

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

## **Development Plan**

By-law No. 13-2007

Prepared by: Manitoba Intergovernmental Affairs  
Community Planning Services – Steinbach  
September 2007

## Table of Contents

	page
Part 1: Introduction.....	1
1.1    Legal Authority.....	1
1.2    Purpose of the Development Plan .....	1
Part 2: Background Information.....	2
2.1    Location.....	2
2.2    Physical Environment .....	2
2.3    Planning History .....	2
2.4    Development Trends .....	2
Part 3: Land Use Issues & Goals .....	4
3.1    Planning Goals & Objectives .....	5
Part 4: General Policies .....	6
4.1    Transportation .....	6
4.2    Utilities.....	7
4.3    Environmental Protection.....	7
4.4    Hazard Lands – Flooding & Erosion .....	8
4.5    Groundwater and Surface Water .....	9
4.6    Aggregate & Mineral Resources .....	9
4.7    Heritage Resources.....	10
4.8    Wildlife and Natural Areas .....	10
Part 5: Rural Areas .....	11
5.1    Rural Agricultural Area.....	11
5.1.1    Objectives.....	11
5.1.2    Policies .....	11
5.2    Rural Mixed Use Area.....	13
5.2.1    Objectives.....	13
5.2.2    Policies .....	13
5.3    Rural Natural Area.....	15
5.3.1    Objectives.....	15
5.3.2    Policies .....	15

5.4	Rural Residential Area.....	17
5.4.1	Objectives.....	17
5.4.2	Policies .....	17
5.5	Livestock Operation Policies.....	18
Part 6:	Settlement Centres.....	22
6.1	Objectives.....	22
6.2	Policies .....	22
Part 7:	Implementation.....	23
7.1	Adoption of the Development Plan.....	23
7.2	Zoning By-law.....	23
7.3	Conditional Use Application.....	23
7.4	Subdivision Approvals.....	23
7.5	Development Agreements .....	24
7.6	Review & Amendment .....	24
Appendices	.....	25
Map 1:	General Land-Use Map.....	25

## Part 1: Introduction

---

### 1.1 Legal Authority

*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.

### 1.2 Purpose of the Development Plan

Section 42(1) of *The Planning Act* identifies the purposes of a development as follows:

- (a) *to serve as a framework whereby the planning district or the municipality and the community as a whole may be guided in formulating development policies and decisions;*
- (b) *to identify the factors relevant to the use and development of land;*
- (c) *to identify the critical problems and opportunities concerning the development of land and the social, environmental and economic effects thereof;*
- (d) *to set forth the desired timing, patterns and characteristics of future development of land and to determine the probable social, environmental and economic consequences thereof;*
- (e) *to establish and specify the programs and actions necessary for the implementation of the development plan;*
- (f) *to outline the methods whereby the best use and development of land and other resources in adjacent municipalities, districts, or affected area immediately abutting thereto, may be co-ordinated; and*
- (g) *to identify those matters of government concern which affect the use and development of land and other resources within the district or the municipality.*

## Part 2: Background Information

---

### 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 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*. The Development Plan has received minor amendments and site-specific re-designations but has not undergone a full review.

### 2.4 Development Trends

The RM has also experienced significant population increase in recent years (see Figure 1.0). The LUD of Richer and the communities of Greenland, Giroux and La Coulee have all experienced residential growth. In addition to development within these historic settlement

centres, Ste. Anne has also seen significant population growth in many rural-residential areas and in recreational communities such as Paradise Village and Lake Riviera.

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

Characteristics	RM of Ste. Anne	Manitoba
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, the agricultural and recreational sectors within the RM of Ste. Anne have also been experiencing growth. The western portion of the RM, which had long been a productive and diversified agricultural area, has been experiencing steady growth in the livestock industry. The RM has also experienced a number of golf course, campground and resort-related developments in recent years.

