



BROKENHEAD RIVER PLANNING DISTRICT **DEVELOPMENT PLAN**

By-law No. 181-23

BROKENHEAD RIVER PLANNING DISTRICT

Development Plan By-law No. 181-23

WHEREAS Section 40(1) of *The Planning Act*, being C.C.S.M. c. P80 of the Statutes of Manitoba, directs a Planning District to prepare a Development Plan for the entire District;

AND WHEREAS Section 45 of *The Planning Act* requires a Board to adopt a Development Plan;

AND WHEREAS pursuant to the provisions of Section 51 of *The Planning Act*, the Minister of Municipal Relations approved the Brokenhead River Planning District Development Plan By-law No. 181-23 on the 18th of September 2024.

NOW, THEREFORE, the Board of the Brokenhead River Planning District, in meeting duly assembled, enacts as follows:

1. The Development Plan, attached hereto and forming part of this By-law as Schedule A, is hereby adopted, and known as the Brokenhead River Planning District Development Plan By-law No. 181-23.
2. This Development Plan shall take force and effect on the date of third reading of this By-law.
3. The Brokenhead River Planning District Development Plan By-law No. 138-09 and all amendments thereto are hereby rescinded.

DONE AND PASSED on this 18th day of September 2024.



Luke Ingeberg, Chair



Stacey Breton, Development Officer

READ A FIRST TIME this 22nd day of November 2023.

READ A SECOND TIME this 15th day of May 2024.

READ A THIRD TIME this 18th day of September 2024.

**CERTIFIED TO BE A TRUE AND CORRECT
COPY OF RESOLUTION NO.087-24 OF
THE BROKENHEAD RIVER PLANNING
DISTRICT DATED SEPTEMBER 18, 2024.**

CONTENTS

PART ONE: INTRODUCTION **6**

1. Development Plan Overview.....	6
1.1. Purpose & Intent	6
1.2. Enabling Legislation	6
1.3. Planning Context	7
1.4. Summary of Planning Process.....	8
1.5. Organization of the Development Plan.....	8
1.6. Using & Interpreting the Development Plan	9
2. Municipal Context	10
2.1. Development Plan Area.....	10
2.2. Local History.....	10
2.3. Current Trends & Conditions.....	11
2.4. Key Issues & Considerations.....	15
3. Vision & Principles.....	16
3.1. Vision.....	16
3.2. Principles	16

PART TWO: GENERAL OBJECTIVES & POLICIES **18**

4. Healthy, Resilient & Sustainable Communities.....	18
4.1. Objectives	18
4.2. Policies	18
5. Hazardous Areas & Uses.....	22
5.1. Objectives	22
5.2. Policies	22
6. Natural Areas, Environmental Conservation & Outdoor Recreation.....	25
6.1. Objectives	25
6.2. Policies	25
7. Water Resources.....	28
7.1. Objectives	28
7.2. Policies	28
8. Mineral Resources	31
8.1. Objectives	31
8.2. Policies	31
9. Culture & Heritage.....	33
9.1. Objectives	33
9.2. Policies	33

10.	Transportation & Mobility.....	34
10.1.	Objectives	34
10.2.	Policies	34
11.	Utilities & Municipal Services.....	38
11.1.	Objectives	38
11.2.	Policies	38

PART THREE: LAND USE POLICY AREAS **41**

12.	Agricultural Areas.....	41
12.1.	Objectives	41
12.2.	Policies	42
13.	Rural Residential Areas	47
13.1.	Objectives	47
13.2.	Policies	47
14.	Seasonal Recreation Areas.....	48
14.1.	Objectives	48
14.2.	Policies	48
15.	Urban Residential Areas.....	50
15.1.	Objectives	50
15.2.	Policies	50
16.	Commercial Areas	52
16.1.	Objectives	52
16.2.	Policies	52
17.	Industrial Areas.....	54
17.1.	Objectives	54
17.2.	Policies	54
18.	Institutional Areas	56
18.1.	Objectives	56
18.2.	Policies	56
19.	Open Space and Recreation Areas.....	57
19.1.	Objectives	57
19.2.	Policies	57

PART FOUR: IMPLEMENTATION **59**

20.	Administration.....	59
20.1.	Adoption & Enforcement	59
20.2.	Amendment & Review	59
20.3.	Monitoring & Performance	60
20.4.	Development Officer.....	60

21.	Implementation Tools.....	60
21.1.	Zoning By-Laws.....	60
21.2.	Variances	61
21.3.	Conditional Uses.....	61
21.4.	Subdivision Control	61
21.5.	Development Levies.....	61
21.6.	Development Permits	61
21.7.	Development Agreements	62
21.8.	Secondary Plans	62
21.9.	Adoption of Other By-laws.....	62
21.10.	Strategic Action Plans	62
21.11.	Special Studies & Concept Plans	63
21.12.	Capital Expenditures & Public Works	63
22.	Municipal & Regional Cooperation.....	63
22.1.	Public Participation	64

PART FIVE: POLICY MAPS**65**

PART ONE: INTRODUCTION

PART ONE introduces the Brokenhead River Planning District (the District) and the Development Plan. It includes an overview of the Development Plan's purpose and enabling legislation, as well as the process used to create it, how it is organized, and how to use it. Next, it discusses the history, current trends, and key issues in the District. Lastly, it outlines the overarching vision and principles that act as the foundations for the Development Plan's objectives and policies that follow. Notably, the vision and principles were developed in collaboration with Councillors, administrative staff, and community members.

1. Development Plan Overview

1.1. Purpose & Intent

This Development Plan updates the District's previous plan, the Brokenhead River Planning District Development Plan By-law No. 138-09. This Development Plan is a statutory policy document that defines a long-term vision for the District, as well as establishes the goals, objectives, and policies required to achieve it. It reduces uncertainty for developers and the public with respect to the types and locations of development that may be approved. It serves as a roadmap for the Brokenhead River Planning District Board (the Board), guiding decisions on matters relating to land use, environmental conservation, infrastructure investment, heritage preservation, and community development. In turn, this Development Plan is intended to provide the District with clear direction for managing growth and development in an orderly and sustainable manner, while respecting the unique history and identity of its constituent communities.

1.2. Enabling Legislation

Development Plans are mandated by *The Planning Act (The Act)*, guided by Provincial Land Use Policies (PLUPs), and approved by the Minister. In accordance with Section 42(1) of *The Act*, the purpose of a Development Plan is as follows:

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

In effect, *The Act* makes provisions for preparing and adopting a Development Plan to guide growth and development within a municipality or planning district. The Development Plan must be generally consistent with the PLUPs, which are adopted by Regulation under *The Act*, and specifically describe and outline expectations for nine areas of Provincial interest: (1) General Development; (2) Settlement Areas; (3) Agriculture; (4) Renewable Resources,

Heritage and Recreation; (5) Water and Shoreland; (6) Infrastructure; (7) Transportation; (8) Mineral Resources; and, (9) Capital Region. Once approved and adopted, the Development Plan replaces the PLUPs and guides land use and development planning decisions within the municipality or planning district. Any amendment to the Development Plan, however, is subject to *The Act* and the PLUPs.

1.3. Planning Context

The Brokenhead River Planning District was established by Order-in-Council on June 11, 1977 under the authority of *The Planning Act of Manitoba* (1976). The District encompasses the Town of Beausejour (the Town) as well as the Rural Municipality of Brokenhead (the RM) which includes the communities of Tyndall and Garson. The District's Board is comprised of two representatives each from the Town of Beausejour and the Rural Municipality of Brokenhead.

The District is responsible for the preparation, adoption and administration of district land use plans and related by-laws. The District is also responsible for the day-to-day responsibilities for the administration of Zoning By-laws, Zoning Amendments and Rezoning, Zoning Enforcement, Variation Orders and Conditional Use Orders for both the Town and the RM.

Geographically, the District is situated in southeastern Manitoba, approximately 44 kilometres northeast of the City of Winnipeg. The District is bordered by the RM of St. Clements to the north and west, the RM of Springfield to the south, and the RMs of Lac du Bonnet and Reynolds to the east. It can be accessed from the east along PTH No. 44 or from the south along PTH No. 12.

