface water and groundwater as well as policies that will encourage the municipality to take a leading role in the development of environmentally friendly technologies such as wind farms, solar power and bio-gas production.

#### *Complete Communities*

- Creating complete communities begins with encouraging new residents and businesses to locate in the Municipality's settlement centers of Richer, Giroux, Greenland and La Coulee. Supporting these existing settlement centres means residents will have improved access to services and facilities, travel distances will be reduced, and connections between where residents live, work, shop, and play will be improved. Complete Communities are also active and connected via networks of trails and pathways that provide alternatives to vehicular modes of transportation. Active transportation benefits public health, reduces GHG emissions, and creates more livable communities.

#### *Age-Friendly Communities*

- Planning for and creating age-friendly communities involves respecting, supporting, and planning for residents of all ages and abilities. Ensuring places that are accessible, safe, equitable, and making the appropriate provisions for seniors to age in place are important planning considerations. This Plan includes policies that encourage universal design allowing residents to age-in-place.

#### *Sustainable Economic Growth*

- Sustainable economic growth is dependent on several factors including investment in the regional transportation system, municipal infrastructure, and a nurturing business climate where land is accessible and affordably priced for a variety of business enterprises. This Plan contains policies and a framework that supports economic growth by designating land for commercial and industrial business development.

### 3.1 Planning Goals & Objectives

Recognizing the diversity of land-use issues within the RM of Ste. Anne, this Development Plan intends to be proactive in anticipating land-use and development activities in the Municipality. The development plan will provide direction and guidance to the municipal Council when making decisions on the long-term growth and development of the municipality. Council has identified wide-ranging land-use planning goals and objectives as a foundation for the creation of policies contained within this plan. The goals and objectives of this plan are as follows:

- i. To preserve prime agricultural land for agricultural activities and to direct non-agricultural development to areas where it will have minimal impact on agriculture.
- ii. To identify areas of the municipality where agriculture is the dominant land use and to accommodate sustainable growth in the agricultural industry in these areas.
- iii. To identify areas of existing clusters of rural residential development and identify areas where future rural residential development should be directed.
- iv. To ensure that future development in the municipality follows sound planning principles and occurs in an environmental, economical and sustainable manner.
- v. To strengthen historical communities in the municipality by encouraging urban uses to occur within the boundaries of the communities.
- vi. To provide protection to groundwater and surface water sources and to enable the municipality to be a leader in the development of environmentally friendly technologies.
- vii. To maintain the natural appeal of the countryside.
- viii. To maintain wildlife in the municipality by protecting significant wildlife and wildlife habitats and forested areas.
- ix. To promote communication and co-operation between private land-owners, the public, local government and the Province so as to achieve high standards of conservation practices.
- x. To encourage sustainable economic growth within the Municipality.
- xi. To proactively plan for a changing climate by reducing greenhouse gas emissions.
- xii. To create complete and age-friendly communities that are integrated and connected.

## Part 4: General Policies

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The following general policies apply to all land use designations identified on *Map 1 – General Land Use Map*. These policies, which identify and outline the general goals and objectives that guide land use and development, are applicable throughout the municipality and shall be referenced for all land use and development proposals.

### 4.1 Sustainable Development

- 4.1.1 The Municipality's *Climate Change Local Action Plan* should be used as a point of reference when new development applications or land uses are considered by Council.
- 4.1.2 The use of low-flush toilets, and energy efficient appliances will be encouraged for all new buildings and retrofits to existing structures to conserve water and energy.
- 4.1.3 Building and site configurations are encouraged to take advantage of passive solar orientation.
- 4.1.4 A compact and integrated development pattern that makes provision for a variety of active transportation options will be encouraged for all new development to reduce transportation energy use and reduce GHG emissions.
- 4.1.5 Proposed land use(s) will be developed in a manner that will eliminate or minimize conflicts with adjacent land uses.
- 4.1.6 Compact, connected communities shall be encouraged in order to offer active mobility options for all residents, regardless of age or ability.
- 4.1.7 Universal design measures for all development shall be encouraged in the public and private realms.

### 4.2 Transportation

- 4.2.1 Council shall encourage a safe, convenient, efficient and economical road transportation system to enable the movement of people and goods. The nature and location of development shall take into account the availability of suitable transportation facilities and shall be sensitive to the constraints imposed by the safe and efficient operation of transportation facilities.
- 4.2.2 Council recognizes the importance of all parcels of land having direct access to a public road. All new development in the municipality shall have access to an all-weather road. If a road of sufficient standard is not available, the developer may be required to upgrade an existing municipal road or develop a new road to access the development.
- 4.2.3 When developments involve the construction of new municipal roads, Council may request that a conceptual plan be prepared to illustrate the proposed development in relation to existing and future developments to ensure connectivity and contiguity between the road networks.
- 4.2.4 The Municipality recognizes that PTH 1 (The Trans-Canada Highway) and PTH 12 are important high-speed traffic corridors and will limit access to these highways except at

major points of entry. Commercial uses that primarily serve the travelling public may be permitted to locate adjacent to these highways at appropriate locations, provided that direct access is not required and that the safety and efficiency of the highways are not jeopardized.

- 4.2.5 The Memorandum of Understanding (MOU) between the Municipality and Manitoba Infrastructure entitled “Access Management for PTH 1 and the RM of Ste. Anne”, be used to provide a detailed access management plan to guide and provide a criteria to developers so they understand their responsibilities when proposing development adjacent to PTH 1.
- 4.2.6 When development is bordered on one side by a major transportation corridor such as a highway or railway new development should be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
- 4.2.7 Development that would require new crossings over the Canadian National Railway (CNR) should generally be discouraged. When residential development is proposed for land near the railway, Council may require the developer to allocate a portion of land as a public reserve to provide a buffer between the residences and the railway.
- 4.2.8 New development on lands adjacent to existing active rail corridors in the Municipality should conform to the minimum setbacks required by applicable Provincial or Federal authorities, and taking into consideration the Federation of Canadian Municipalities Rail Association of Canada (FCM RAC) guidelines.
- 4.2.9 Permits must be obtained from Manitoba Infrastructure for developments adjacent to PTH 1 and PTH 12. Permits are required from the applicable Provincial authority for developments adjacent to PR 207, PR 210, PR 302 and PR 311. Development near these highways shall comply with regulations under *The Transportation Infrastructure Act* and shall be guided by the following criteria:
  - a) Development which contributes to the evolution of strip development reliant on numerous direct access to the highway shall not be permitted.
  - b) Development that would have a detrimental impact on the safe operation of the provincial highway system shall not be permitted.
  - c) Development will not be permitted in areas designated for highway widening or expansion unless provisions suitable to the applicable Provincial authority are made to accommodate future widening or expansions.
- 4.2.10 New development should be designed with an integrated network of active transportation infrastructure including pathways, trails and greenspace areas. Wherever possible, trails and pathways should connect to existing active transportation infrastructure.
- 4.2.11 The use of a Provincial Highway shoulder for active transportation uses is not recommended or encouraged.

### **4.3 Utilities**

- 4.3.1 In order to provide necessary services to existing and future development in the

Municipality, public utilities and services (both public and privately owned) that are deemed to be essential by Council, will be permitted in any land use designation. Such uses should be located and developed in a manner that minimizes potential incompatibility with neighbouring land uses.

- 4.3.2 Council shall encourage cooperation and consultation with utilities such as Manitoba Hydro, Bell MTS, Shaw and Centra Gas to ensure that the provision of their services can be provided in an economical and efficient manner.
- 4.3.3 Existing public utility and private utility corridors shall be protected from incompatible or potentially incompatible land uses that may adversely impact their operation.
- 4.3.4 Council shall explore options for inter-municipal service sharing opportunities that would minimize expenditures and benefit the region as a whole.
- 4.3.5 Proponents of developments involving the construction or alteration (extension) of piped water systems or piped sewage collection systems shall meet approval and operational requirements of *The Drinking Water Safety Act* and *The Public Health Act*.
- 4.3.6 Council shall explore and encourage opportunities for the establishment of large-scale wind energy production facilities in the rural portions of the municipality.
- 4.3.7 Council may require new development to provide an on-site supply of water for fire protection purposes.
- 4.3.8 Proponents of development in the vicinity of pipeline infrastructure or right-of-ways must refer all applications to the applicable pipeline authority for review and approval prior to proceeding. Proposed development must comply with all applicable Municipal, Provincial and Federal regulation.

#### **4.4 Environmental Protection**

- 4.4.1 Council recognizes the importance of reducing the emission of greenhouse gases and shall promote the research, development and implementation of technologies that will result in the conservation of non-renewable resources and promote long-term environmental sustainability. Technologies involving wind, solar and bio-gas energy production will be encouraged to establish in the Municipality.
- 4.4.2 Many areas throughout the eastern portion of the municipality are very sparsely populated. Council recognizes that these areas are well suited as locations for large-scale wind energy production operations (or “wind farms”). Such uses will be identified as conditional uses in the Zoning By-law to ensure that adjacent properties are not adversely impacted and municipal objectives are met.
- 4.4.3 Council shall encourage new residential development and agricultural operations to incorporate low impact, environmentally conscious concepts to minimize pollution loads and environmental impacts. These may include the use of water retention ponds and naturally vegetated buffers to reduce nutrient runoff.
- 4.4.4 Council recognizes the importance of protecting pristine areas along the Seine River generally identified as “Environmental Protection Area” on *Map 1: General Land Use*

*Map.* No new development, including the establishment of buildings and / or structures, subdivision or the clear cutting of tree cover and riparian vegetation shall be permitted within 100 feet (30.48 metres) of the Ordinary High Water Mark. These areas should be left in a natural state or only developed for low intensity uses such as open space recreation, grazing, cropping, forestry and wildlife habitat.

- 4.4.5 Council recognizes the importance of The Seine-Rat-Roseau and the Northeast-Red-Watershed Districts and their respective initiatives and is committed to working with the Watershed Districts.
- 4.4.6 All proposed developments adjacent to waterways and water bodies or having the potential to impact waterways and water bodies shall be forwarded to the applicable Provincial and Federal authorities for review.
- 4.4.7 Land shall not be cleared or developed to the waters edge of creeks, streams and lakes. A minimum 49.21 foot (15 metre) wide buffer of undisturbed native vegetation from the ordinary high water mark shall be retained for the protection of the aquatic ecosystem, water quality and provide wildlife cover. Where indicator fish species (walleye, pike, suckers, etc.) are present or the watercourse provides spawning, nursery, feeding or migratory habitat then a 98.42 foot (30 metre) buffer from the ordinary high water mark will be encouraged. Within this 98.42 foot (30 metre) buffer, Water Stewardship recommends shoreline alterations (for pathways, docks, etc.) be no more than 25% of the area.

## **4.5 Hazard Lands – Flooding & Erosion**

- 4.5.1 There should be no development on flood hazard lands. Flood hazard lands include lands subject to flooding, including all lands which would be flooded by the 1:200 year flood, or flood of record, whichever is greater, and lands that are subject to periodic local flooding.
- 4.5.2 Where it is not practical or desirable to restrict development on or near flood hazard lands, the development must be designed to avoid or mitigate potential risk, including:
  - a) No adverse alteration, obstruction, or increase in water flow, flood velocities or flood stages;
  - b) No added risk to life, health, or safety;
  - c) All structures and services are designed to function under hazard conditions – uninterrupted access to parcels subject to flooding must be provided;
  - d) All permanent structures must be located on sites which have been raised with fill to an elevation at least 0.6 m above the 200-year flood level, or the flood of record, whichever is greater as determined in consultation with the province;
  - e) Land which may be eroded away within a 50 year period shall be excluded from development unless it is demonstrated, to the satisfaction of Council, that the erosion process has been halted;

- f) Development shall not be permitted on lands subject to bank instability or slumping; and
  - g) Removal of shoreline vegetation, which can contribute to increased rates of erosion, bank instability, and slumping, shall not be permitted.
- 4.5.3 A hydro-geological investigation or study, or a geotechnical report, completed by a professional engineer licensed to practice in Manitoba, may be required.