## Part 3: Land Use Issues & Goals

---

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 major issues the RM of Ste. Anne is currently experiencing are summarized as follows:

### *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.

### *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, Giroux, Greenland and La Coulee have all experienced growth in recent years. Future growth of these communities 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.

### **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:

- To preserve prime agricultural land for agricultural activities and to direct non-agricultural development to areas where it will have minimal impact on agriculture.
- 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.
- To identify areas of existing clusters of rural residential development and identify areas where future rural residential development should be directed.
- To ensure that future development in the municipality follows sound planning principles and occurs in an environmental, economical and sustainable manner.
- To strengthen historical communities in the municipality by encouraging urban uses to occur within the boundaries of the communities.
- 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.
- To maintain the natural appeal of the countryside.
- To maintain wildlife in the municipality by protecting significant wildlife and wildlife habitats.
- To promote communication and co-operation between private land-owners, the public, local government and Manitoba Conservation so as to achieve high standards of conservation practices.



## Part 4: General Policies

---

The following policy areas 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 Transportation

- 4.1.1 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.
- 4.1.2 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.
- 4.1.3 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 in the road networks.
- 4.1.4 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.
- 4.1.5 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.
- 4.1.6 Development that would require new crossings over the Canadian National Railway (CNR) shall 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.
- 4.1.7 Permits must be obtained from the Highway Traffic Board for developments adjacent to PTH 1 and PTH 12. Permits are required from Manitoba Infrastructure and Transportation for developments adjacent to PR 207, PR 210, PR 302 and PR 311. Development near these highways shall comply with regulations under *The Highways*

*and Transportation Act and The Highways Protection 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 Manitoba Infrastructure and Transportation are made to accommodate future widening or expansions.

## **4.2 Utilities**

- 4.2.1 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.
- 4.2.2 Council shall encourage cooperation and consultation with utilities such as Manitoba Hydro, MTS Allstream Inc. and Centra Gas to ensure that the provision of their services can be provided in an economical and efficient manner.
- 4.2.3 Existing public utility and private utility corridors shall be protected from incompatible or potentially incompatible land uses that may adversely impact their operation.
- 4.2.4 Council shall explore options for inter-municipal service sharing opportunities that would minimize expenditures and benefit the region as a whole.
- 4.2.5 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*.
- 4.2.6 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 Environmental Protection**

- 4.3.1 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.

- 4.3.2 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.
- 4.3.3 Council shall encourage new residential and agricultural 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.
- 4.3.4 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 250 feet of the Ordinary High Water Mark.
- 4.3.5 Council recognizes the importance of The Seine-Rat River Conservation District and their initiatives with respect to the Seine River watershed and is committed to working with the Conservation District.
- 4.3.6 All proposed developments adjacent to waterways and water bodies or having the potential to impact waterways and water bodies shall be forwarded to Manitoba Water Stewardship (Water Quality Management Section and Fisheries Branch) and Fisheries and Oceans Canada for review.
- 4.3.7 Land shall not be cleared or developed to the water’s edge of creeks, streams and lakes. A minimum 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 30 metre buffer from the ordinary high water mark will be encouraged. Within this 30 metre buffer, Water Stewardship recommends shoreline alterations (for pathways, docks, etc.) be no more than 25% of the area.

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

- 4.4.1 Hazard lands should be left in their natural state and only utilized for low intensity uses such as open space, recreation, grazing or cropping. Hazard lands include:
- a) Lands that would be affected by the 100 year flood or by a recorded flood exceeding the 100 year flood; and
  - b) Lands that would be affected by water erosion within a 50 year period due to the action contained in an adjacent waterway or water body.

- 4.4.2 Activities that would accelerate flooding or erosion levels such as excavating, clearing and diking will not be considered.
- 4.4.3 Council will forward development proposals in suspected hazard lands to Manitoba Conservation and Manitoba Water Stewardship for their review and recommendations prior to consideration.
- 4.4.4 When development is proposed in suspected hazard areas, the applicant may be required to complete professional environmental, geotechnical or hydrological studies that would provide recommendations on preventative and mitigation measures to eliminate or reduce the risk.
- 4.4.5 Any development permitted on or near hazard lands shall be required to build above the 100 year flood elevation (or such other elevation established by Council) and beyond the range of the 50 year erosion period. Development in these areas shall also be required to maintain the natural capability of waterways to convey water flows and be constructed in a manner that would minimize property damage, public expenditures and public safety.