Figure 1: Map of BRPD within Manitoba

1.4. Summary of Planning Process

As summarized in **Figure 1** below, the creation of the Development Plan was divided into four phases involving substantial research, analysis, public and stakeholder consultation, and testing of various policy options. It is important to note that the creation and adoption of the Development Plan represents an initial step towards achieving the District's vision and goals for the future. As detailed further in **PART FOUR**, implementation of the Development Plan will require ongoing commitment by the Board, Councils, administration, stakeholders, and the community.



Figure 1: Summary of Planning Process

1.5. Organization of the Development Plan

The Development Plan is divided into five main parts:

- **PART ONE** provides a general introduction to the Development Plan and the District, as well as establishes the long-term vision and planning goals for the District that are foundational to this Development Plan.
- **PART TWO** contains general development policies that apply to the entire District for healthy, resilient, and sustainable communities; hazardous areas and uses; natural areas, environmental conservation and outdoor recreation; water resources; mineral resources; culture and heritage; transportation and mobility; and utilities and municipal services.
- **PART THREE** contains land use policies for the different designations established for the District
- **PART FOUR** outlines the procedures and tools for implementing the Development Plan, day-to-day administration, and monitoring its longer-term goals.
- **PART FIVE** contains policy maps establishing land use designations throughout the District.

1.6. Using & Interpreting the Development Plan

For the Development Plan to be effective, it must be easy to comprehend and navigate. The following offers a general guide intended to assist the reader in using the Development Plan in relation to a proposed project, amendment, or other development issue:

- Review the applicable land use and reference maps in **PART FIVE** to determine the land use designation and characteristics of the subject land.
- Review the objectives and policies found in **PARTS TWO & THREE** that apply to the subject land.
- Evaluate whether the proposed project conforms to the intent of the Development Plan Vision, Principles, Objectives and Policies, or whether an amendment would be necessary in accordance with **PART FOUR**.

Words and expressions used in the Development Plan have the meanings ascribed to them in the PLUPs and *The Act*. In instances where a clear definition of a word is not provided for, the definitions contained in the applicable Zoning By-law shall apply. As well, policy statements vary in their degree of compliance. That is, whereas some policies are mandatory, others are either encouraged or more permissive in nature. They are to be distinguished and interpreted as follows:

- **“Shall”** is used to refer to a policy that is mandatory and is to be interpreted as “is required to”.
- **“Should”** is used to refer to a policy that is encouraged but not mandatory and is to be interpreted as “is encouraged to”.
- **“May”** is used to refer to a policy that is permissive and is to be interpreted as “is permitted to”.

The boundaries of the designated areas shown on the land use maps in **PART FIVE** are intended to demonstrate the general arrangement of future development and land use in the District. Where a boundary coincides with a physical feature on the map, such as a roadway or waterway, the boundary shall be deemed to be that feature. However, where a boundary does not coincide with a physical feature on the map, it is intended to provide The Board with a degree of latitude in determining the precise location of the boundary, with more precise boundaries provided in the Zoning By-law(s).

2. Municipal Context

2.1. Development Plan Area

The District is situated in southeastern Manitoba, as shown in **Figure 2** below, and is bordered by the RM of St. Clements to the north and west, the RM of Springfield to the south, and the RMs of Lac du Bonnet and Reynolds to the east. The District is 755.11 km² in size, encompassing rural tracts, communities of various sizes, scenic prairie landscapes, and the Brokenhead River. According to the 2021 Census, the District's population was 8,721 and its population density was 11.54 people per square kilometre.

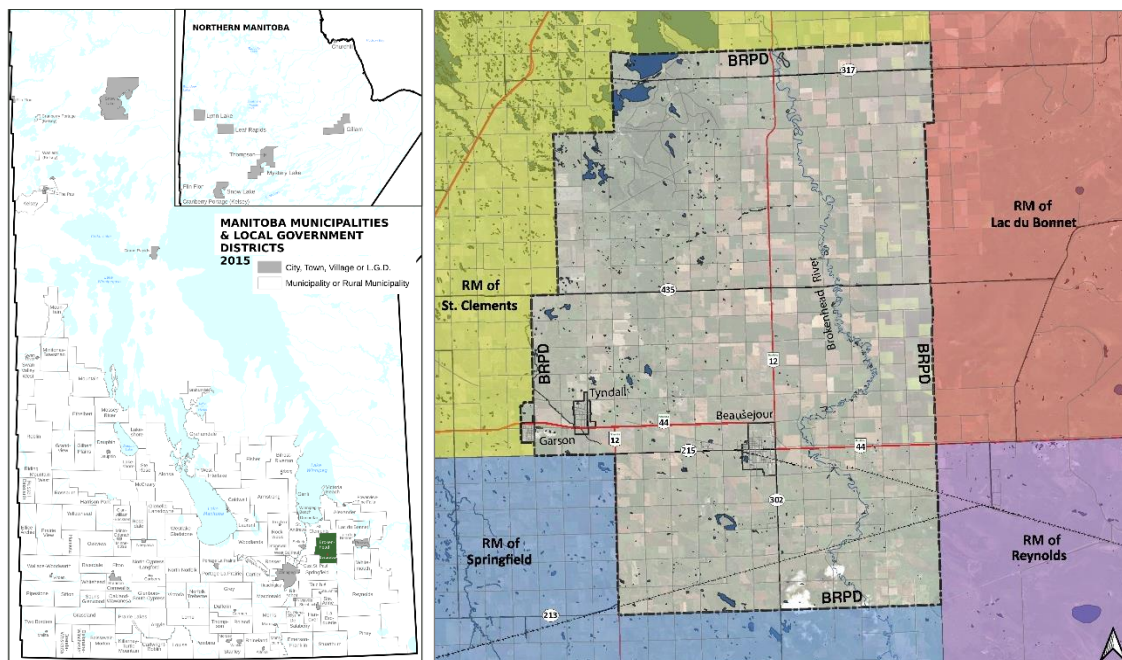


Figure 2: Study Area Map & Context

2.2. Local History

The broader area has been inhabited by Anishinaabe for millennia, and the Brokenhead River area more specifically is the traditional territory to the Brokenhead Ojibwe Nation Band. Little is known about the history of this area pre-European settlement. The Band fished and hunted bison and moose. As European settlers expanded into the area, the Anishinaabe traded with them, and trading posts were established.

Following Canadian Confederation in 1867, the local First Nations, including the Brokenhead Ojibwe Band, signed onto Treaty No. 1 in 1871. The Brokenhead Ojibwe Band are one of the seven First Nations who are signatories to the first of the numbered Treaties, originally signed on August 3, 1871, at Lower Fort Garry after several days of discussions and ceremonies. However, while the Government of Canada established reserves for the local First Nations, it did not always honour its provisions. The Brokenhead Ojibwe Nation Reserve Lands are located north of the District and the two jurisdictions do not overlap.

The Rural Municipality of Brokenhead was created by an Order-in-Council, going into effect on November 15, 1900. The new municipality was formed by reducing the areas of the RM of Springfield and the RM of St. Clements. "The Hill" as Tyndall and Garson was once known, is located along the western border of the RM. Garson is named after William Garson, the father of Stuart Garson (Premier of Manitoba from 1942 to 1948) who opened the first quarry in the settlement. Tyndall was named after the eminent scientist, educationalist, inventor, philosopher and mountaineer, John Tyndall. Tyndall and Garson surround a bed of limestone one and half mile long and half mile wide lying under a very light overburden. The Town of Beausejour was originally and simply described as 'Stony Prairie'. The Village of Beausejour was incorporated in 1908 and it received Town status by Statute proclaimed in June of 1912.

The Brokenhead River Planning District was established by Order-in-Council on June 11, 1977 under the authority of The Planning Act of Manitoba (1976).

2.3. Current Trends & Conditions

Developing an understanding of current trends and conditions in the District is necessary to effectively plan for the future. In doing so, it is important to not only consider how the community has changed over time, but what the most pressing challenges and opportunities may be moving forward. Accordingly, the following subsections outline current trends and conditions relevant to land use and development in the District, which have informed the content of this Plan.

2.3.1. Land Use

According to municipal profiles produced by the Land Resource Unit of the Brandon Research Centre in 1999, the primary land use in the RM was agriculture which included annual crops, forage crops, and grassland utilized for hay and pasture. Annual crops occupy 60 percent, forage crops five percent, grasslands occupy four percent, and trees cover four and half percent. The remainder of the land is forage lands, waterbodies, wetlands, and developed areas. Land use with infrastructure for urban areas, transportation, and recreation occupied approximately four percent of the municipality.