## **4.6 Hazardous and Incompatible Land Uses**

- 4.6.1 Hazardous uses refer to facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials. New hazardous use facilities are generally not encouraged within the Municipality. Any contemplated hazardous use should be located outside of the *Settlement Centre Areas* and separated from incompatible uses such as lands or buildings used primarily for human occupation.
- 4.6.2 Hazardous uses should not be located closer to dwellings than mandated in Municipal by-laws, and Provincial and Federal regulations.
- 4.6.3 Where development of a potentially hazardous use is proposed, information may be required relating to the adverse impacts of the use such as the nature of any potential discharges, the nature of outside storage, the compatibility of surrounding land uses, and plans for buffering such activities from adjacent uses and human activities.
- 4.6.4 In order to minimize exposure to the undesirable effects of wastewater stabilization ponds and solid waste disposal sites, development in the vicinity of these facilities will be limited to agricultural, industrial, and specific open space or recreational uses that would not be adversely affected by these facilities. Minimum setbacks from wastewater stabilization ponds and solid waste disposal sites will be established by Provincial Regulation.
- 4.6.5 Incompatible uses such as outdoor gun ranges or archeries should not be located in close proximity to residential uses and shall be listed as Conditional Uses in the Zoning By-law.

## **4.7 Drainage**

- 4.7.1 The Municipality will adhere to Provincial drainage guidelines and work cooperatively with the applicable Provincial authority and adjacent municipalities to address any regional drainage issues.
- 4.7.2 Overall storm drainage plans for undeveloped areas may be required prior to development. Where development may increase storm flows and drainage into the Provincial highway system or the Provincial waterway system, the applicable Provincial authority must provide permission and authorization to drain into these systems. Costs associated with drainage into a Provincial highway drainage system or the Provincial waterway system will be the responsibility of the developer.

## **4.8 Keeping of Animals**

- 4.8.1 Notwithstanding the policies of Part 5, Section 5.6, keeping of animals for personal use
- Part 4: General Policies

may be permitted within the *Rural Residential Areas* and *Settlement Centre Areas*, subject to meeting the requirements of the Zoning By-Law. To ensure these areas maintain their residential character, livestock limits within the *Rural Residential Areas* and *Settlement Centre Areas* will be determined by the number of individual livestock permitted, however, must be under ten (10) Animal Units, and will be specified in the Zoning By-law.

## **4.9 Groundwater and Surface Water**

- 4.9.1 Council recognizes that groundwater and surface water quality can be negatively impacted by poorly situated, poorly developed and incompatible uses. Development will be encouraged to occur in a manner that will ensure surface water bodies and groundwater resources are not adversely impacted by the development.
- 4.9.2 Council shall encourage all livestock producers to provide off-site watering structures and restrict their animals from directly accessing surface water bodies.
- 4.9.3 Agricultural and residential development occurring near significant drains, ditches, rivers or creeks shall be encouraged to maintain a buffer of natural vegetation immediately adjacent to the watercourse to reduce the amount of nitrogen and phosphorus entering the surface water.

## **4.10 Aggregate & Mineral Resources**

- 4.10.1 Areas identified by the applicable Provincial authority as being of “high” or “medium” aggregate resource potential should be protected from incompatible and potentially incompatible land uses that would restrict exploration and development.
- 4.10.2 To minimize the potential for land-use conflict, the applicable Provincial authority will review all development proposals in areas of “high” or “medium” aggregate resource potential (as provided by *The Mines and Minerals Act*).
- 4.10.3 The exploration and development of aggregate resources, and the rehabilitation of all sites used in aggregate extraction, shall be undertaken in a manner that is environmentally safe, does not contaminate the groundwater, and is compatible with adjoining lands.
- 4.10.4 Where a medium or high-quality aggregate deposit is identified and the Crown owns the mineral rights, any conflicting surface use and associated development must be approved by the applicable Provincial authority.

## **4.11 Heritage Resources**

- 4.11.1 Council recognizes the importance in identifying and preserving heritage resources and shall promote the public appreciation for such resources.
- 4.11.2 A Recreation and Culture committee has been formed to identify, commemorate and protect heritage resources. Council shall encourage the protection of heritage resources within the Municipality.

- 4.11.3 The Municipality may request that the Committee, in co-operation with the applicable Provincial authority identify sites with high historic potential to ensure that heritage resources are not lost.
- 4.11.4 Council should give consideration in designating important heritage sites as Municipal Heritage Sites (as provided by *The Heritage Resources Act*).
- 4.11.5 The promotion, designation and preservation of heritage resources should be coordinated with other recreational resources in the area to maximize public awareness and tourism potential.
- 4.11.6 Existing heritage resources should be protected from incompatible land uses that may threaten their integrity and importance.
- 4.11.7 As a condition of approval for a subdivision, development permit or demolition permit, the Council may require the applicant to confirm that a significant heritage resource is not being detrimentally impacted.

## **4.12 Wildlife and Natural Areas**

- 4.12.1 Significant wetlands shall be recognized and afforded protection from degrading uses and proposed developments located near significant wetlands should be forwarded to the applicable Provincial authority for review.
- 4.12.2 Natural areas and habitats shall be protected from incompatible or potentially incompatible uses where:
- a) rare or endangered flora and fauna have received designation and protection under either the *Manitoba Endangered Species Act* or the Federal *Species at Risk Act*;
  - b) Crown lands have received provincial designation, e.g., wildlife management areas and / or protection under the Protected Area Initiative; and
  - c) private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.
- 4.12.3 Council shall encourage the retention of wildlife habitat and riparian vegetation along rivers and streams. Undeveloped government road allowances shall also be left in a natural state to promote species diversity and habitat corridors.
- 4.12.4 Lands adjacent to areas which may be designated for wildlife management or as protected areas should be limited to uses that are compatible with the rural setting.
- 4.12.5 Areas prone to wildlife complaints / depredation (beavers, muskrat, waterfowl) should be recognized and landowners should be encouraged to seek advice and assistance from the applicable Provincial authority in an effort to mitigate damage and costs.

## Part 5: Agricultural and Rural Areas

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The rural portion of the RM of Ste. Anne, as shown on *Map 1 – General Land Use Map*, is categorized into five land-use designations. As certain policies within this Part are applicable to more than one of the five land-use designations, they are identified in more than one of the following sections. This is to provide clarity and clear direction to Council when using this development plan to evaluate development proposals.

### 5.1 Agricultural Areas

Much of the south and western portions of the Municipality contain the most productive agricultural lands. These areas are identified as *Agricultural Areas* on *Map 1 - General Land Use Map*. A wide range of agricultural activities, including grazing, cropping and livestock housing are located in these areas. Agriculture is, and shall remain, the dominant land use in these areas.

#### 5.1.1 Objectives

- 5.1.1.1 To identify areas of prime agricultural lands, viable lower-class lands and existing agricultural operations and to protect these lands for present and future agricultural uses.
- 5.1.1.2 To allow existing livestock operations to continue operating and to provide opportunity for sustainable growth in the livestock industry.
- 5.1.1.3 To provide protection for existing agricultural uses from non-compatible uses and to allow for the sustainable growth of the agricultural industry.
- 5.1.1.4 To ensure that development in the livestock industry is evaluated against setbacks identified in the *Provincial Land Use Policies* and that developments occur in a manner that ensures soil and water protection and minimizes land use conflict.
- 5.1.1.5 To provide for the development of industrial and commercial activities, particularly those that complement the agricultural industry.

#### 5.1.2 Policies

- 5.1.2.1 Agricultural parcels shall be maintained in parcel sizes of generally 80 acres or larger and, the subdivision of land for non-agricultural purposes will be extremely limited in order to minimize potential for land use conflict. Subdivisions should be limited to one per generally 80-acre parcel existing at the adoption of Development Plan By-law #13-2007.
- 5.1.2.2 The subdivision of existing farmstead sites for residential purposes in the *Agricultural Areas* may only be considered based on the following circumstances, and the requirements of the Zoning By-law:
  - a) A single lot subdivision is proposed for a retiring farmer who wishes to subdivide an existing farmstead residence from the agricultural operation

and retain it for retirement purposes. The farmstead residence must have existed for a minimum of 10 years before it may be subdivided.

- b) A single lot subdivision is proposed when a bona fide farmstead site contains a farm residence that is rendered surplus due to the amalgamation of farm operations for purposes of farm enlargement.
- 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.

5.1.2.3 The subdivision of existing farmstead sites for residential purposes as provided for in 5.1.2.2 above shall only be considered and approved if the proposed subdivision generally conforms to the following conditions and criteria:

- a) Only one subdivision per generally 80-acre parcel may be permitted, with the exception of existing river lots of record that may be less than 80 acres and have not yet had a farmstead site subdivided out at the time of adoption of this plan.
- b) The proposed subdivision must contain evidence of at least two of the following features:
  - 1. A habitable farm dwelling;
  - 2. A well for domestic purposes; or
  - 3. A shelter belt or tree bluff;
- c) The proposed subdivision should be directed to tree covered areas or be located within a well-defined and existing mature shelterbelt that forms part of a farmstead site that includes the aforementioned site-defining features, should generally be in the 2 to 10 acre range in terms of site area, and must not be wasteful of agricultural lands;
- d) The proposed subdivision must be capable of accommodating an on-site wastewater management system and have an adequate supply of potable water;
- e) Subdivisions shall not be permitted on lands designated as nutrient management zone N4 (Class 6, 7 or Organic Soils) as per the Nutrient Management Regulation;
- f) Municipal services such as drainage, school busing, and fire protection shall be available to the subdivision site or can be provided without cost to the Municipality;
- g) The proposed subdivision must have legal access to a public road. Direct access to a Provincial highway is discouraged. Access should be via an all-weather municipal road where service improvements and/or extensions are minimized;
- h) The proposed subdivision location shall comply with the mutual separation distances between livestock operations and dwellings;
- i) The proposed subdivision of large agricultural parcels must leave a residual parcel that complies with the minimum site area and width established in the Zoning By-law; and
- j) The proposed subdivision shall not be subject to flooding, erosion or bank instability.

- 5.1.2.4 The subdivision of a single lot subdivision for residential purposes may also be considered if proposed for a parcel that is isolated by a creek, drain, road, or natural land feature and is of a size and shape that makes cultivation of the land physically impractical, subject to compliance with Policy 5.1.2.3 a), d)-j).
- 5.1.2.5 The subdivision of land for the readjustment of farm boundaries affected by rivers, streams, highways, large drains, and other such features may be permitted in the *Agricultural Areas*, if it is deemed necessary to accommodate agricultural practices. Consolidation of titles would be required to ensure no new titles are created.
- 5.1.2.6 The subdivision of land for the readjustment of parcel boundaries, may be permitted in the *Agricultural Areas* where realignments between existing parcels may be required. Such boundary adjustments cannot remove cultivated land from production, cannot create additional titles, cannot be reorganized to create a new residential parcel, and are subject to compliance with the Zoning By-law and other applicable regulations. The consolidation of titles in the *Agricultural Areas* may also be permitted
- 5.1.2.7 The subdivision of specialized agricultural uses may be permitted in the *Agricultural Areas* provided they do not conflict with other policies contained herein. Specialized agricultural uses generally include operations such as tree nurseries, market gardens and other bona fide agricultural operations that do not necessarily require a larger agricultural holding to undertake said uses. These uses may be allowed on land parcels less than the minimum area specified in the Zoning by-law for general agricultural activities. The proponent may be required to submit a proposal that is supported by a business plan or is endorsed as viable by the applicable Provincial agency/department prior to subdivision, and shall be limited to one subdivision per generally 80 acre parcel.
- 5.1.2.8 Within the areas identified as *Environmental Protection Area* along the Seine River as illustrated on *Map 1 - General Land Use Map*, or in other areas deemed to have historic value by the applicable Provincial department or agency, subdivision applicants may be required to reconfigure the proposed subdivision to protect known heritage resources or may be required to undertake a heritage resource impact assessment or similar as a potential condition of subdivision approval.
- 5.1.2.9 To conserve the agricultural and rural land base in the Rural Municipality of Ste. Anne and to minimize public expenditure on servicing and infrastructure, commercial and industrial uses shall be encouraged to locate within areas designated *Settlement Centre Area* if appropriate for an urban area, and to the *Rural Business Area* if not appropriate or suited for an urban area. Certain agriculturally related commercial and industrial uses that require a rural location may be allowed to locate within rural areas. The establishment of such uses may be considered for the following reasons:
- a. Certain industries may need to be near a specific resource or facility (ex. gravel crushing operation near a quarry, etc.);
  - b. The need to separate a specific development from urban areas because of potential danger to public safety or nuisance associated with the operation of the proposed development (ex. anhydrous ammonia storage facility, etc.); and