## **4.5 Groundwater and Surface Water**

- 4.5.1 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.
- 4.5.2 Council shall encourage all livestock producers to provide off-site watering structures and restrict their animals from directly accessing surface water bodies.
- 4.5.3 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.

## **4.6 Aggregate & Mineral Resources**

- 4.6.1 Areas identified by Manitoba Industry, Economic Development and Mines 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.
- 4.6.2 To minimize the potential for land-use conflict, Manitoba Industry, Economic Development and Mines will review all development proposals in areas of 'high' or 'medium' aggregate resource potential (as provided by *The Mines and Minerals Act*).

- 4.6.3 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.

## **4.7 Heritage Resources**

- 4.7.1 Council recognizes the importance in identifying and preserving heritage resources and shall promote the public appreciation for such resources.
- 4.7.2 Council shall encourage the formation of a municipal heritage committee to identify, commemorate and protect heritage resources within the municipality and to provide advice on heritage issues.
- 4.7.3 The Municipality may request that the Committee, in co-operation with Manitoba Culture, Heritage and Tourism, identify sites with high historic potential to ensure that heritage resources are not lost.
- 4.7.4 Council should give consideration in designating important heritage sites as Municipal Heritage Sites (as provided by *The Historic Resources Act*).
- 4.7.5 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.
- 4.7.6 Existing heritage resources should be protected from incompatible land uses that may threaten their integrity and importance.
- 4.7.7 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.

## **4.8 Wildlife and Natural Areas**

- 4.8.1 Significant wetlands shall be recognized and afforded protection from degrading uses and proposed developments located near significant wetlands should be forwarded to Manitoba Water Stewardship and Manitoba Conservation for review.
- 4.8.2 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*.
- 4.8.3 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.
- 4.8.4 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.
- 4.8.5 Significant deer wintering areas shall be recognized and afforded protection as follows:
- a) the areas should be zoned for uses compatible with the rural setting and wintering habitat preservation;
  - b) wherever possible, the destruction and clearing of wintering habitat should be avoided; and
  - c) by forwarding proposed developments located near significant wintering areas to Manitoba Conservation for review.
- 4.8.6 Areas prone to wildlife complaints / depredation (beavers, muskrat, waterfowl) should be recognized and landowners should be encouraged to seek advice and assistance from Manitoba Conservation in an effort to mitigate damage and costs.

## Part 5: Rural Areas

---

The rural portion of the RM of Ste. Anne, as shown on *Map 1 – General Land Use Map*, is categorized into four land-use designations. Because certain policies within this Part are applicable to more than one of the four 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 Rural Agricultural Area

Much of the south and western portions of the municipality contain the most productive agricultural lands in the municipality. These areas are identified as *Rural 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. Subdivision in these areas will only be considered:

- a) to create a residential parcel on small, physically fragmented parcels (by watercourses, transportation corridors and utility corridors, etc.) that cannot reasonably be farmed; or
- b) to create a parcel that encompasses the residence and farmstead of a retiring farmer, only if the residual portion is consolidated with an adjacent parcel.

5.1.2.2 When land is being subdivided for circumstances described in the above policy, the resulting parcel must meet the requirements of *Onsite Wastewater Management Systems Regulation* under *The Environment Act*.

5.1.2.3 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'. However, certain 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. Commercial or 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.

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 Department of Transportation and Government Services 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.

5.1.2.4 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 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.



## 5.2 Rural Mixed Use Area

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 *Rural Mixed Use Areas* on *Map 1 – General Land Use Map*. Various uses are currently located in these areas including limited agricultural uses 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 industrial and commercial activities, particularly those not well suited to being located in an urban setting.