2.3.2. Settlement Centres

The District's Settlement Centres are the Town of Beausejour and the Local Urban District (LUD) of Tyndall- Garson. Highlights of each Settlement Centre are as follows:

The Town of Beausejour is located near the middle of the district, southwest of the intersection of PTH Nos. 12 and 44. The community has a variety of commercial and public institutions organized along Manitoba Provincial Road No. 215 with Park Avenue along it. The community acts as a regional hub for a variety of services, including Provincial government offices, a hospital, and recreation facilities.

The LUD of Tyndall and Garson is located along the western border, with PTH No. 44 running through both villages, next to the limestone quarries that have historically sustained both communities. The Local Urban District encompasses the villages of Tyndall and Garson, as well as Henryville midway between them, along PTH No. 44. In Tyndall,

Pierson Drive is the primary street along which the local school, grocery store, church, community centre, hotel, and cemetery are located. In Garson, Garson Drive is the primary street along which the motel, garages, and grocery store are located. Henryville is oriented along Henryville Road that runs perpendicular to Garson Drive and PTH No. 44.

2.3.3. Demographics

As shown in **Figure 4**, the District's population has been consistently increasing slowly over the past 25 years, with a low of 6,207 people in 1996 and high of 8,721 people in 2021. Over the last twenty five years, the Town of Beausejour's population slowly but steadily increased, whereas the population of the RM of Brokenhead has seen a steeper increase in population, largely owing to the LUD of Tyndall-Garson. Notably, the Census data do not count seasonal residents.

The 2021 Census also showed that the District has a slightly older population compared to the rest of Manitoba (38.4 years), with a median age of 40.0 in the RM and 46.4 in the Town. This indicates a slightly larger proportion of people aged over 65 years in the Town of Beausejour relative to the general population of Manitoba, whereas the RM's median age is more comparable to the province's median age.

Ongoing population fluctuations will impact demand for local services and development. However, projecting these fluctuations is complex: the District has seen significant growth over the last five years in some urban clusters and uneven population growth over the last 25 years, with population growth steadily increasing leading to 2011 and steadily decreasing since. The average annual population growth in BRPD over the last 25 years is 1.6%.

In light of the above, a range of potential population projections are shown in **Figure 4**. These projections help inform potential growth scenarios and land demands for the next 25 years. The low growth scenario depicts a decline in the District's population over the next 25-years, ending with a population of 10,110 by 2046 with a growth rate of 0.6%. This is below the net effect of the district's population growth over the most recent 25-year period, as noted above. In the medium growth scenario, the overall population is predicted to maintain the existing growth rate of 1.6% per year, up to a population of 12,232 in 2046, which reflects periods of equal growth and decline over the last 25 years. The high growth scenario responds to the significant population growth between 2016 and 2021 in the LUD of Tyndall-Garson, depicting an annual population increase of 2.7% for the next 25 years, resulting in a population of 14,695 in 2046. This takes into consideration the COVID-19 pandemic and the onset of working from home, which has caused shifts in the housing market, making affordable rural communities more attractive places to live.

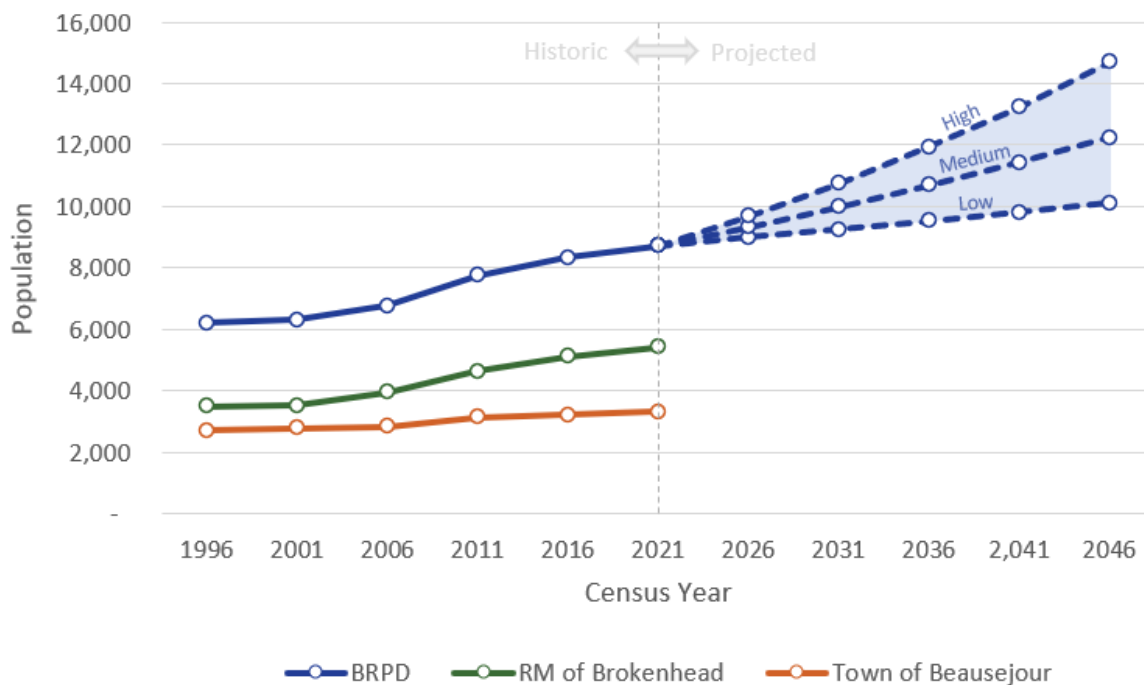


Figure 2: BRPD - Historic and Projected Population

2.3.4. Housing

According to the 2021 Census, there were a total of 3,540 occupied private dwellings in the District, with 86.9% of dwellings being single-detached houses, followed by apartments fewer than five stories at 5%, and semi-detached houses, row houses, duplex, other single attached houses and moveable dwellings each accounted for 2% of dwellings. No high-rise apartments were reported.

In accordance with the medium growth scenario outlined in **Section 2.3.3 Demographics**, an additional 1,438 dwellings, 838 and 600 dwellings in the RM and Beausejour respectively, would be needed by 2046 to accommodate the projected 3,510 new residents, 2,179 and 1,331 residents in the RM and Beausejour respectively. If recent development trends continue, this would likely translate to a requirement of 1,397 serviced dwellings in existing Settlement Centres in the RM and Beausejour, and 42 new un-serviced rural residential dwellings in the RM. Notably, with approximately 650 acres of vacant lots currently in and immediately around the District's Settlement Centres, much of this future development can and should be focused on infill to efficiently use existing infrastructure.

2.3.5. Infrastructure

The BRPD does not have a landfill or waste transfer station of its own. Residents use the RM of St. Clements Landfill and transfer station and the Oakwood Transfer Station. However, BRPD residents are eligible to use the Electronic Waste station at the Rural Municipality of Brokenhead's Public Works Yard, located on the Northeast corner of junction PTH No. 44 and PR No. 302.

The RM does not provide any rural garbage pick up, though private services exist. The recycling facility for the RM of Brokenhead residents is located at the RM of Brokenhead yard at 72013 Road 42E. Without municipal water distribution systems in rural areas, properties use shared or private wells for water. Residents in rural areas are typically connected to on-site storage in the form of septic fields or individual private holding tanks. However, the LUD of Tyndall and Garson residents are required to be connected to municipal water and wastewater systems. Water is supplied by a well located beneath the RM's Water Treatment Plant located in Henryville at 34046 Mile 73N. Bulk water is also available for purchase from the Water Treatment Plant. Although the water system is nearing capacity, the RM is planning upgrades in 2023 to address this, including adding two new wells. In addition, it has weekly curbside collection and transportation of garbage and recyclables on Tuesdays.

The Town of Beausejour offers both municipal water and wastewater servicing. The drinking water is extracted from the Lower Carbonate Aquifer, a major recharge area for this aquifer is in the vicinity of Ross, an area south of PTH No. 15, southeast of Beausejour. This water is treated by the original water treatment plant built in 1957 along Park Avenue, upgraded in 1976. The town offers waste and recyclables curb side pick up that have to be tagged as per the Town's requirements.