- c. Agri-commercial or agri-industrial uses that require larger site areas not available in urban areas or uses that would be better suited in an agricultural area. Examples of such uses include, but are not limited to: bulk oil, chemical and fertilizer storage facilities.
  - d. Areas contemplated for uses listed above should adhere to transportation policies identified in Part 4 of the Plan and shall require a re-zoning to an appropriate commercial / industrial zone identified in the Zoning By-law. These uses shall be listed as either permitted or conditional uses. Prior to final approval, site(s) proposed for commercial or industrial development will require, as part of the re-zoning process, a full review by the applicable Provincial department or agency, particularly when adjacent to a Provincial Road or Provincial Trunk Highway. Notwithstanding the aforementioned no new commercial/ industrial areas will be permitted within two (2) miles of the City of Steinbach, based on where the City's boundary existed when Development Plan By-law No. 13-2007 came into force/was approved.
  - e. Uses established under the above policies shall not be subdivided from the parcel on which they are established.
- 5.1.2.10 Home occupations and industries are a viable and important component to the rural community and may be considered under criteria identified in the Zoning By-law. Home occupations should be modest in their size, investment and traffic generation. Should a home occupation increase in scale to a level where it may have an adverse impact on neighbouring land-uses, Council may request that the operator relocate to an alternate site more suited for the use or apply to re-zone the affected parcel to an appropriate commercial or industrial zone. Home occupations and industries established under these provisions may not be subdivided from the parcel on which they are established.
- 5.1.2.11 The removal of topsoil, or other organic surface material on lands designated for agricultural use shall not be permitted unless permitted as per the Zoning By-law. This is not intended to restrict excavation for the purposes of drainage ditches, dikes, road construction, building sites or similar work, or gaining access to aggregate and other quarry minerals.
- 5.1.2.12 Council shall support the protection of soil from wind and water erosion by encouraging the retention of existing, and the development of new, shelterbelts and other conservation measures.
- 5.1.2.13 Uses lawfully established prior to the adoption of this Development Plan, whether agricultural or non-agricultural, should be protected, and new uses may be restricted, or may not be approved where they may conflict with these established uses

## 5.2 Agricultural Mixed-Use Areas

The central and northern portions of the municipality are not well suited for exclusive use by either agricultural or residential activities. These areas are identified as *Agricultural Mixed-Use Areas* on *Map 1 – General Land Use Map*. Various uses are currently located in these areas including limited agricultural uses, livestock operations, and limited large-lot residential development. Agricultural uses are generally limited to grazing and foraging as soils in these areas are generally of poorer quality.

### 5.2.1 Objectives

- 5.2.1.1 To provide for a compatible mixture of rural land uses in areas where no single land use is currently dominant and where soil classifications do not indicate high agricultural capability.
- 5.2.1.2 To allow for limited development in the livestock industry.
- 5.2.1.3 To provide for the creation of small-scale or 'hobby-farming' parcels in areas of low agricultural capability.
- 5.2.1.4 To provide for the development of agri-industrial and agri-commercial activities, particularly those not well suited to being located in an urban setting.

### 5.2.2 Policies

- 5.2.2.1 Within the *Agricultural Mixed-Use Areas*, agricultural parcels shall be maintained in parcel sizes that are generally 80 acres or larger. Subdivisions should be limited to two per generally 80-acre parcel with the exception of existing river lots of record that may be less than 80 acres and have not yet had a farmstead site subdivided out at the adoption of Development Plan By-law #13-2007.
- 5.2.2.2 The subdivision of existing farmstead sites for residential purposes in the *Agricultural Mixed-Use Areas* may be considered based on the following circumstances, and the requirements of the Zoning By-law:
  - a) A single lot subdivision is proposed for a retiring farmer who wishes to subdivide an existing farmstead residence from the agricultural operation and retain it for retirement purposes. The farmstead residence must have existed for a minimum of 10 years before it may be subdivided.
  - b) A single lot subdivision is proposed when a bona fide farmstead site contains a farm residence that is rendered surplus due to the amalgamation of farm operations for purposes of farm enlargement.
  - 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.
- 5.2.2.3 The subdivision of existing farmstead sites for residential purposes as provided for in 5.2.2.2 above should only be considered and approved if the proposed subdivision generally conforms to the following conditions and criteria:

- a) The proposed subdivision must contain evidence of at least two of the following features:
  - 4. A habitable farm dwelling;
  - 5. A well for domestic purposes; or
  - 6. A shelter belt or tree bluff;
- b) The proposed subdivision should be directed to tree covered areas or be located within a well-defined and existing mature shelterbelt that forms part of a farmstead site that includes the aforementioned site-defining features, should generally be in the 2 to 10 acre range in terms of site area, and must not be wasteful of agricultural lands;
- c) The proposed subdivision must be capable of accommodating an on-site wastewater management system and have an adequate supply of potable water;
- d) Subdivisions shall not be permitted on lands designated as nutrient management zone N4 (Class 6, 7 or Organic Soils) as per the Nutrient Management Regulation;
- e) Municipal services such as drainage, school busing, and fire protection shall be available to the subdivision site or can be provided without cost to the Municipality;
- f) The proposed subdivision must have legal access to a public road. Direct access to a Provincial highway is discouraged. Access should be via an all-weather municipal road where service improvements and/or extensions are minimized;
- g) The proposed subdivision location should generally comply with the mutual separation distances between livestock operations and dwellings;
- h) The proposed subdivision of large agricultural parcels must leave a residual parcel that complies with the minimum site area and width established in the Zoning By-law; and
- i) The proposed subdivision shall not be subject to flooding, erosion or bank instability.

5.2.2.4 The subdivision of land for hobby-farm purposes will also be considered on a limited basis, being a maximum of two additional hobby-farm lots being created from each generally 80 acre parcel, or one additional hobby-farm lot if an existing farmstead site has already been subdivided from said generally 80 acre parcel existing at the adoption of Development Plan By-law #13-2007. A hobby-farm is hereby defined as an agricultural use incidental to the main residential use of the parcel, compatible with the density of development, and on which animals can be kept for personal use. The subdivision of land for hobby-farm purposes will be evaluated against the following criteria:

- a) Hobby farm parcels will only be considered on land that is neither prime agricultural land nor viable lower-class land;
- b) Proposed parcels should generally be in the range of 5-10 acres;
- c) The subdivision must not create a potential for land-use conflict with nearby, non-

compatible uses, or with major transportation systems in the Municipality;

- d) New and residuals parcels must be able to have sustainable on-site sewage disposal services provided and must be located where all municipal services (such as all-weather roads, hydro, school bussing, etc.) are available;
- e) The land must be suitable for the use that is proposed; and
- f) Generally, the subdivision must not create the need for an internal street system.

5.2.2.5 The subdivision provisions described in 5.2.2.2 and 5.2.2.4 above may be considered to create a total of no more than two additional lots per generally 80 acre parcel existing at the adoption of Development Plan By-law #13-2007. The provisions described in 5.2.2.2 take priority over those described in 5.2.2.4 when an existing farmstead site exists on the subject property.

5.2.2.6 The subdivision of a single lot subdivision for residential purposes may also be considered if proposed for a parcel that is isolated by a creek, drain, road, or natural land feature and is of a size and shape that makes cultivation of the land physically impractical, subject to compliance with Policy 5.2.2.3 c)-i).

5.2.2.7 The subdivision of land for the readjustment of farm boundaries affected by rivers, streams, highways, large drains, and other such features may be permitted in the *Agricultural Mixed-Use Areas*, if it is deemed necessary to accommodate agricultural practices. Consolidation of titles would be required to ensure no new titles are created.

5.2.2.8 The subdivision of land for the readjustment of parcel boundaries, may be permitted in the *Agricultural Mixed-Use Areas* where realignments between existing parcels may be required. Such boundary adjustments cannot remove cultivated land from production, cannot create additional titles, cannot be reorganized to create a new residential parcel, and are subject to compliance with the Zoning By-law and other applicable regulations.

5.2.2.9 The subdivision of specialized agricultural uses may be permitted in the *Agricultural Mixed-Use Areas* provided they do not conflict with other policies contained herein. Specialized agricultural uses generally include operations such as tree nurseries, market gardens and other bona fide agricultural operations that do not necessarily require a larger agricultural holding to undertake said uses. These uses may be allowed on land parcels less than the minimum area specified in the Zoning by-law for general agricultural activities. The proponent may be required to submit a proposal that is supported by a business plan or is endorsed as viable by the applicable Provincial agency/department prior to subdivision, and shall be limited to one subdivision per generally 80 acre parcel.

5.2.2.10 Within the areas identified as *Environmental Protection Area* along the Seine River as illustrated on *Map 1 - General Land Use Map*, or in other areas deemed to have historic value by the applicable Provincial department or agency, subdivision applicants may be required to reconfigure the proposed subdivision to protect known heritage resources or may be required to undertake a heritage resource impact assessment or similar as a potential condition of subdivision approval.

- 5.2.2.11 Commercial and industrial uses should generally be directed to land within a designated *Settlement Centre* if appropriate for an urban area, and to the *Rural Business Area* if not appropriate or suited for an urban area. Certain agriculturally related commercial and industrial uses that are better suited in rural areas may locate in the *Agricultural Mixed-Use Areas*. Such uses must be zoned accordingly in the Zoning By-law and shall not be subdivided from the parcel on which they are established.
- 5.2.2.12 Large-scale recreational uses that are not well suited to urban areas or require large parcels of land, such as campgrounds, resorts and golf courses, may locate in the *Agricultural Mixed-Use Areas*. Such proposals must not have an adverse impact on adjacent land uses, must be zoned accordingly in the Zoning By-law and have an adequate supply of potable water.
- 5.2.2.13 Home occupations and industries are a viable and important component to the rural community and may be considered under criteria identified in the Zoning By-law. Home occupations should be modest in size, investment and traffic generation. Should a home occupation or industry increase in scale to a level where it may have an adverse impact on neighbouring land-uses, Council may request that the operator relocate to an alternate site more suited for the use or apply to re-zone the affected parcel to an appropriate commercial or industrial zone. Home occupations and industries established under these provisions may not be subdivided from the parcel on which they are established.
- 5.2.2.14 Certain existing rural residential clusters in *Agricultural Mixed-Use Areas* are recognized in the Zoning By-law. Council may consider infill development within such clusters to the maximum allowable density identified in the Zoning By-law provided that the infill development would not negatively impact the expansion potential of nearby agricultural operations (as per *Provincial Land Use Policies* and Zoning By-law setback requirements). Such infill proposals will only be considered in areas currently zoned for rural residential uses. Rural residential development proposals in areas not zoned for such uses shall be directed to the designated *Rural Residential Areas* or shall require an amendment this Development Plan and to the Zoning By-law.
- 5.2.2.15 The removal of topsoil, or other organic surface material on lands designated for agricultural use shall not be permitted unless permitted as per the Zoning By-law. This is not intended to restrict excavation for the purposes of drainage ditches, dikes, road construction, building sites or similar work, or gaining access to aggregate and other quarry minerals.
- 5.2.2.16 Council shall support the protection of soil from wind and water erosion by encouraging the retention of existing, and the development of new, shelterbelts and other conservation measures.
- 5.2.2.17 Uses lawfully established prior to the adoption of this Development Plan, whether agricultural or non-agricultural, should be protected, and new uses may be restricted, or may not be approved where they may conflict with these established uses.

## 5.3 Rural Natural Areas

Many areas in the central and eastern portions of the Municipality are heavily treed and contain low-lying boggy areas or significant wetlands. These areas are identified as *Rural Natural Areas* on *Map 1 – General Land Use Map*. Soils are generally of poor quality and are often organic in nature. Developments in these areas will be limited in their scale and in the nature of the use.

### 5.3.1 Objectives

- 5.3.1.1 To limit both agricultural and residential development in areas where their presence may have a detrimental impact on surface and groundwater quality.
- 5.3.1.2 To conserve and protect important natural areas by preventing the intrusion of incompatible uses.
- 5.3.1.3 To limit development in areas that are poorly drained and in areas that would be difficult to provide with municipal services.
- 5.3.1.4 To encourage the development of environmentally friendly technologies such as wind energy generators in sparsely populated areas.
- 5.3.1.5 To allow for limited residential development in areas of low agricultural capability, that are not low-lying, boggy or wetlands, and can be serviced with onsite wastewater management systems.