### 5.2.2 Policies

- 5.2.2.1 The subdivision of land for non-agricultural purposes will be considered for the following purposes:
  - a) To create a parcel that encompasses the residence and farmstead of a retiring farmer; and
  - b) To create a residential parcel on small, physically fragmented parcels (by watercourses, transportation corridors and utility corridors, etc.) that cannot reasonably be farmed.
- 5.2.2.2 When land is being subdivided for circumstances described in the above policy, the resulting parcels must meet the requirements of *Onsite Wastewater Management Systems Regulation* under *The Environment Act*.
- 5.2.2.3 The subdivision of land for hobby-farm purposes will be considered on a limited basis, being a maximum of two additional hobby farm lots may be created from each title existing at the adoption of this document, subject to the criteria below. 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. Proposals 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 and residual parcels shall 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.

5.2.2.4 Commercial and industrial uses should generally be directed to land within a designated *Settlement Centre* on *Map 1 - General Land Use Map*. However, certain commercial and industrial uses that are better suited in rural areas may locate in these areas. Such uses must be zoned accordingly in the zoning by-law.

5.2.2.5 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 rural 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.

5.2.2.6 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.

5.2.2.7 Certain existing rural residential clusters in *Rural 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 a designated *Rural Residential Area* or shall require an amendment this development plan and to the zoning by-law.

## 5.3 Rural Natural Area

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.

### 5.3.2 Policies

- 5.3.2.1 The subdivision of land for hobby-farm purposes will be considered on a limited basis, being a maximum of two additional hobby farm lots may be created from each title existing at the adoption of this document, subject to the criteria below. 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. Proposals 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 and residual parcels shall 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.
- 5.3.2.2 Commercial and industrial uses should generally be directed to land within a designated *Settlement Centre* on *Map 1 - General Land Use Map*. However, certain commercial and industrial uses that are better suited in rural areas may locate in the *Rural Natural Area*. Such uses must be zoned accordingly in the zoning by-law.
- 5.3.2.3 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.
- 5.3.2.4 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.
- 5.3.2.5 The retention of tree cover shall be encouraged wherever possible to preserve natural habitat and mitigate wind and soil erosion.
- 5.3.2.6 Significant wetland areas, natural wildlife habitat areas, and lands along the edges of waterways in the municipality should be preserved in their natural state.
- 5.3.2.7 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 designation that have an organic soil classification and may be appropriate for development of such a water retention area.
- 5.3.2.8 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 Area**

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.

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 or the environment.
- 5.4.1.3 To ensure that future rural residential development will not have a negative impact on the long-term environmental or economic sustainability of the municipality.

### **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 proposals shall be comprehensively reviewed by Manitoba Conservation and Manitoba Water Stewardship to ensure that sustainable water and sewage disposal is available.
- 5.4.2.3 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.
- 5.4.2.4 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, would not result in excessive servicing costs and would not be wasteful of land.

- 5.4.2.5 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.
- 5.4.2.6 The infill of existing *Rural Residential Areas* shall take priority over the establishment of new *Rural Residential Areas*.
- 5.4.2.7 Rural residential development adjacent to the provincial highway system should be designed in 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.
- 5.4.2.8 New *Rural Residential Areas* shall be directed away from prime agricultural lands, viable lower class lands and existing or approved agricultural operations.

## 5.5 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.

- 5.5.1 Based on existing residential and agricultural land uses, soil and topographic variability, *Map 1: General Land Use Map* establishes four designations of rural land: *Rural Agricultural Area*, *Rural Mixed Use Area*, *Rural Natural Area* and *Rural Residential Area*. Livestock and livestock operations within these designations shall be guided by the following criteria:
  - a. Within areas designated *Rural Agricultural Area*, the following livestock related uses shall be permitted:

- i. New and expanding livestock operations shall be allowed with no maximum, subject to a favourable report from the Technical Review Committee, where required under Policy 5.5.6.
  - 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 *Rural Mixed Use Area*, 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 shall be allowed with no maximum, subject to a favourable review report from the Technical Review Committee, when required under Policy 5.5.6.
  - 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 Area*; 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 Area*.