2.3.6. Economy

In 2016, the top employment sectors in the District were (1) Health care and social assistance accounting for 15% of employment, (2) construction accounting for 12% of employment, (3) public administration accounting for 10% of employment, (4) retail trade accounting for 9% of employment, (5) agriculture, forestry, fishing and hunting accounting for 8% of employment, and (6) manufacturing and (7) educational services accounting for 6% of employees working in each of these sectors.

2.3.7. Environment

The District's terrain is even, with a mixture of flat lying prairie and rural areas, and features rivers and mines that contribute to the local way-of-life. The District depends on some of the natural features, mines, and flat prairie lands, to nurture the local economy, sustain the ecosystem, and support community health and well-being. Preparing for the impacts of climate change will be critical moving forward. In particular, these changes are likely to have the greatest impact on farmers, who have recently been confronted with increasingly unpredictable seasonal temperatures and fluctuating precipitation patterns.

In order to help municipalities protect their natural resources and respond to challenges related to climate change, the Province of Manitoba introduced the Watershed Districts Program, which established fourteen (14) Watershed Districts across the province. The Municipality is situated in the Northeast Red Watershed District. Watershed Districts, under *The Water Protection Act*, also play an integral role in developing and implementing integrated watershed management plans (IWMPs). Currently, the Cooks-Devils Creek Integrated Watershed Management Plan is in effect in the District.

2.4. Key Issues & Considerations

The background research and community engagement undertaken during the plan preparation process identified a number of important issues and considerations, including but not limited to:

- Bolstering the local economy, including businesses, shopping, industry, and tourism;
- Maintaining and improving infrastructure, piped services, and roads;
- Maintaining and improving amenities, greenspaces, recreation facilities, and trails; and
- Accommodating new development without losing existing character.

3. Vision & Principles

3.1. Vision

With its namesake river, world-renowned limestone deposits, rich agricultural lands, growing communities of Tyndall and Garson, and Beausejour's thriving Park Avenue corridor, the Brokenhead River Planning District is defined as much by its communities as it is by its natural and agricultural resources.

The vision for the Brokenhead River Planning District is to be a model for sustainable and balanced development that manages and embraces growth and improves the quality of life for its residents, while preserving the District's defining natural features and rural community character. The District will continue to establish itself as an attractive place to live, visit, work, and play by providing a diverse mix of housing types, local and regional amenities, community services, and employment opportunities.

3.2. Principles

3.2.1. Provide High-Quality Infrastructure, Services, and Utilities

Deliver high-quality and reliable municipal services and utilities to support all types of development throughout the District. At the same time, the cost of constructing and maintaining the associated infrastructure shall be considered, as to ensure its long-term viability.

3.2.2. Protect the Integrity of Natural Resources

The District's greatest resource is the natural environment. From its agricultural lands, outdoor recreational areas, and mineral resources to its watershed and wildlife habitats – protecting the quality and sustainability of these resources must be prioritized.

3.2.3. Establish Clear and Consistent Rules

Clear, consistent, and responsive policies, rooted in local objectives, will guide development across the District and provide residents, landowners, and developers with predictable processes and balanced decision-making.

3.2.4. Enhance Public Access to Outdoor Amenities

The District's outdoor recreational resources are foundational to the local character and way of life. Access to these resources, including the Brokenhead River, natural spaces, and recreational trails, should be protected for the enjoyment of residents and visitors alike.

3.2.5. Promote Opportunities for Economic Development

Encourage compatible commercial and industrial development in appropriate locations throughout the District. This includes strengthening existing commercial corridors, employment areas, and home and farm-based businesses, which will enhance services and amenities and provide local employment.

3.2.6. Preserve and Enhance Agriculture

Prioritize the success of the agriculture sector, and in particular family farms, by protecting prime and viable lower class agricultural lands from incompatible development and by supporting agri-value initiatives, as well as the adoption of on-farm renewable energy systems and other forms of farm diversification opportunities.

3.2.7. Strengthen Community Participation and Involvement

Foster community pride and encourage widespread participation in planning and development processes so community members can contribute to decisions regarding future growth and development of the District.

3.2.8. Build Healthy, Safe, and Age-Friendly Communities

Continue to build complete communities by providing access to essential services, public amenities, and options for mobility, as well as by encouraging compact development patterns that contribute to physical, mental, social, economic, and environmental health and well-being.

3.2.9. Cultivate Partnerships and Embrace Collaboration

Grow partnerships between communities within the District, as well as with neighbouring municipalities, First Nations, higher levels of government, and other organizations on infrastructure investments, service delivery, and opportunities for economic, social, and cultural development.

3.2.10. Provide a Range of Suitable Housing Options

Support a diverse range of housing types that vary in size, tenure, level of affordability, and location within the District, from established communities to farmsteads, to accommodate people of all ages and abilities.

PART TWO: GENERAL OBJECTIVES & POLICIES

PART TWO outlines the general objectives and policies applying to all land use and development within the District. In support of the policies included in **PART THREE**, which apply to specific land use policy areas, the policies contained herein address broader concepts that apply across all land use policy areas.

4. Healthy, Resilient & Sustainable Communities

This section outlines considerations for community health, resiliency, and sustainability throughout the District, ensuring policies are in place to help prepare for, and respond to, future challenges and opportunities.

4.1. Objectives

- (1) To protect and promote the health, safety, and well-being of residents, regardless of age or ability.
- (2) To increase local resiliency to potential risks and disruptions caused by climate change.
- (3) To support public and private development that is universally accessible and facilitates healthy lifestyles.
- (4) To encourage local initiatives that support complete communities.
- (5) To ensure the use and development of land is consistent with the community's vision for the future, with special consideration for current and planned economic development initiatives.

4.2. Policies

4.2.1. Sustainable Land Use and Development

- (1) As to ensure the District continues to develop in an orderly and economically viable manner, all new development shall be consistent with the policies, objectives, and intent of this Development Plan. Land uses shall be generally consistent with Maps 1-3, with further provisions for permitted and conditional uses established in the Zoning By-law(s).
- (2) In approving new developments for residential, commercial or industrial purposes, consideration shall be given to the current and projected demand for that particular type of use, as to avoid unnecessary infrastructure investments, market instability, and/or premature land fragmentation.
- (3) Within established Settlement Centres, currently serviced lands or lands contiguous to existing built-up areas shall have the highest priority for accommodating new development.

- (4) As Beausejour continues to grow, the Town and RM may explore a future boundary adjustment in accordance with *The Municipal Act* and the Manitoba Municipal Board's Principles, Standards and Criteria for Annexation and Amalgamation.
- (5) As Tyndall and Garson continue to grow, the RM may explore a future LUD boundary amendment in accordance with *The Municipal Act*.
- (6) The District shall use the tools outlined in **Section 21 Implementation Tools** to ensure it is not solely responsible for the costs associated with providing utility and municipal infrastructure for new development, as well as to enforce standards and specifications for its design and installation.
- (7) To protect the health of people and the environment, proposed developments which may have a detrimental effect on air or water quality shall either:
 - a. Be directed to locations where the threat to humans and ecologically sensitive lands is minimized, while also incorporating adequate measures to mitigate the potential negative impacts and/or enhance the capability of the lands; or
 - b. Eliminate or reduce the adverse effect(s) to acceptable levels prior to or during development and/or operations.
- (8) With consideration for such factors as scale, location, and proposed types of land uses, existing communities and new developments shall be encouraged to incorporate the following measures:
 - a. Compact and integrated development patterns in more urban areas that capitalize on existing community assets, promote compatibility and active modes of transportation, offer active mobility options and minimize costs associated with providing and maintaining municipal services;
 - b. Renewable energy sources such as solar, wind, and geothermal to reduce greenhouse gas emissions; and,
 - c. Naturalized stormwater retention facilities to strategically store water during wet events, create wildlife habitat, and reduce pressure on existing municipal wastewater systems.

4.2.2. Accessible and Age-Friendly Development

- (1) Public spaces, pathways, and sidewalks should feature adequate trees (through new plantings and/or the preservation of existing tree stock) and/or structures to provide users with shaded areas, as well as benches at various intervals for users to take rest.
- (2) Community services and amenities should be located centrally within Settlement Centres and connected to neighbourhoods by pathways and sidewalks to reduce reliance on private vehicles.

- (3) Settlement Centres should include wayfinding systems, including signage and landmarks, along major roads, sidewalks, and pathways to make navigation easier for all residents and visitors.
- (4) The District shall encourage universal design standards to be considered and included in the development of all public and private spaces, in accordance with *The Accessibility for Manitobans Act*.