### 5.3.2 Policies

- 5.3.2.1 Within the *Rural Natural Areas*, agricultural parcels shall be maintained in parcel sizes that are generally 80 acres or larger. Subdivisions should be limited to two per generally 80-acre parcel and have not yet had a farmstead site subdivided out at the adoption of Development Plan By-law #13-2007.
- 5.3.2.2 The subdivision of existing farmstead sites for residential purposes in the *Rural Natural Areas* may be considered based on the following circumstances, and the requirements of the Zoning By-law:
  - a) A single lot subdivision is proposed for a retiring farmer who wishes to subdivide an existing farmstead residence from the agricultural operation and retain it for retirement purposes. The farmstead residence must have existed for a minimum of 10 years before it may be subdivided.
  - b) A single lot subdivision is proposed when a bona fide farmstead site contains a farm residence that is rendered surplus due to the amalgamation of farm operations for purposes of farm enlargement.
  - 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.
- 5.3.2.3 The subdivision of existing farmstead sites for residential purposes as provided for in 5.3.2.2 above shall only be considered and approved if the proposed subdivision conforms to the following conditions and criteria:

- a) The proposed subdivision must contain evidence of at least two of the following features:
  - 7. A habitable farm dwelling;
  - 8. A well for domestic purposes; or
  - 9. A shelter belt or tree bluff;
- b) The proposed subdivision should be directed to tree covered areas or be located within a well-defined and existing mature shelterbelt that forms part of a farmstead site that includes the aforementioned site-defining features, should generally be in the 2 to 10 acre range in terms of site area, and must not be wasteful of agricultural lands;
- c) The proposed subdivision must be capable of accommodating an on-site wastewater management system and have an adequate supply of potable water;
- d) Subdivisions shall not be permitted on lands designated as nutrient management zone N4 (Class 6, 7 or Organic Soils) as per the Nutrient Management Regulation;
- e) Municipal services such as drainage, school busing, and fire protection shall be available to the subdivision site or can be provided without cost to the Municipality;
- f) The proposed subdivision must have legal access to a public road. Direct access to a Provincial highway is discouraged. Access should be via an all-weather municipal road where service improvements and/or extensions are minimized;
- g) The proposed subdivision location shall comply with the mutual separation distances between livestock operations and dwellings;
- h) The proposed subdivision of large agricultural parcels must leave a residual parcel that complies with the minimum site area and width established in the Zoning By-law; and
- i) The proposed subdivision shall not be subject to flooding, erosion or bank instability.

5.3.2.4 The subdivision of land for hobby-farm purposes will be considered on a limited basis, being a maximum of two additional hobby-farm lots being created from each generally 80 acre parcel, or one additional hobby-farm lot if an existing farmstead site has already been subdivided from said generally 80 acre parcel existing at the adoption of Development Plan By-law #13-2007. A "hobby farm" is hereby defined as an agricultural use incidental to the main residential use of a parcel, compatible with the density of development, and on which animals can be kept for personal use. The subdivision of land for hobby-farm purposes be evaluated against the following criteria:

- a) Hobby farm parcels will only be considered on land that is neither prime agricultural land nor viable lower-class land;
- b) Proposed parcels should generally be in the range of 5-10 acres;
- c) The subdivision must not create a potential for land-use conflict with nearby, non-

compatible uses, or with major transportation systems in the Municipality;

- d) New and residual parcels must be able to have sustainable on-site sewage disposal services provided and must be located where all municipal services (such as all-weather roads, hydro, school bussing, etc.) are available;
- e) The land must be suitable for the use that is proposed; and
- f) Generally, the subdivision must not create the need for an internal street system.

- 5.3.2.5 The subdivision provisions described in 5.3.2.2 and 5.3.2.4 above may be considered to create a total of no more than two additional lots per generally 80 acre parcel existing at the adoption of Development Plan By-law #13-2007. The provisions described in 5.3.2.2 take priority over those described in 5.3.2.4 when an existing farmstead site exists on the subject property.
- 5.3.2.6 The subdivision of a single lot subdivision for residential purposes may also be considered if proposed for a parcel that is isolated by a creek, drain, road, or natural land feature and is of a size and shape that makes cultivation of the land physically impractical, subject to compliance with Policy 5.3.2.3 c)-i).
- 5.3.2.7 The subdivision of land for the readjustment of farm boundaries affected by rivers, streams, highways, large drains, and other such features may be permitted in the *Rural Natural Areas*, if it is deemed necessary to accommodate agricultural practices. Consolidation of titles would be required to ensure no new titles are created.
- 5.3.2.8 The subdivision of land for the readjustment of parcel boundaries, may be permitted in the *Rural Natural Areas* where realignments between existing parcels may be required. Such boundary adjustments cannot remove cultivated land from production, cannot create additional titles, cannot be reorganized to create a new residential parcel, and are subject to compliance with the Zoning By-law and other applicable regulations.
- 5.3.2.9 The subdivision of specialized agricultural uses may be permitted in the *Rural Natural Areas* provided they do not conflict with other policies contained herein. Specialized agricultural uses generally include operations such as tree nurseries, market gardens and other bona fide agricultural operations that do not necessarily require a larger agricultural holding to undertake said uses. These uses may be allowed on land parcels less than the minimum area specified in the Zoning by-law for general agricultural activities. The proponent may be required to submit a proposal that is supported by a business plan or is endorsed as viable by the applicable Provincial agency/department prior to subdivision, and shall be limited to one subdivision per generally 80 acre parcel.
- 5.3.2.10 Within areas deemed to have historic value by the applicable Provincial department or agency, subdivision applicants may be required to reconfigure the proposed subdivision to protect known heritage resources or may be required to undertake a heritage resource impact assessment or similar as a potential condition of subdivision approval.
- 5.3.2.11 Commercial and industrial uses should generally be directed to land within a designated *Settlement Centre Area* if appropriate for an urban area, and to the
- Part 5: Rural Areas

*Rural Business Area* if not appropriate or suited for an urban area. Certain agriculturally related commercial and industrial uses that are better suited in rural areas may locate in the *Rural Natural Areas*. Such uses must be zoned accordingly in the Zoning By-law and shall not be subdivided from the parcel on which they are established.

- 5.3.2.12 Recreational uses that are not well suited to urban areas or require large parcels of land, such as campgrounds, resorts and golf courses, may locate in rural natural areas. Such proposals must not have an adverse impact on adjacent land uses, must be zoned accordingly in the Zoning By-law and have an adequate supply of potable water.
- 5.3.2.13 Home occupations and industries are a viable and important component to the rural community and may be considered under criteria identified in the Zoning By-law. Home occupations and industries should be modest in size, investment and traffic generation. Should a home occupation increase in scale to a level where it may have an adverse impact on neighbouring land-uses, Council may request that the operator relocate to an alternate site more suited for the use or apply to re-zone the affected parcel to an appropriate commercial or industrial zone. Home occupations and industries established under these provisions may not be subdivided from the parcel on which they are established.
- 5.3.2.14 The retention of tree cover shall be encouraged wherever possible to preserve natural habitat and mitigate wind and soil erosion.
- 5.3.2.15 Significant wetland areas, natural wildlife habitat areas, and lands along the edges of waterways in the municipality should be preserved in their natural state.
- 5.3.2.16 Council recognizes the importance of establishing and protecting water retention areas in the municipality and as such, may identify areas as "Water Retention Area" on *Map 1: General Land Use Map*, within the *Rural Natural Areas* designation that have an organic soil classification and may be appropriate for development of such a water retention area.
- 5.3.2.17 Certain existing rural residential clusters in *Rural Natural Areas* are recognized in the Zoning By-law. Council may consider infill development within such clusters to the maximum allowable density identified in the Zoning By-law provided that the infill development would not negatively impact the expansion potential of nearby agricultural operations (as per *Provincial Land Use Policies* and Zoning By-law setback requirements). Such infill proposals will only be considered in areas currently zoned for rural residential uses. Rural residential development proposals in areas not zoned for such uses shall be directed to a designated *Rural Residential Area* or shall require an amendment to this Development Plan and to the Zoning By-law

## 5.4 Rural Residential Areas

Rural residential development can generally be described as non-agricultural residential development in a rural setting often situated on parcels much larger than those found in urban areas. Although there has been a high demand for rural residential parcels in recent years, such development can result in land use conflict when located in predominantly agricultural areas. Residents of rural residential parcels are largely not employed within the agricultural industry and are often not tolerant to common agricultural practices that result in noise, dust or odour. For this reason, Council recognizes the importance of separating agricultural and rural residential uses, and acknowledge that those seeking to live in a rural residential area must accept the noise, odour and dust associated with farm practices, including existing livestock operations within these areas.

Fortunately, much of the existing highest density rural residential development in the municipality is located on areas of low agricultural capability such as the area around Dawson Road between the communities of La Coulee and Richer. These areas and other rural residential areas in the municipality that are not located within productive agricultural areas are identified as *Rural Residential Areas* on *Map 1 - General Land Use Map*.

### 5.4.1 Objectives

- 5.4.1.1 To provide opportunities for infill development and expansion of existing rural residential areas.
- 5.4.1.2 To identify areas for rural residential development that would have a minimal impact on agriculture, resource-related activities, economic sustainability or the environment.
- 5.4.1.3 To ensure rural residential development is located in areas where conflicts between resource and non-resource related uses are minimized.

### 5.4.2 Policies

- 5.4.2.1 Rural residential development shall be designed in a manner that protects natural features such as trees and creeks and shall also provide adequate surface drainage.
- 5.4.2.2 Rural residential development shall provide a parcel size that will preserve the rural character of the area while accommodating onsite wastewater management systems according to appropriate Provincial regulations;
- 5.4.2.3 Rural residential development proposals shall be comprehensively reviewed by the applicable Provincial authority to ensure that sustainable water and sewage disposal is available.
- 5.4.2.4 Council shall explore options for regional wastewater treatment for large-scale rural residential development proposals and for areas with existing high-density rural residential development. For new rural residential developments, such treatment services could be built into costs of the development to ensure that long-term servicing costs are not the responsibility of the Municipality.
- 5.4.2.5 To allow for the potential future servicing of rural residential areas, it is recommended that buildings in the *Rural Residential Areas* be sited on lots to enable the efficient re-

subdivision of land to a higher density and to ensure the economic provision of municipal services at a future date.

- 5.4.2.6 Council shall have the power to enforce building siting, when necessary, via the use of development agreements.
- 5.4.2.7 Council may require proponents of rural residential developments to prepare conceptual plans that identify the long-term layout of their development. Conceptual plans shall illustrate development that would be contiguous and complementary to existing development, internal road connectivity, active transportation linkages, and would not result in excessive servicing costs or be wasteful of land.
- 5.4.2.8 The Municipality may require, at the discretion of Council or the Designated Employee or Officer, a drainage plan prepared by a certified engineer in locations deemed susceptible to overland water retention or high-water table.
- 5.4.2.9 To ensure that the premature subdivision of land does not result in the Municipality being required to provide costly and inefficient services, rural residential development proposals may be evaluated against an inventory of existing undeveloped rural residential parcels in the area. Undeveloped rural residential parcels are not limited to only parcels currently being advertised for sale.
- 5.4.2.10 The infill of existing *Rural Residential Areas* shall take priority over the establishment of new *Rural Residential Areas*.
- 5.4.2.11 Conservation subdivision design or subdivision design that protects the lands natural features or open spaces will be encouraged within the *Rural Residential Areas*. Conservation subdivision designs must comply with all other policies contained within this Development Plan, or deemed equivalent, by Council and the applicable Provincial authorities.
- 5.4.2.12 Rural residential development adjacent to the provincial highway system should be designed in a manner that includes primarily existing municipal roads or proposed internal road networks and generally avoids service road(s) requiring multiple connections onto a provincial road or highway. Direct access to PTH 1 and PTH 12 shall not be permitted. Proponents of new rural residential development may be required to undertake an Access Management Plan and/or a Traffic Impact Study as determined by Council or the applicable Provincial authority.
- 5.4.2.13 New *Rural Residential Areas* shall be directed away from prime agricultural lands, viable lower class lands, and existing or approved agricultural operations, and not located within a flood-prone area, or can be adequately flood proofed and serviced to a rural residential standard without creating environmental or servicing concerns.
- 5.4.2.14 New *Rural Residential Areas* shall not be considered in locations which may impede the orderly expansion of *Settlement Centre Areas* or adjacent urban centres.
- 5.4.2.15 New rural residential development shall comply with the minimum mutual separation distances between new or expanding livestock operations, including barns and manure storage facilities, and those residences not accessory to the operation, pursuant to the Zoning By-law. Said mutual separation requirements shall meet the

minimum recommended Provincial setback standards for livestock operations. The RM of Ste. Anne may, pursuant to *The Planning Act*, vary the mutual separation distance(s) as provided for in the Zoning By-law.