- 5.5.2 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, as of the date of the adoption of this Plan, may be required, at Council's discretion, to incorporate the following:
- a. Treed shelter belts surrounding the entire livestock operation facility, including the manure storage facility;
  - b. Confirmation of separation distances, setbacks by a Manitoba Land Surveyor, if determined necessary by Council;
  - c. The submission of a copy of the annual manure management plan to the Municipality if required by Manitoba Conservation in 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 Manitoba Conservation prior to any development of the livestock operation.
- 5.5.3 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.
- 5.5.4 For new and expanding livestock operations between 80-299 A.U., the Rural Municipality of Ste. Anne shall contact owners of property, shown on the assessment roll as being within one and a half (1.5) kilometres of the affected land, by regular mail, of the proposal to establish or expand 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.
- 5.5.5 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.
- 5.5.6 All proposed new and expanding livestock operations within the *Rural Agricultural Area*



of 300 A.U. and above shall require a review and report by the Technical Review Committee. Due to soil capability, topographic variability and residential and recreational land uses, all expanding livestock operations within the *Rural Mixed Use Area* 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.

- 5.5.7 Livestock operations, including expansions to a level of less than 300 A.U. in the *Rural 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 *Rural Mixed Use 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.
- 5.5.8 New and expanding livestock operations of 200 A.U. and above in the *Rural 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 *Rural 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.
- 5.5.9 New livestock operation facilities located in areas subject to flooding shall be constructed at a suitable level. Manitoba Conservation issues permits for confined livestock areas and manure storage facilities and will consider flooding issues as part of the issuance of these permits.
- 5.5.10 The siting of a new livestock operation shall maintain a setback of 304.8 metres (1000 feet) from the Ordinary High Water Mark (OHWM) of the Seine River. A setback of 100 metres (328 feet) from other major water bodies / rivers and of all surface watercourses including roadside ditches and drains is required.
- 5.5.11 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
- 5.5.12 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 measured from the “Urban Buffer Line” of the above noted centres and the Town of Ste. Anne as shown on *Map 1: General Land Use Map*. Expansions of existing livestock operations within 1000 feet measured from the “Urban Buffer Line” shall remain subject to the requirements of this Section.

## Part 6: Settlement Centres

---

Richer, La Coulee, Giroux and Greenland are identified as *Settlement Centres* 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 Parish 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.

### 6.1 Objectives

- 6.1.1 To promote the settlement centres as the principal locations for new residential development in 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.

### 6.2 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, institutional, and small lot residential, should be directed to the four settlement centres. 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 Manitoba Conservation and Manitoba Water Stewardship to ensure that sustainable water and sewage disposal is available.

## **Part 7: Implementation**

---

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

### **7.1 Adoption of the Development Plan**

The adoption of this development plan by the RM of Ste. Anne municipal Council will give the plan legal authority. The adoption of this development plan involves repealing *The Rural Municipality of Ste. Anne Development Plan, By-law 10-1993* and all subsequent amendments to By-law 10-1993.

Once the plan is adopted, a proposed development or change in land use will be evaluated against this plan and no development or change in land use may proceed that is inconsistent with goals, objectives and / or policies contained in this plan.

### **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 Conditional Use Application**

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.

### **7.4 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.

## **7.5 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.

## **7.6 Review & Amendment**

This development plan is not intended to be a static document. Section 43 of *The Planning Act* provides that a development plan may set out the date by which the council must complete a review under Section 59(1)(a). This development plan shall be formally reviewed no more than 10 years from the date of adoption – and revised if necessary – to determine if it is effectively achieving municipal land use goals and if it is adequately responding to evolving land uses and land use pressures throughout the municipality.

## **Appendices**

---

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