4.2.3. Community Identity and Change Management

- (1) In order to build community capacity, leverage social capital, and ultimately improve chances for long-term success, the District should continue to involve stakeholders and residents in local planning initiatives, including community organizations, service clubs, and/or volunteer groups.
- (2) The District shall maintain local assets that improve quality of life, such as main streets, public parks, heritage resources, and other places residents value, while also supporting initiatives that help strengthen community identity.
- (3) The District shall continue to develop strategies that attract and retain residents in order to create effective growth strategies and direct associated initiatives.
- (4) The District shall continue to look for opportunities to reduce the long-term costs associated with providing and maintaining infrastructure, particularly in communities with declining populations.
- (5) Recognizing Tyndall-Garson's rural character, the District should encourage orderly development that complements and enhances this character while also providing a range of services and amenities.
- (6) Recognizing the proximity of Tyndall and Garson, as well as their shared amenities, the District should encourage further connections between the communities, such as paths and trails, open space, and community facilities.
- (7) Recognizing the Town of Beausejour's capacity as a regional service centre, the District should look for opportunities to sustainably expand its services, amenities, housing options, and employment opportunities.
- (8) The District shall explore regulating Short-Term Rentals (STRs) through updated Zoning By-law regulations, STR licencing, associated operating standards, and other fiscal and enforcement tools that may be available.

4.2.4. Climate Change Adaption

- (1) In order to improve resilience to the changing climate, including its impact on critical community infrastructure and the health of residents, the District shall seek partnership opportunities with other levels of government, relevant organizations, and neighbouring jurisdictions to develop a thorough understanding of climate change issues and to create coordinated strategies.

- (2) In response to less predictable weather patterns, the District shall ensure plans and strategies are in place to coordinate responses to emergency events and mitigate the associated impacts, which may be taken into consideration during the District's reviews of proposed developments.
- (3) Agricultural producers, in accordance with Manitoba's Drought Management Strategy, shall be encouraged to increase on-farm water storage capacity for future redistribution in order to build local resilience to potential drought scenarios and mitigate the associated economic impacts.
- (4) The planting of native and non-invasive tree species and vegetation that are resilient to climate change shall be encouraged in public parks and throughout the District's Settlement Centres.
- (5) Further to **Section 11.2.2 Water and Wastewater**, in assessing the required capacity of wastewater systems for future upgrades, the District shall consider the potential for increased levels of annual precipitation.
- (6) Periodic reviews should be undertaken by the District regarding policies for development on lands within or proximate to "hazard areas" to ensure standards are adequate to meet changing precipitation patterns and flood risk levels.

5. Hazardous Areas & Uses

This section establishes directions related to hazardous conditions, such as flooding, topography, and hazardous uses, to identify, prevent, and mitigate risk to protect people and property.

5.1. Objectives

- (1) To minimize risks to people and property that are associated with hazardous areas and uses.
- (2) To limit public expenditures related to preventable flood relief and rehabilitation activities.
- (3) To restrict development in hazardous areas unless adequate measures are taken to mitigate negative impacts or increase the capability of the land to support the proposed development.
- (4) To work with other levels of government to enhance flood protection measures while ensuring the benefits of existing flood control works are not negated by future development.

5.2. Policies

5.2.1. Flood Hazard Areas

- (1) Development should not be permitted within areas where a specific flood hazard has been determined, including all lands which would be flooded by the 1:200-year flood or the flood of record, whichever is greater, as well as lands that are subject to periodic local flooding or a flood specified by the applicable Provincial authority in areas of protected flood control works.
- (2) Notwithstanding the above, where it is not practical or desirable to restrict development in known flood hazard areas, at the discretion of the Board, the development shall be planned and designed to avoid and mitigate potential risks in accordance with the following:
 - a. There shall be no added risk to life, health, or safety;
 - b. The proponent shall be required to provide a hydro-geological investigation or study, or a geotechnical report, completed by a professional engineer licensed to practice in Manitoba;
 - c. All permanent structures shall be located on sites which have been raised with fill to an elevation at least 0.6 m (2 ft) above the 200-year flood level or the flood of record, whichever is greater, as determined in consultation with the appropriate Provincial authority;
 - d. All permanent structures, including animal housing facilities, shall be adequately protected from damage and all services and driveways shall be designed to function under hazard conditions, allowing for uninterrupted access to the site during a flooding event; and,

- e. There shall be no adverse alteration, obstruction, or increase in water flow, flood velocities or flood stages.
- (3) If a development is proposed in an area where flood hazard information is not available, but the subject lands are located adjacent to a waterbody or waterway, the following policies shall apply:
- a. The proponent may be required to provide a hydro-geological investigation or study, or a geotechnical report, completed by a professional engineer licensed to practice in Manitoba;
 - b. Permanent structures shall be set back a sufficient distance from the normal high-water mark of any adjacent waterway or waterbody, as defined in the Zoning By-law in accordance with Provincial Land Use Policies, unless an engineering investigation demonstrates, to the satisfaction of The Board, that such limits may be safely reduced; and,
 - c. Applications shall be circulated to the applicable Provincial authority for review.
- (4) Whenever possible, lands in flood hazard areas should be left in their natural state, or only developed for low intensity uses such as cropping, grazing, or open space recreational activities.
- (5) Existing developments located in areas where new flooding information becomes available, or where the degree of flood risk increases due to changing climate conditions, flood control works, or other such reasons, shall be encouraged to enhance flood protection measures as part of any proposed structural alteration or expansion of existing buildings, as well as any change in use.

5.2.2. Areas Prone to Erosion or Slope Instability

- (1) Lands which may be eroded away within a 50-year period or become unstable due to the erosive forces of water in an adjacent waterway or waterbody, as identified by the applicable Provincial authority, shall be excluded from development unless it can be demonstrated, to the satisfaction of a professional engineer licensed in Manitoba, that the erosion process can be mitigated and/or will not endanger people or property.
- (2) Lands with steep natural slopes that are known or predicted to be unstable, including those subject to such hazards as landslides and/or slumping due to down-slope soil movement, shall be excluded from development unless it can be demonstrated, to the satisfaction of a professional engineer licensed in Manitoba, that adequate bank stabilization measures are implemented.
- (3) Development proposals in areas prone to erosion or slope instability may require a hydro-geological investigation or study, or a geotechnical report, to be completed by a professional engineer licensed to practice in Manitoba, including recommendations regarding preventative and mitigative measures which eliminate or reduce the associated risk to an acceptable level.

- (4) Land use activities that would alter existing slopes and contribute to increased rates of erosion, bank instability, and slumping, shall not be permitted.
- (5) Whenever possible, lands subject to erosion or slope instability should be left in their natural state, allowing for existing tree and vegetative cover to be preserved in order to reduce erosion and help maintain bank stability.
- (6) In order to protect the safety of residents and visitors, prevent damage to property, and help reduce rates of erosion and slumping in riparian areas, permanent structures shall be set back a sufficient distance from the normal high-water mark of waterways and waterbodies, as defined in the applicable Zoning By-law in accordance with Provincial Land Use Policies.

5.2.3. Hazardous Uses

- (1) Facilities or developments, exclusive of railways and highways, which manufacture, handle, store, and/or distribute hazardous materials shall be subject to the following:
 - a. New facilities shall not be located closer to urban areas or dwellings than is permitted or recommended under the applicable Provincial guidelines and/or legislation;
 - b. Where the development of a potentially hazardous use is proposed, information may be required relating to: the nature of any potential discharges into the air, soil or water, the nature of outside storage requirements, the compatibility of surrounding land uses, and plans for the buffering and containment of such activities from adjacent uses;
 - c. Large propane, oil, gasoline or other volatile storage facilities should be established in areas of the District where risks to the health and well-being of residents can be minimized; and,
 - d. Any required environmental studies or engineering assessments, as deemed necessary by the Board to support the review process, shall be the sole responsibility of the applicant.

6. Natural Areas, Environmental Conservation & Outdoor Recreation

This section outlines considerations related to environmental health, focusing on the protection of natural areas and recreational amenities that contribute to the local economy and way of life.