- 5.4.2.16 Rural residential developments which require septic fields for wastewater treatment shall not be permitted on lands designated as nutrient management zone N4 (Class 6, 7 or Organic Soils) as per the Nutrient Management Regulation.
- 5.4.2.17 Home occupations are a viable and important component to the rural community and may be considered under criteria identified in the Zoning By-law. Home occupations should be modest in size, investment and traffic generation. Should a home occupation increase in scale to a level where it may have an adverse impact on neighbouring land-uses, Council may request that the operator relocate to an alternate site more suited for the use or apply to re-zone the affected parcel to an appropriate commercial or industrial zone. Home occupations established under these provisions may not be subdivided from the parcel on which they are established.
- 5.4.2.18 Uses lawfully established prior to the adoption of this Development Plan, whether agricultural or non-agricultural, should be protected, and new uses may be restricted, or may not be approved where they may conflict with these established uses.
- 5.4.2.19 Within the areas identified as *Environmental Protection Area* along the Seine River as illustrated on *Map 1 - General Land Use Map*, or in other areas deemed to have historic value by the applicable Provincial authority such as riparian areas, subdivision applicants may be required to reconfigure the proposed subdivision to protect known heritage resources or may be required to undertake a heritage resource impact assessment or similar as a potential condition of subdivision approval.
- 5.4.2.20 The subdivision of lands designated *Rural Residential Areas* may be considered, provided the new lots conform to the policies above and the requirements of the Zoning By-law.
- 5.4.2.21 The subdivision of land for the readjustment of parcel boundaries that are designated *Rural Residential Areas* may be permitted, subject to compliance with the Zoning By-law, and other applicable regulations.

## 5.5 Rural Business Areas

There are three primary areas within the RM of Ste. Anne where employment uses including commercial and industrial uses have been historically established outside of the designated *Settlement Centre Areas*. The first area is a triangular portion of land defined by the alignment of PTH 12 north of the RM of Hanover boundary. The second is the area in which the RM of Ste. Anne municipal office is located. The third area is located near the junction of PTH 1 and PR 302 to the north of the LUD of Richer. Council recognizes the importance of these employment areas and acknowledges them via designation as *Rural Business Area* in this Plan.

### 5.5.1 Objectives

- 5.5.1.1 To provide areas for employment opportunities within the Municipality.
- 5.5.1.2 To accommodate industrial and business developments in a sustainable manner.
- 5.5.1.3 To acknowledge existing highway commercial, agri-commercial and general industrial uses at strategic locations within the Municipality.
- 5.5.1.4 To encourage industries and businesses with similar characteristics to cluster together to avoid land use incompatibilities within the Settlement Centre Areas and the disruption of the established transportation system.
- 5.5.1.5 To ensure commercial and industrial uses do not negatively impact agriculture, the environment, the Provincial highway network or adjacent uses.

### 5.5.2 Policies

- 5.5.2.1 The following land uses may be accommodated in the *Rural Business Areas* as illustrated on Map 1 – General Land Use Map and subject to the standards of the Zoning By-law:
  - a. Agri-commercial uses such as farm equipment and machinery repair shops, feed and fertilizer supply operations, and agricultural implement sales and service establishments;
  - b. General industrial uses, that require large sites and would not be suitable in an urban setting;
  - c. Limited highway commercial developments that provide services to the travelling public; and
  - d. Existing land uses as of the date of the adoption of this Development Plan.
- 5.5.2.2 To ensure orderly and well integrated rural business development, Council may request that a concept plan be prepared prior to subdivision or development approval for new rural business uses, or expansion to existing uses.

- 5.5.2.3 Appropriate buffers between rural business development and incompatible uses will be required as determined by Council. Buffers may include: fencing, landscaping, green space, or minimum building setbacks.
- 5.5.2.4 Commercial and industrial uses that may cause pollution to land or groundwater shall not be permitted.
- 5.5.2.5 All developments within the *Rural Business Areas* shall not negatively impact Provincial highway infrastructure or its safe operation and shall adhere to the policies of Part 4 Section 4.2 of this Development Plan. As part of the subdivision approval process, Council and/or the Province may require development proponents to prepare traffic impact analysis reports to determine impacts to the provincial highway system and recommend road improvements such as frontage roads, acceleration/deacceleration lanes, etc. to mitigate any anticipated negative roadway impacts. These costs will generally be the responsibility of the development proponent.
- 5.5.2.6 Where development proposals are within the vicinity of a provincial highway, a copy of the proposal should be circulated to the applicable Provincial authority for review and comment. Further development proposed within the controlled areas adjacent to PTHs and PRs requires permits from the approving authority.
- 5.5.2.7 Access to the *Rural Business Areas* should be via municipal road instead of the Provincial highway network.
- 5.5.2.8 If warranted, an engineering report addressing servicing issues and options, environmental concerns and other matters as determined by the Municipality and the applicable Provincial authorities shall be required prior to the approval of any new development within the *Rural Business Areas*.
- 5.5.2.9 The storage, treatment and discharge of all effluent and emissions and disposal of all waste associated with development within the *Rural Business Areas* shall require the approval of Council and/or the applicable Provincial authority.
- 5.5.2.10 The subdivision of lands designated *Rural Business Areas* may be considered provided the new lots conform to the policies above, and the requirements of the Zoning By-law.
- 5.5.2.11 Any expansion to the existing *Rural Business Areas* or designating a new *Rural Business Area* will require a re-designation and amendment to this Plan. New *Rural Business Area*'s shall be directed away from prime agricultural land and viable lower-class land, and existing agricultural operations whenever possible.

## 5.6 Livestock Operation Policies

The RM of Ste. Anne recognizes the important role that agriculture and the livestock industry have on the economic well being of both the municipality and the Province of Manitoba. The RM also recognizes the potential land use conflicts that may arise between the livestock industry and residential, urban, recreation and tourism related uses. To ensure the long term economic and environmental sustainability of the municipality and to minimize the potential for land use conflict, a series of policies including siting requirements for livestock operations in the RM have been identified in this section.

According to *The Planning Act*, a “livestock operation” means a permanent or semi-permanent facility or non-grazing area where at least 10 animal units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities, but does not include an auction mart.

5.6.1 Based on existing residential and agricultural land uses, soil and topographic variability, *Map 1: General Land Use Map* establishes five designations of rural land: *Agricultural Areas*, *Agricultural Mixed-Use Areas*, *Rural Natural Areas*, *Rural Business Areas* and *Rural Residential Areas*. Livestock and livestock operations within these designations shall be guided by the following criteria:

- a. Within areas designated *Agricultural Areas*, the following livestock related uses shall be permitted:
  - i. New and expanding livestock operations may be allowed with no maximum, subject to a favourable report from the Technical Review Committee, where required under Policy 5.6.6.
  - ii. New and expanding livestock operations will be required to meet mutual separation distances from a single residence and designated residential or recreational areas as established in the Zoning By-law, based upon setbacks identified in the *Provincial Land Use Policies*. Minor variations of the setback requirements listed in the Zoning By-law may be considered by Council based on unique circumstances of an individual application.
- b. Within areas designated *Agricultural Mixed-Use Areas*, the following livestock related uses shall be permitted:
  - i. Due to soil capability, topographic variability and residential and recreational land uses within this designation, new livestock operations shall be allowed to establish to a maximum of 150 A.U.
  - ii. So as not to limit existing operators, expansions of existing livestock operations existing at the date of adoption of this By-law may be allowed with no maximum, subject to a favourable review report from the Technical Review Committee, when required under Policy 5.6.5. The Technical Review Committee will not review proposals for operations less than 300 A.U. in size.
  - iii. New and expanding livestock operations will be required to meet

mutual separation distances from a single residence and designated residential or recreational areas as established in the Zoning By-law, based upon setbacks identified in the *Provincial Land Use Policies*. Minor variations of the setback requirements listed in the Zoning By-law may be considered by Council based on unique circumstances of an individual application.

- c. Due to poorer soil capability and topographic variability, no livestock operations shall be permitted to establish nor shall existing livestock operations be permitted to expand within areas designated *Rural Natural Areas*; however, animal housing and the keeping of livestock will be considered on an extremely limited basis subject to the following criterion:
    - i. Fewer than 10 A.U. may be established providing a minimum land base of one acre of land per animal unit is provided.
  - d. No livestock operations shall be permitted to establish nor shall existing livestock operations be permitted to expand within areas designated *Rural Residential Areas* or *Rural Business Areas*.
- 5.6.2 Proponents, owners and operators of livestock operations will be required to develop their facilities and conduct their operations in a manner that minimizes offensive odours and the potential for pollution of soils, groundwater and surface water. All new and expanding livestock operations, may be required, to incorporate the following:
- a. Treed shelter belts surrounding the entire livestock operation facility, including the manure storage facility;
  - b. Confirmation of separation distance and setbacks by a Manitoba Land Surveyor, as established in the Zoning By-law;
  - c. The submission of a copy of the annual manure management plan to the Municipality if required by the applicable Provincial authority accordance with the *Livestock Manure and Mortalities Management Regulation*;
  - d. The availability of adequate owned and leased lands to accommodate application of all manure produced by an operation. Spreading rights should be secured by long-term lease agreements on all manure spread areas not owned by the applicant; and
  - e. The proponent is required to seek all applicable approvals from the applicable Provincial authority prior to any development of the livestock operation.
- 5.6.3 The siting of new operations will require prior approval of Council to ensure that facilities are located to achieve maximum separation distances to adjacent uses and the affected land holding is utilized, as much as possible, as part of this separation.
- 5.6.4 For livestock operations of 300 A.U. and above, the Rural Municipality of Ste. Anne shall contact owners of property, shown on the assessment roll as being within three (3) kilometres of the affected land, or as required by *The Planning Act*, by regular mail, of the proposal to establish a livestock operation. This notice shall also include an opportunity for written comment to be received by Council. Such notice shall be

provided as soon as possible after application is made for a new or expanding livestock operation. The costs of such a mailing may be allocated to the applicant as part of the application fee, as determined by Council.

- 5.6.5 All proposed new and expanding livestock operations within the Agricultural Areas of 300 A.U. and above shall require a review and report by the Technical Review Committee. The Technical Review Committee will not review proposals for operations less than 300 A.U. in size. Due to soil capability, topographic variability and residential and recreational land uses, all expanding livestock operations within the Agricultural Mixed Use-Areas of 150 A.U. and above may require a review and report by the Technical Review Committee. Should this review identify additional specific requirements, these shall be satisfied prior to the issuance of a Development Permit and be included as part of a Development Agreement that may be required by the Municipality.
- 5.6.6 Livestock operations, including expansions to a level of less than 300 A.U. in the *Agricultural Area*, meeting respective setback and separation requirements and receiving Council approval for siting, shall be permitted to establish without the need for a Technical Review. Expanding livestock operations to a level less than 150 A.U. in the *Agricultural Mixed-Use Areas*, meeting respective setback and separation requirements and receiving Council approval for siting, shall be permitted to establish without the need for a Technical Review. Council may consider the one-time minor expansion of livestock operations by 15% when tied to an authorized change to an existing farm building housing livestock as per *The Planning Act*.
- 5.6.7 New and expanding livestock operations of 200 A.U. and above in the *Agricultural Area* shall be listed as a conditional use in the Zoning By-law. New and expanding livestock operations of 80 A.U. and above in the *Agricultural Mixed-Use Area* shall be listed as a conditional use in the Zoning By-law due to soil capability, topographic variability and residential and recreational uses within the designation.
- 5.6.8 New livestock operation facilities located in areas subject to flooding shall be constructed at a suitable level. The applicable Provincial authority issues permits for confined livestock areas and manure storage facilities and will consider flooding issues as part of the issuance of these permits.
- 5.6.9 The siting of a new livestock operation shall maintain a setback of 1000 feet (304.8 metres) from the Ordinary High Water Mark (OHWM) of the Seine River. A setback of 328 feet (100 metres) from other major water bodies / rivers and of all surface watercourses including roadside ditches and drains is required.
- 5.6.10 Livestock operations shall be prohibited on soils with a dry land agricultural capability rating of Class 6, Class 7 and unimproved organic soils based on detailed soil surveys (at a scale of 1:50,000 or better); and
- 5.6.11 To provide additional protection for urban centres, no new livestock operations shall be permitted to establish and no existing livestock operation shall be permitted to expand within any *Settlement Centre* including Giroux, Richer, La Coulee and Greenland nor shall any new livestock operation be permitted to establish within 1000 feet (304.8 metres) of the boundary of the above noted designated centres and the boundary of the Town of Ste. Anne as shown on *Map 1: General Land Use Map*. Expansions of existing livestock operations within 1000 feet (304.8 meters) of the above mentioned

*Settlement Centres* or the Town of Ste Anne shall remain subject to the requirements of this Section.