6.1. Objectives

- (1) To protect natural areas and wildlife and fisheries habitats from incompatible or potentially incompatible uses that have received designation and protection under the *Endangered Species Act* or the *Species at Risk Act*.
- (2) To promote inter-municipal cooperation and support partnerships with other levels of government and specialized organizations in developing and implementing conservation initiatives.
- (3) To minimize the impacts of development on the natural environment throughout the District and, whenever possible, support opportunities to restore and enhance impacted areas.
- (4) To maintain the integrity and long-term viability of outdoor recreational resources.

6.2. Policies

6.2.1. Collaboration

- (1) Inter-jurisdictional co-operation with neighbouring municipalities and Indigenous communities shall be encouraged in developing, implementing, and monitoring measures to protect and enhance the region's natural areas and ecological resources.
- (2) Coordination between The Board and the Northeast Red Watershed District shall be exercised when a proposed development may alter an existing wetland or negatively impact the watershed.
- (3) Proposed developments and changes in land use adjacent to wildlife management areas, ecologically sensitive areas, or any other protected areas shall be reviewed by the appropriate Provincial or federal authority to ensure the long-term sustainability and integrity of the resource will not be adversely affected.
- (4) Private landowners may be asked to participate in conservation efforts as a condition of development approval, such as by preserving a portion of their lands in a natural state, or by dedicating a portion of their lands to the applicable municipality as public reserve.

6.2.2. Wetlands and Riparian Areas

- (1) In accordance with the Water Rights Regulation under *The Water Rights Act*, all proposed developments that would cause an existing wetland to be drained, filled, and/or permanently altered shall be prohibited unless a license has been obtained from the appropriate Provincial department and sufficient measures are implemented to mitigate the environmental risks.

- (2) The enhancement and conservation of wetlands shall be encouraged throughout the District with a focus on restoration and expansion to maximize the potential benefits offered by these areas, including mitigating floods and droughts, supporting wildlife and fish habitat, and sequestering carbon. The proponent should work with the Northeast Red Watershed District for any wetland enhancement work.
- (3) A buffer of natural vegetation should be maintained or, wherever possible, restored in riparian areas along waterways and adjacent to waterbodies in order to preserve and enhance the biodiversity of the District. As a general guideline, the size of the buffer should not be less than 10 m (32.8 ft), unless a wider buffer is identified in the Cooks-Devils IWMP or recommended by the Board based on the location of the proposed development and the physical characteristics of the subject lands. However, minor disturbances within these buffers may be permitted pursuant to **Policy 7.2.4(1)(c)**.

6.2.3. Forested Areas and Native Vegetation

- (1) The identification and protection of natural areas critical to the existence of rare, endangered and/or ecologically significant plants and vegetation shall be encouraged throughout the District.
- (2) Forested areas and naturally vegetated lands in the District should generally be retained in their natural state wherever practical, including but not limited to lands serving as unused road allowances or easements, as well as areas that could be characterised as having high habitat value, extreme topographic relief, or generally unsuitable conditions for agriculture purposes.
- (3) The preservation of mature trees in urban areas shall be encouraged and, in response to the projected increase in very hot days annually, the District should ensure public parks, paths, and sidewalks feature adequate trees and/or structures to provide users with shaded areas.

6.2.4. Wildlife and Fish Habitats

- (1) The identification and protection of natural areas critical to wildlife and fisheries habitats shall be encouraged throughout the District.
- (2) Natural areas and habitats on public and private lands should be protected from incompatible or potentially incompatible uses where:
 - a. rare or endangered flora and fauna are Provincially designated and protected under either *The Endangered Species Act* or *The Species at Risk Act*;
 - b. lands are Provincially designated and protected under the Protected Area Initiative;
 - c. lands have been identified and designated as Wildlife Management Areas;
 - d. private lands have been voluntarily protected by landowners under Conservation Agreements or other Memorandum of Agreements; or
 - e. sensitive wildlife habitat, aquatic habitat (including quality wetlands and riparian areas), or other ecologically significant areas have been identified.

- (3) Any proposed development or land use activities adjacent to a fish spawning site, fish nursery area, or significant fish habitat shall conform to the following development criteria:
 - a. Land shall not be cleared, cultivated, or developed to the edge of a waterbody or waterway, but rather, a buffer of natural vegetation shall be maintained in riparian areas in accordance with **Policy 6.2.2(3)**; and
 - b. Organic loading or siltation from agricultural run-off shall be prohibited and measures to limit nutrient and/or sediment inflow from development activities shall be encouraged.
- (4) Public access to natural areas and wildlife and fisheries habitat shall be encouraged to foster appreciation for and enjoyment of nature. However, such access should not lead to levels of activity which will cause a threat to the ecological integrity or sustainability of the affected area.
- (5) Public access to natural areas and waterbodies should not lead to possible proliferation of invasive species.
- (6) Proposed developments adjacent to a wildlife management area or other protected area shall be forwarded to the appropriate Provincial authority for review to ensure that future development and/or changes in land use will not adversely affect the sustainability of the area or the resident flora and fauna.

6.2.5. Outdoor Recreational Resources

- (1) Areas with high recreational capability, which contain interesting and/or rare natural features should be protected and maintained for outdoor recreation and related uses.
- (2) Existing outdoor recreational uses and areas should be protected from incompatible or potentially incompatible land uses that may threaten their integrity or operation, including proposed developments and/or land uses that are located adjacent to recreational areas.
- (3) Proposed recreational developments shall be compatible with the natural environment, resource-related uses and adjacent land uses and shall be limited to a level of intensity that permits the sustainable use of the recreational resource.
- (4) Proposed recreational development should not preclude access to and use of public resources, such as lakes, rivers, shorelands, and similar types of resources valued by residents and visitors.

7. Water Resources

This section outlines considerations to balance growth with long-term sustainability and protection of the watershed.

7.1. Objectives

- (1) To maintain the natural capacity of the watershed to perform key ecological functions.
- (2) To ensure that the quality and integrity of waterways, waterbodies, and groundwater sources is a priority when considering new developments or changes in land use.
- (3) To support partnerships with other levels of government and specialized organizations to improve water quality throughout the District.
- (4) To protect public access to the lakes, rivers, and streams within the District.

7.2. Policies

7.2.1. Collaboration

- (1) The Board shall coordinate water management and conservation efforts with the Northeast Red Watershed District and neighbouring communities.
- (2) The Board shall consult with the appropriate Provincial or Federal government agencies on matters concerning the protection, maintenance, and enhancement of the watershed, including measures to monitor and mitigate the risk of invasive aquatic species.
- (3) As a means of improving local water retention capacity and building resilience to drought and flooding events, landowners in the District, and in particular agricultural producers, shall be encouraged to work with the Northeast Red Watershed District and adjacent jurisdictions in developing an integrated approach to water resource management that balances economic and environmental needs and that is done in concert with the existing watershed management plans.

7.2.2. Watershed

- (1) Land shall be developed in a manner which ensures the entire watershed, including waterways, waterbodies, shoreland areas and groundwater resources, is sustained and that existing uses are not negatively impacted.
- (2) Development proposals requiring significant volumes of groundwater and/or surface water shall be required to investigate the need for a Water Rights License. If a Water Rights License is required, development approval may be granted, conditional on the proponent obtaining all necessary provincial permits and licenses.

- (3) In order to limit the impacts of development and maximize ecological benefits, the identification of waterways, waterbodies, shorelands and groundwater resources requiring protection or enhancement shall be encouraged throughout the District in accordance with the following:
- a. Identification and enhancement programs may be developed and implemented at the Municipal or Provincial level;
 - b. The extent of the required protection or enhancement will be directly related to the characteristics of the local situation, including but not limited to: the size and configuration of the waterway, waterbody, shoreland or groundwater resource, the need for maintaining public access, erosion rates, and/or the recreation potential of the resource;
 - c. For sensitive lands fronting on a waterway or waterbody, shoreland reserves or specific setback regulations may be established through public land acquisition by directly purchasing lands or dedicating lands through the subdivision approval process, and/or by establishing easements or Conservation Agreements on privately held lands; and
 - d. The Board may require technical analyses for a proposed development, at the applicant's expense, to determine the impact of a proposed development on water resources, in accordance with **Section 21 Implementation Tools**.
- (4) Intensive and high-pollution risk development activities, meaning land uses and structures that have a high risk of causing pollution that include, but are not limited to chemical / fertilizer storage facilities, disposal fields, fuel tanks, waste disposal grounds, and wastewater treatment facilities, should be restricted in public drinking water source zones. Where restriction is not possible, development may be considered in public drinking water source zones provided:
- a. The proponent can prove by adequate engineering or hydrogeological investigation that the proposed activity will not cause pollution of the public drinking water supply; or,
 - b. Appropriate precautionary measures have been taken to sufficiently mitigate the risk of endangering the quality of the water supply for public drinking water supply purposes.

7.2.3. Groundwater

- (1) Potential impacts to groundwater resources shall be considered when reviewing all development applications that may, whether due to excavation, water access, drainage, or other such reasons, affect the yield and quality of water from underground aquifers in the District, so as to ensure public drinking water sources are protected in accordance with **Policy 7.2.2(4)**.

- (2) If a proposed development or land-use activity has the potential to cause groundwater pollution, whether under normal operating conditions or unforeseen circumstances, or is located in an area sensitive to groundwater pollution hazards as identified by the Province, the proponent shall be required to undertake a study of groundwater conditions within the development area, including but not limited to: an assessment of the risk to groundwater quality occurring from the proposed development; and – if the risks should prove significant – the proposed development or land-use activity shall be prohibited unless operational or engineering measures will be employed to either eliminate the risk or minimize this risk to an acceptable level.
- (3) Abandoned wells shall be sealed in accordance with Provincial legislation and guidelines and in partnership with the Northeast Red Watershed District to maintain the integrity of the groundwater supply and protect the health and safety of residents.

7.2.4. *Waterbodies, Waterways and Shoreland*

- (1) Any proposed development adjacent to a waterbody or waterway shall conform to the following development criteria:
 - a. Larger scale multi-lot subdivisions shall be encouraged to leave a portion of lands along shorelines undeveloped as public reserves to maintain access to water and shoreline areas;
 - b. A buffer of natural vegetation should, in accordance with **Policies 6.2.2(3) and 14.2.2(2)**, be maintained in riparian areas along waterways and adjacent to waterbodies in order to reduce nutrient loading and protect water quality. Within these buffers, developments that create minor disturbances to the natural vegetative cover, such as docks, pathways and boathouses, may be permitted provided that not more than 25% of the length of the lot's shoreline is affected;
 - c. New developments shall not be permitted to remove existing public access points to water and shoreline areas unless such access will be provided at a new location, that is visible, clearly marked, and easily accessed from a public right-of-way.
 - d. As a condition of approval, proponents may be required to implement additional measures to limit nutrient and/or sediment inflow prior to and during the development process; and
 - e. Applications for large scale developments or multi-lot subdivisions adjacent to waterbodies or waterways shall be forwarded to the appropriate Provincial and Federal government departments for review and comment.
- (2) Stream and shoreline alterations shall not be undertaken without the approval of the appropriate Provincial and Federal government departments.

8. Mineral Resources

This section outlines considerations for ensuring continued access to mineral resources while preventing land use conflicts.

8.1. Objectives

- (1) To protect mineral resources and active extraction operations from conflicting land uses.
- (2) To promote environmentally sound exploration and extraction of mineral resources, as well as the rehabilitation of lands impacted by such activities to a safe and stable condition.
- (3) To work with the applicable Provincial authorities in managing mineral resource exploration and extraction in a sustainable manner.

8.2. Policies

8.2.1. Protecting Mineral Resources

- (1) The applicable Provincial authority shall, in accordance with the definitions provided in the PLUPs, classify areas as “High”, “Medium”, and “Low” in regard to mineral resource quality. These areas shall be protected from incompatible or potentially incompatible land uses and developments as follows:
 - a. Within and near an area classified as “High”, no conflicting land use will be allowed, with permitted uses limited to non-intensive agriculture, such as cropping or grazing, and temporary uses that would not have a detrimental effect on future resource exploration and extraction.
 - b. Within and near an area classified as “Medium”, a potentially conflicting land use may be permitted, subject to consultation with and approval from the applicable Provincial authority.
 - c. Within and near an area classified as “Low”, conflicting land uses may be permitted, subject to Board approval.
- (2) Existing mineral extraction operations shall be protected from incompatible and potentially incompatible land uses that would interfere with their ongoing operation and future exploration.

8.2.2. *Reviewing Proposed Extraction Operations*

- (1) When evaluating development proposals related to mineral resource extraction, the District shall consider:
 - a. The impact on adjacent land uses with respect to haulage routes, water supply, noise, dust, odour, lighting, and unsightliness.
 - b. The potential impacts to the environment from negative effects of dust, chemical spills, and run-off on the surface and groundwater.
 - c. The ability of the transportation network to accommodate the amount and type of traffic as well as the highway and road weight classifications.
 - d. The character and site features of the area.
- (2) Proposed extraction operations shall be subject to all permit, licensing, and operational requirements under *The Mines and Minerals Act* and the Quarry Minerals Regulation, which the Board may request during the application review.
- (3) Proposed extraction operations shall be considered Conditional Uses in the Zoning By-law.
- (4) Minimum setback regulations and buffering requirements shall be established in the Zoning By-law for extraction operations and adjacent land uses to promote compatible development patterns.
- (5) All applications for proposed extraction operations shall include a site plan and supporting planning rationale which will document the manner in which extraction or development will occur; applicable policy and regulatory compliance matters; and the intended use(s) of the site after the extraction of parts or all of the site has been completed. Other supporting technical assessments to further demonstrate compliance to applicable policy and regulatory matters may also be required by the District.
- (6) Lands disturbed by aggregate and mineral exploration or development shall be rehabilitated by the owner/operator. The standard of rehabilitation will be determined in consultation with the Province of Manitoba and under the provisions of *The Mines and Minerals Act* and in accordance with Provincial Land Use Policy 8.1.7.
- (7) To encourage progressive rehabilitation of unused post-mining lands, a financial penalty may be incorporated into a development agreement as a function of the area of derelict land and the length of time since mining was discontinued on the property.

9. Culture & Heritage

This section establishes directions to protect and celebrate the District's cultural and heritage resources.

9.1. Objectives

- (1) To identify and protect the District's cultural and heritage resources and protect them from incompatible development that may threaten their integrity, operation, or communal value.
- (2) To provide opportunities for cultural experiences throughout the District.
- (3) To celebrate and promote interest in the District's history and diversity.

9.2. Policies

9.2.1. *Heritage Preservation*

- (1) The identification of heritage resources, including buildings and sites with historic, cultural, architectural, or archeological significance, shall be encouraged throughout the District.
- (2) Heritage resources shall be protected from incompatible or potentially incompatible uses where:
 - a. Buildings or sites have received municipal and/or Provincial heritage designation;
 - b. Buildings or sites are in the process of receiving or being considered for municipal and/or Provincial heritage designation; or,
 - c. Buildings or sites have been developed as a heritage resource and currently operate as such.
- (3) The development, designation, and preservation of heritage resources should be coordinated with other heritage and recreation resources in the District to maximize interpretive potential and opportunities for tourism.
- (4) The District shall support public and private efforts to reuse, renovate, or adapt historic sites or buildings in ways that retain and highlight character-defining elements.
- (5) As a condition of a subdivision, demolition permit or the issuance of a Development Permit, the District may require the applicant to prepare a Heritage Resource Impact Assessment to assess and mitigate potential adverse effects of the proposed development on cultural and heritage resources.

9.2.2. *Cultural Appreciation*

- (1) Initiatives to raise public awareness and promote appreciation of cultural diversity in the District shall be encouraged, such as through community events and/or the naming of streets, parks, or public facilities.

10. Transportation & Mobility

This section establishes directions to ensure regional connectivity and local mobility options are maintained and improved.

10.1. Objectives

- (1) To support safe and efficient transportation infrastructure in the District.
- (2) To protect Provincial and Municipal investments in transportation infrastructure.
- (3) To ensure new roadways and developments are compatible with existing and planned transportation networks.
- (4) To provide residents and visitors with convenient access to services and amenities through enhanced connectivity throughout the District and to the surrounding region.
- (5) To increase options for mobility within Settlement Centres and promote active modes of transportation that contribute to healthy lifestyles and a reduction in greenhouse gas emissions.