First Reading Copy

## Part 6: Settlement Centre Areas

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Richer, La Coulee, Giroux and Greenland are identified as *Settlement Centre Areas* on *Map 1 - General Land Use Map*. The largest of the four, the Local Urban District (LUD) of Richer, is located at the eastern end of the municipality immediately south of the Trans-Canada Highway (PTH 1). Richer contains a variety of services catering to both local residents and Trans-Canada Highway traffic. La Coulee is located along Dawson Road (PR 207) immediately east of the Town of Ste. Anne. The historical community has recently experienced a relatively large amount of residential development in and around its boundaries. Both Giroux and Greenland can generally be described as small agricultural service centres. They are located in southern and western ends of the municipality, respectively. The identified *Settlement Centre Areas* are intended to accommodate the majority of the Municipality's future population growth, building on existing investments in services and infrastructure. *Settlement Centre Areas* should develop as complete communities where residents can live, work, and play.

### 6.1 Objectives

- 6.1.1 To promote the settlement centres as the principal locations for new residential as well as a mix of compatible commercial, institutional and light industrial development within the municipality.
- 6.1.2 To encourage the efficient and well-planned growth of the communities taking into account future infrastructure and servicing considerations.
- 6.1.3 To promote development that is compatible with adjacent land uses - both existing and anticipated.
- 6.1.4 To emphasize active transportation as the mode of choice for local trips throughout the *Settlement Centre Areas*.
- 6.1.5 To ensure growth and development within the *Settlement Centre Areas* occurs in a sustainable and efficient manner.

### 6.2 Policies

- 6.2.1 The LUD of Richer has formal boundaries established by Council and recognized by the Province of Manitoba. The boundaries of the LUD shall establish the urban growth limits of Richer. Existing and anticipated residential, commercial, institutional, industrial areas within Richer are identified in the Zoning By-law.
- 6.2.2 The communities of La Coulee, Giroux and Greenland do not have legal boundaries. The urban growth limits of these communities are identified on *Map 1 - General Land Use Map*.
- 6.2.3 Urban uses, such as commercial, light industrial, institutional, and small lot residential, should be directed to the four settlement centres, allowing them to grow as complete communities. An appropriate mix of each of these land uses should be provided for each community to ensure their long-term sustainability.

- 6.2.4 Development within the four communities should be designed to accommodate the efficient and economical provision of piped water and sewer services should these services become available in the future.
- 6.2.5 Until piped services can be provided, development proposals shall be comprehensively reviewed by the applicable Provincial authorities to ensure that sustainable water and sewage disposal is available.
- 6.2.6 Development shall provide a parcel size that will preserve the rural character of the area while accommodating onsite wastewater management systems according to appropriate Provincial regulations;
- 6.2.7 Drainage for new development within the *Settlement Centre Areas* will be designed and constructed to restrict surface water discharge to pre-development flows in accordance with applicable Municipal and Provincial regulations.
- 6.2.8 Infrastructure and services (when available) that are installed within *the Settlement Centre Areas* shall be constructed to the applicable Municipal or Provincial standard.
- 6.2.9 The construction of energy and water efficient buildings shall be encouraged within the *Settlement Centre Areas*.
- 6.2.10 A network of pathways, trails and sidewalks are encouraged to be established within the *Settlement Centre Areas* to create active pedestrian connections. Council may request that this network be established as part of a development application, and this network should connect with existing active transportation infrastructure whenever possible.
- 6.2.11 Infill and the revitalization of existing built-up areas should be encouraged as a means to accommodate new development within the *Settlement Centre Areas*. New infill development should conform to the standards of the Zoning By-law.
- 6.2.12 Conservation subdivision design or subdivision design that protects the lands natural features or open spaces will be encouraged within the *Settlement Centre Areas*. Conservation subdivision designs must comply with all other policies contained within this Development Plan, or deemed equivalent, by Council and the applicable Provincial authorities.
- 6.2.13 A diverse range of housing types and tenures should be integrated into the Settlement Centre Areas to provide housing choices for all stages of life. This includes single-family, two-family or duplex, townhouse and apartment style development including seniors housing in compliance with the standards of the Zoning By-law.
- 6.2.14 A mix of commercial uses shall be encouraged to locate within the Settlement Centre Areas subject to compliance with the standards of the Zoning By-law.
- 6.2.15 Light industrial uses that are contained within a building and do not create the potential for nuisance or land use conflicts shall be encouraged to locate within the Settlement Centre Areas subject to compliance with the standards of the Zoning By-law.
- 6.2.16 Heavy industrial uses that are deemed to create nuisance or conflicts with adjacent lands should be directed to locate at appropriate areas within the Municipality, such as

within the Rural Business Area. These types of uses will be listed as Conditional Uses in the Zoning By-law.

- 6.2.17 Institutional uses such as schools, churches and care facilities may be accommodated in the Settlement Centre Areas, subject to the compliance with Zoning By-law.
- 6.2.18 New development should include parks and open space areas or connect to existing park and open space areas whenever possible. Council may request land dedication or cash-in-lieu for public reserve purposes as part of a development application.
- 6.2.19 A network of parks and open spaces that allow for passive and active recreation opportunities are encouraged within the Settlement Centre Areas.
- 6.2.20 Residential uses should be buffered from adjacent commercial or light industrial uses. Buffers may include fencing, landscaping, green space, or minimum building setbacks.
- 6.2.21 Home occupations and businesses should generally be supported within the Settlement Centre Areas, subject to compliance with the Zoning By-law.
- 6.2.22 Secondary suites or the like should generally be supported within the Settlement Centre Areas, subject to compliance with the Zoning By-law.
- 6.2.23 Flag shaped lots are generally discouraged within the Settlement Centre Areas and shall be addressed at the time of subdivision on a case by case basis.
- 6.2.24 The use of universal design shall be encouraged throughout the *Settlement Centre Areas*, particularly within public areas and spaces.
- 6.2.25 A high-quality design aesthetic is encouraged for all development applications and new construction within the *Settlement Centre Areas*. Council may adopt design guidelines in the future that will be used to assess and review development applications within the *Settlement Centre Areas*.
- 6.2.26 The subdivision of lands designated *Settlement Centre Areas* may be considered provided the new lots conform to the policies above and the requirements of the Zoning By-law.
- 6.2.27 The subdivision of land for the readjustment of parcel boundaries within the designated Settlement Centre Areas may be permitted subject to compliance with the Zoning By-law and other applicable regulations.

## Part 7: Implementation

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The adoption and implementation of this development plan are summarized in this Section.

### 7.1 Adoption, Review and Amendment

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

The Development Plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the Municipality. The Development Plan may be amended at any time when considered appropriate or necessary by Council. *The Planning Act* provides that a Municipality can set out a date by which Council must complete a review of the Development Plan. It is the intent of the RM of Ste. Anne to carry out a review of the Development Plan no later than ten (10) years after the effective date of the previous review.

### 7.2 Zoning By-law

A Zoning By-law is the principal regulatory tool to control land use. It classifies all land within a municipality into specific areas (zones), determines permitted and conditional uses for each zone and identifies specific standards and requirements for all uses.

Following the adoption of this Development Plan, the Municipality will adopt a Zoning By-law that will set out specific requirements and regulations for land use and development that generally conform with goals, objectives and / or policies identified in this development plan (as per Section 68 of *The Planning Act*). Therefore, the development plan serves as a guide when preparing or amending a Zoning By-law.

### 7.3 Secondary Plans

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

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

### 7.4 Conditional Uses

Land uses that are identified as conditional uses in a Zoning By-law will require approval from the municipal Council (as per Section 103(1) of *The Planning Act*). The conditional use approval process will provide Council with the flexibility to review proposals on an individual basis. It will also provide a venue for public input from nearby landowners and allow Council to attach conditions to an approval to ensure that the development occurs in a manner that is acceptable to the municipality and the public. The goals, objectives and / or policies in this plan provide Council with direction when reviewing an application for a conditional use.

## **7.5 Variances**

*The Planning Act* enables Council to issue Variances for the purpose of varying or altering the application of the Zoning By-law (as per Part 6 of *The Planning Act*). Council may attach conditions of approval to a Variance, which could include requiring the applicant to enter into a development agreement with Council in order to maintain the intent and purpose of the Development Plan or Zoning By-law. Council may authorize its designated employee or officer to grant or refuse a minor Variance as set out in *The Planning Act*.

## **7.6 Subdivision Approvals**

Proposals involving the subdivision of land require approval from the municipal Council and will be circulated for comments to affected provincial government departments and utility companies (as per Part 8 of *The Planning Act*). The RM of Ste. Anne Council and the provincial approving authority should only approve a subdivision proposal if it is in accordance with the objectives and policies of this Plan.

## **7.7 Development Agreements**

*The Planning Act* (Sections 135 and 150) provides municipal Council with the ability to enter into a development agreement with a developer to ensure that the applicant is responsible for providing appropriate services to the affected land. A development agreement on a zoning by-law amendment or subdivision approval may address such things as the use of the land, the siting and timing of a proposed development, the provision of services and the allocation of open space.

## **7.8 Development Permits**

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

## **7.9 Development Officer**

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

## **7.10 Acquisition & Disposal of Land**

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

## **7.11 Planning Commission**

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

## **7.12 Adoption of Other By-Laws**

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

## **7.13 Special Studies, Secondary Plans, and Concept Plans**

Development Proponents may be required to undertake and submit special studies, secondary plans, or concept plans as part of the approval process for certain development proposals. Engineering or other professional studies may be required for development proposed for lands affected by natural hazards, endangered species, potential for groundwater or surface water pollution, and general risk to health, the environment, and property. Such plans may be required to include but are not limited to: drinking water management plans, wastewater management plans, infrastructure capacity assessments, geotechnical analysis, environmental assessment and impact analysis, soil suitability analysis, drainage plans, transportation assessments, and impact analysis. Detailed concept or secondary plans may also be required to direct the location, nature, and timing of development in a manner that is consistent with the intent of this Development Plan. In addition to the previously mentioned special studies, Concept Plans can provide information with regard to the following:

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

## **7.14 Public Works**

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

## **7.15 Capital Expenditures**

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

## **7.16 Strategic Plans for Economic Development**

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

## **7.17 Municipal Cooperation**

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

## **Appendices**

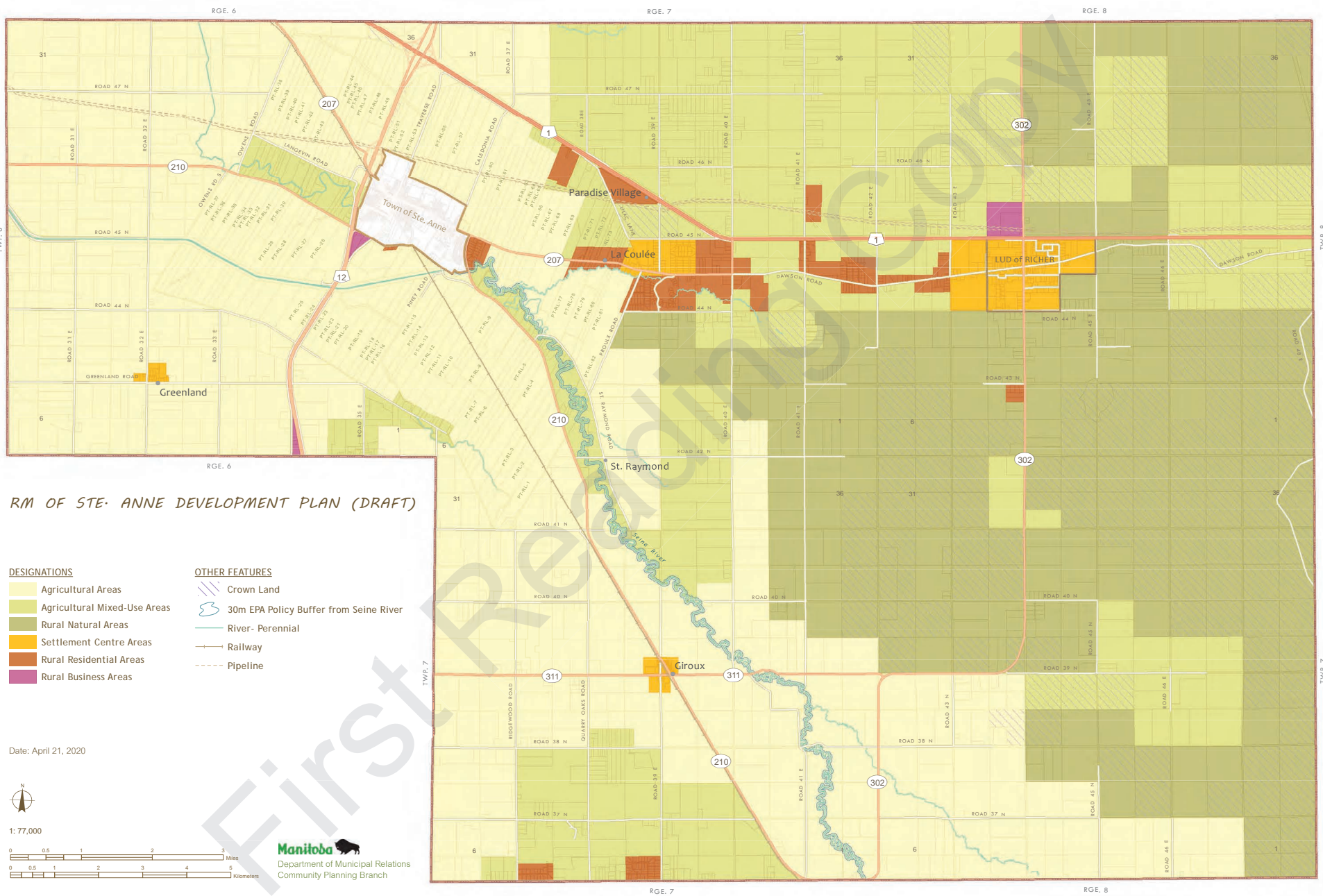
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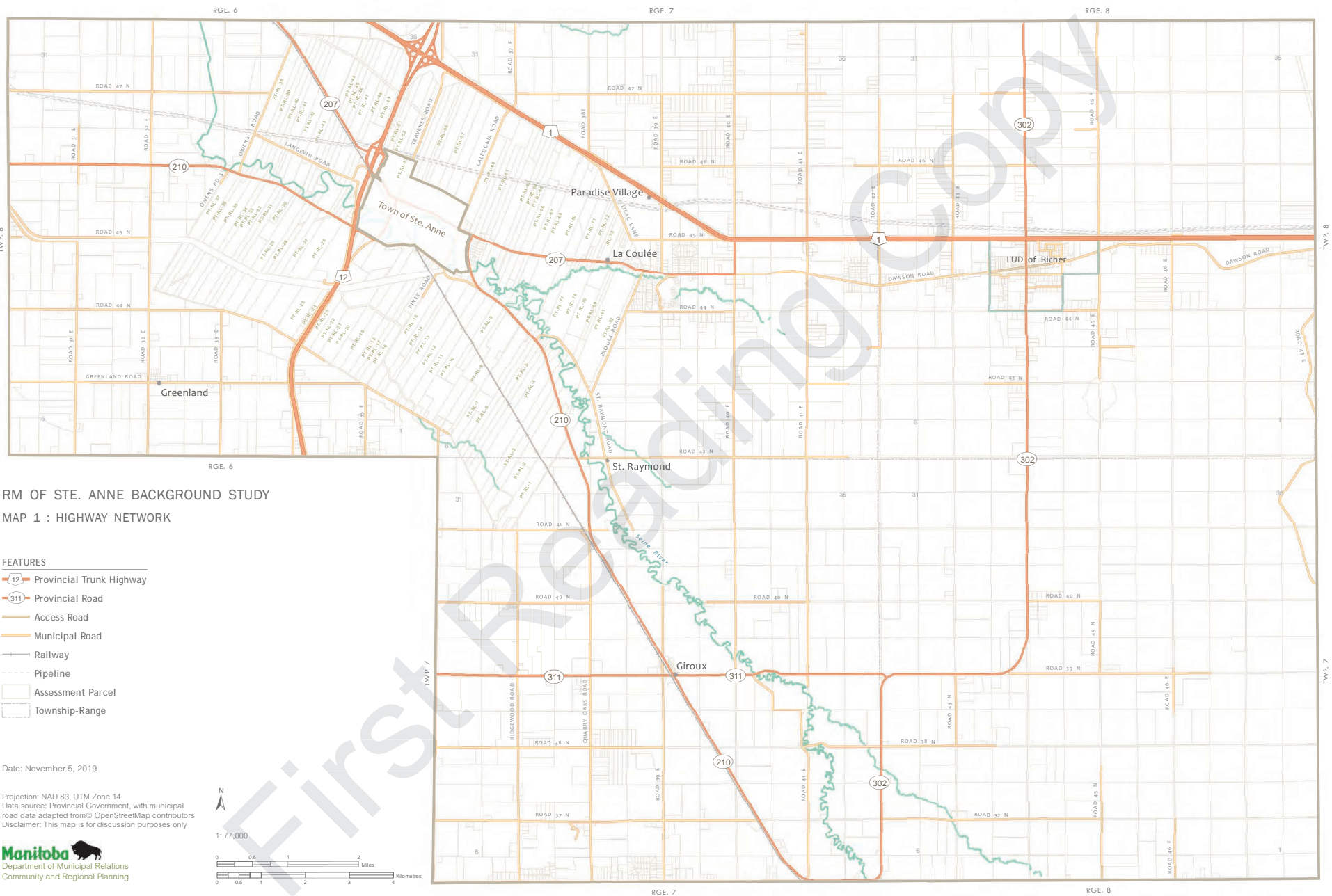
### **Appendix A**

#### **Map 1: General Land-Use Map**

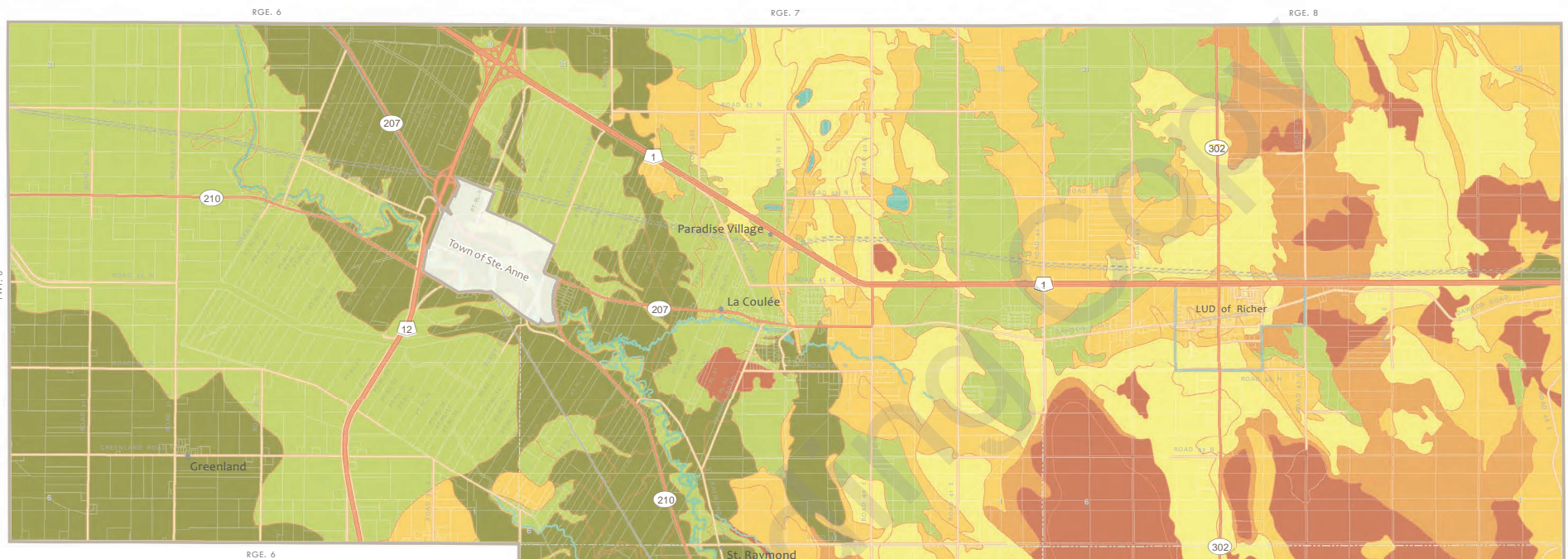
The Land Use Policy Map attached to this Development Plan is intended to provide the outlines of approximate boundaries of land use designations and/or locations thereof. There may be instances where exact boundaries will be determined by land ownership, for example. In these cases, precise boundaries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

#### **Reference Maps**









## RM OF STE. ANNE BACKGROUND STUDY

### MAP 3 : AGRICULTURE CAPABILITY

#### AGRICULTURE CAPABILITY\*

- Class 2 : Moderate limitations
- Class 3 : Moderately severe limitations
- Class 4 : Severe limitations
- Class 5 : Very severe limitations
- Class 6 : Perennial forage crops only
- Organic soils
- Urban, modified or unclassified
- Water

1:50,000 Soil Survey Polygon

#### OTHER FEATURES

- Assessment Parcel (white)
- Township-Range
- Provincial Trunk Highway
- Provincial Road
- Access Road
- Municipal Road
- Railway
- Pipeline
- River-Perennial

Date: November 5, 2019

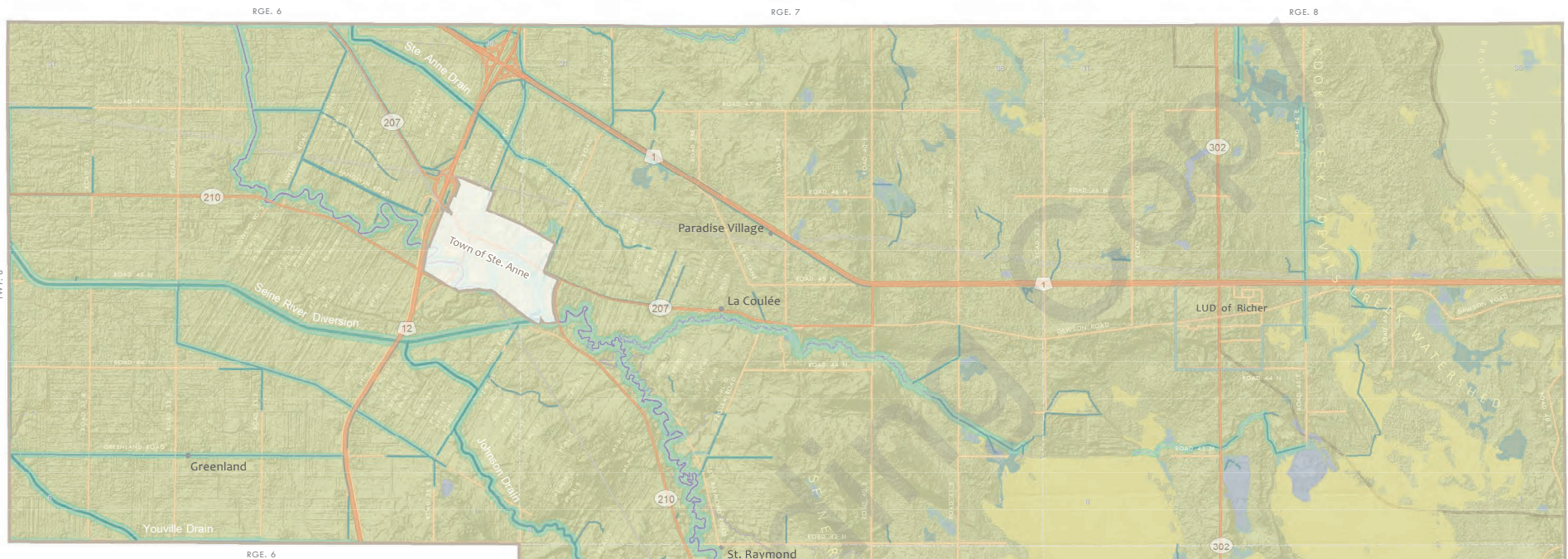
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Community and Regional Planning

\*Showing the dominant agricultural capability class based on available soil survey data - Detailed Soil Survey Report D49: Ste. Anne, La Broquerie, and Part LGD of Stuartburn, Canada Manitoba Soil Survey

1: 77,000



Projection: NAD 83, UTM Zone 14  
Data source: Provincial Government, with municipal road data adapted from © OpenStreet Map contributors  
Disclaimer: This map is for discussion purposes only



## RM OF STE. ANNE BACKGROUND STUDY

### MAP 4 : HYDROLOGY

#### HYDROLOGY FEATURES

Watershed Boundary	<b>DESIGNATED DRAIN</b>	<b>WATERCOURSE</b>
<b>WETLAND</b>	Drain Order 1	Provincial Waterway
Shallow/Open Water	Drain Order 2	Ditch
Marsh	Drain Order 3	River/Stream - Perennial
Swamp	Drain Order 4	River/Stream - Intermittent
Fen		River/Stream - Indefinite

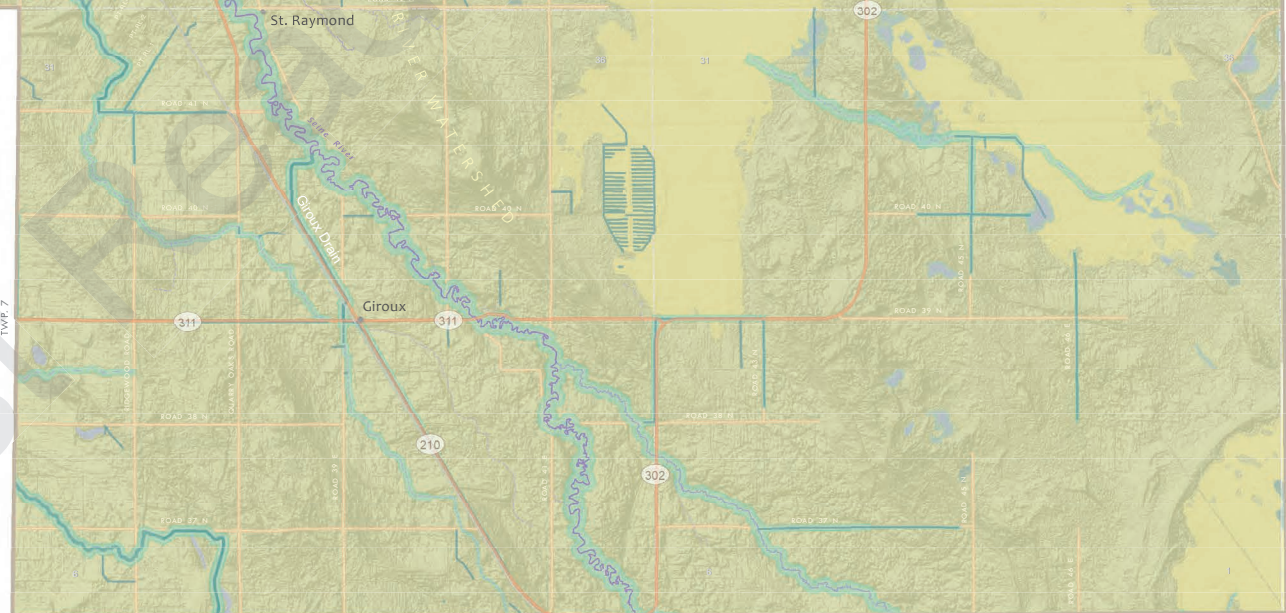
#### OTHER FEATURES

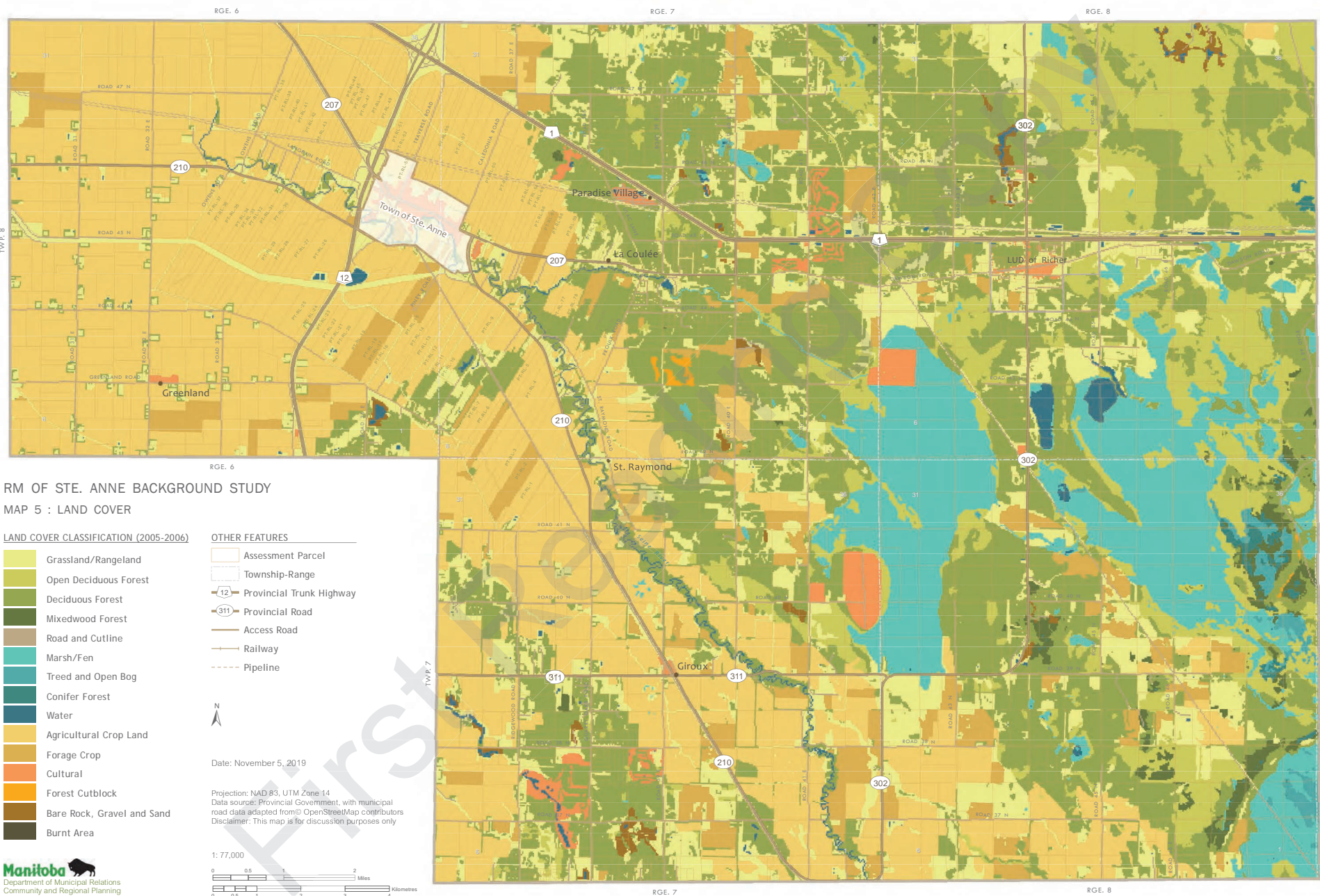
Township-Range	Municipal Road
Provincial Trunk Highway	Railway
Provincial Road	Pipeline
Access Road	

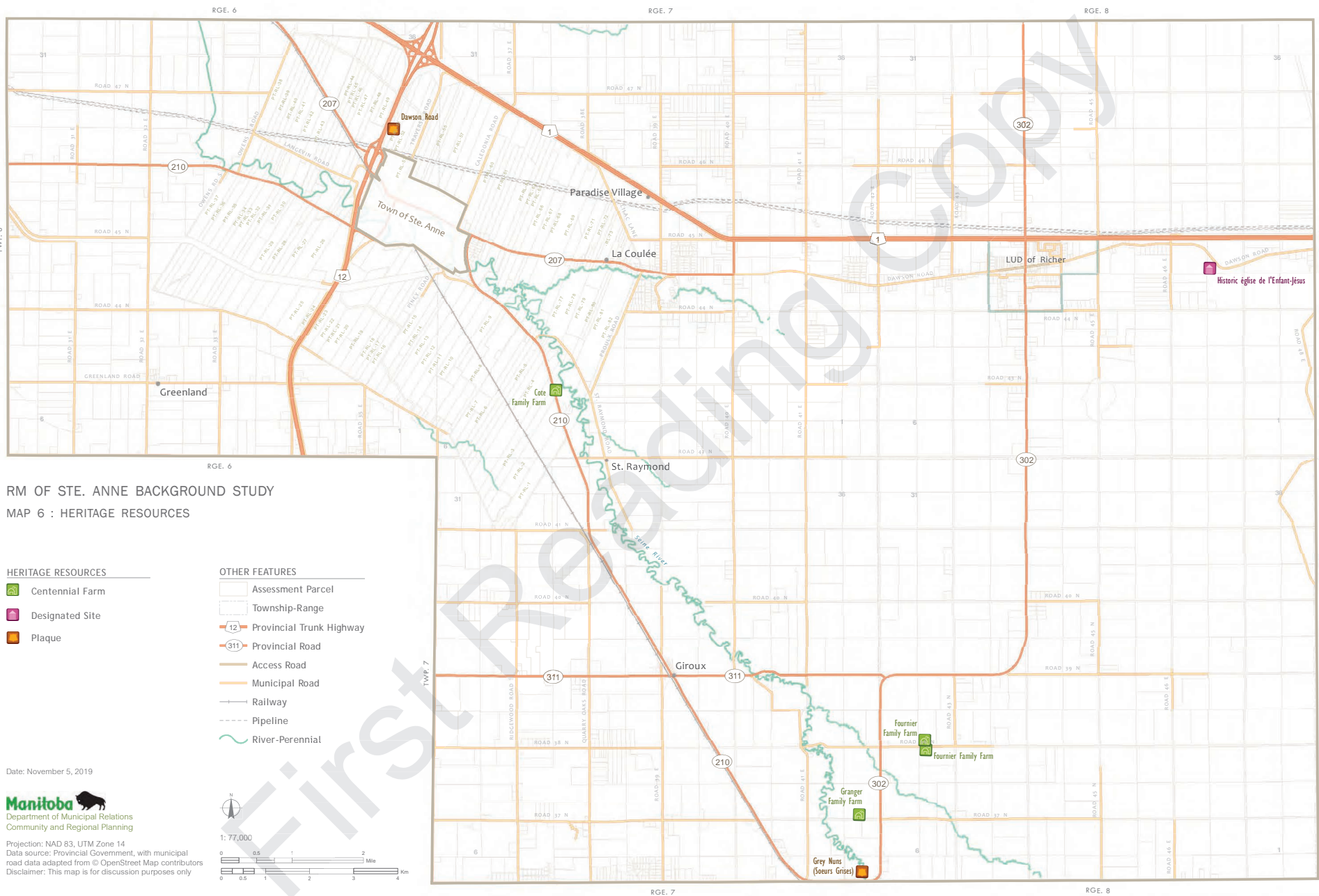
1: 77,000



Date: November 5, 2019







# RM OF STE. ANNE BACKGROUND STUDY MAP 6 : HERITAGE RESOURCES

## HERITAGE RESOURCES

- Centennial Farm
- Designated Site
- Plaque

## OTHER FEATURES

- Assessment Parcel
- Township-Range
- Provincial Trunk Highway
- Provincial Road
- Access Road
- Municipal Road
- Railway
- Pipeline
- River-Perennial

Date: November 5, 2019

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Projection: NAD 83, UTM Zone 14  
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