10.2. Policies

10.2.1. Provincial Highways and Roadways

- (1) A permit from The Provincial Highway Authority shall be required to construct, modify, relocate, remove, or intensify the use of an access to a Provincial Road or Provincial Trunk Highway, unless under local jurisdiction.
- (2) A permit from The Provincial Highway Authority shall be required to construct, modify, relocate, or remove a structure or sign, or to change or intensify the use of an existing structure (including the alteration of existing buildings) within the controlled area adjacent to a Provincial highway.
- (3) Proposed developments and subdivisions adjacent to the Provincial highway system should be guided by concept plans that establish an internal road network which joins with, and is complementary to, the existing and planned highway network of the area.
- (4) Development that may have a detrimental impact on the safe and efficient operation of the Provincial highway system shall not be allowed unless appropriate measures, as deemed acceptable to The Provincial Highway Authority, are implemented at the sole cost of the applicant.
- (5) Development that may intensify land use adjacent to and/or change access to PTH Nos. 12 or 44 shall be supported by a Traffic Impact Study prior to any rezoning, subdivision, or development approvals to ensure The Provincial Highway Authority's future plans and access requirements for PTH Nos. 12 and 44 are accommodated.
- (6) Strip development along Provincial highways, whereby direct connections to the highway are relied upon for providing access to abutting sites and featured uses, shall not be permitted.

- (7) Direct access to the Provincial highway system from land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic shall be discouraged. Access should be provided via an internal road and/or municipal road system.
- (8) Subdivision or development of sites in areas designated for highway widening or expansion shall not be permitted unless, at the discretion of the applicable Provincial authority, suitable provisions are made by the applicant to accommodate the future widening or expansion.
- (9) Where an area of development is bordered on one side by a major transportation corridor or facility such as a highway, new development should be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
- (10) Proposed developments that may be adversely affected by noise, dust, and/or fumes from Provincial highways shall be located where there is adequate separation from these corridors, or shall incorporate measures such as sound barriers or landscaped buffers to mitigate conflicts.

10.2.2. Municipal Roads

- (1) New development shall have legal access to an all-weather road of sufficient standard and capacity to service featured uses, unless the proponent makes an agreement with the District to upgrade an existing road, or develop new road access to a standard agreed upon by The Board or municipality. The proponent may be responsible for all or a portion of the costs associated with constructing said roadway, as per the terms of the development agreement.
- (2) When evaluating development proposals, the potential impact on the existing transportation system shall be considered. Development requests that are incompatible with the existing and/or planned transportation system may be rejected if an agreement cannot be reached between the District or municipality and the proponent to ensure compatibility or to provide sufficient road upgrading.
- (3) New development which has the potential to generate significant vehicle traffic should be directed away from areas and land uses where such levels of traffic could endanger public safety.
- (4) New developments shall be encouraged to feature short residential blocks and minimal cul-de-sacs to improve connectivity and create alternative options for reaching local destinations.
- (5) Local road networks should be planned and designed economically, as to ensure existing and proposed developments can effectively be served, while also not limiting the potential to serve future development on adjacent lands. This may be achieved by

requiring applicants to dedicate a portion of their lands for future road allowances in strategic locations.

- (6) Municipal road allowances should be retained for public access. Any clearing, cultivation or cropping of unimproved road allowances shall be approved by the District and, whenever possible, unimproved road allowances should be left in their natural state until such time as they are required for road development, as to preserve natural vegetation and valuable wildlife habitat.
- (7) Where appropriate, such as on proposed local roads not intended to serve farm equipment, heavy machinery, or high volumes of truck traffic, the District may consider reducing the size of required road allowances to reduce future maintenance costs.
- (8) Where high volumes of truck traffic are known or anticipated and the District is the traffic control authority, the Board or municipality may designate certain roadways as truck routes in order to limit the deterioration of the local road system and minimize safety problems and nuisance factors within communities. Appropriate setbacks for buildings situated along roadways designated as truck routes shall be established in the Zoning By-law.
- (9) Land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic should be directed to locations in proximity to major roadways, including Provincial highways, with access to the highway system provided by means of municipal collector roads.

10.2.3. Active Transportation Infrastructure

- (1) The District shall work toward expanding and enhancing active transportation facilities throughout Settlement Centres to offer an alternative to automobile use and to improve residents' year-round access to commercial and community services.
- (2) All new sidewalks, paths, and trails shall be designed to allow for barrier free access, ensuring users of all ages and abilities are accommodated, and to facilitate two-way travel safely and efficiently.
- (3) New paths, trails, and sidewalks should, whenever possible, connect to existing transportation networks and establish convenient routes to key local destinations, such as parks and schools.
- (4) The District may consider introducing seasonal sidewalks where appropriate, such as public parks and commonly used natural areas, which are constructed out of materials that are permeable, aesthetically complementary to the location, and cost effective for maintenance.
- (5) Future subdivision developments should incorporate mid-block pedestrian and cyclist crossing opportunities in Settlement Centres to improve residents' access to commercial and community services.

- (6) In the absence of constructing sidewalks in new residential developments, traffic calming measures on local roads may be considered at the discretion of The Board, as to ensure safe use for pedestrians, cyclists, and other modes of active transportation.

10.2.4. Recreation Trails

- (1) The use of decommissioned railway beds for active transportation infrastructure shall be promoted and encouraged.
- (2) Year-round active transportation facilities may be developed in public parks and open space for both recreation and active transportation purposes.

10.2.5. Aircraft Landing Fields and Approaches

- (1) Existing aircraft landing fields and aerial approaches should be protected from incompatible or potentially incompatible land uses that may adversely impact their operation or endanger public safety. Transport Canada's guide for "Land Use in the Vicinity of Aerodromes" should be referenced as needed when reviewing proposed developments on lands adjacent to existing aircraft landing fields and aerial approaches.
- (2) The Zoning By-law shall establish aircraft landing fields as a Conditional Use and outline development standards and appropriate separation distances for any adjacent development in accordance with any applicable Transport Canada regulations.
- (3) Proposals to establish private or public airfields shall consider the location of existing dwellings or other development that might adversely be impacted by aircraft operations in accordance with any applicable Transport Canada regulations.

10.2.6. Railways

- (1) In reviewing applications for new development in proximity to active rail corridors in the District, The Board shall:
 - a. Send information on the proposed development to the Province for review and comment.
 - b. Enforce guidelines established by the Federation of Canadian Municipalities and the Railway Association of Canada in regard to development setbacks and buffering.
- (2) Development should occur in a manner that minimizes the number of new at-grade rail crossings.

11. Utilities & Municipal Services

This section establishes directions to provide reliable utilities and municipal services to support existing and future development.

11.1. Objectives

- (1) To strategically direct investments for new, upgraded, and/or extended public utility infrastructure, taking into consideration long-term maintenance and replacement costs.
- (2) To optimize existing municipal water, sewer, and solid waste management infrastructure.
- (3) To facilitate the economical and efficient delivery of municipal services.
- (4) To protect local and regional investments in infrastructure and utilities.
- (5) To work collaboratively with private and public utility companies to ensure that high-quality services are available throughout the District.

11.2. Policies

11.2.1. Collaboration

- (1) Co-operative and inter-jurisdictional servicing initiatives will be encouraged, including possible revenue sharing agreements, to equitably share costs and benefits of future development in the District.
- (2) Cooperation will be encouraged with affected utility companies to ensure the economical and efficient provision of services, including the establishment of energy efficient facilities.
- (3) The Board shall adhere to Provincial drainage guidelines and work cooperatively with the applicable Provincial authorities and adjacent jurisdictions to address regional drainage issues.

11.2.2. Water and Wastewater

- (1) Where municipally operated water or wastewater services are provided within any developed area, new developments requiring those services shall connect to the municipal systems.
- (2) New developments or subdivisions proposing to connect to a municipal water or wastewater system shall be designed to do so in an efficient and economical manner.
- (3) The Board may require technical analyses, at the applicant's expense, to determine the impact of a proposed development on the operation and capacity of existing and future infrastructure systems and distribution networks in accordance with **Section 21**

Implementation Tools.

- (4) Water supply and wastewater management systems, where provided, shall be developed and operated in accordance with applicable Provincial regulations and municipal standards.
- (5) Any proposed development that is not intended to connect to the municipal wastewater system shall be located on a lot large enough to accommodate on-site sewage disposal systems and be subject to approval under Provincial regulations. When deemed appropriate by the Board, such developments should be planned and constructed to economically connect to the municipal wastewater system at a future date, including siting houses to allow for future subdivision.
- (6) All proposed onsite wastewater management systems shall:
 - a. be designed and constructed to be suitable for the lot size and soil conditions;
 - b. comply with all requirements under MR 83/2003-Onsite Wastewater Management Systems Regulation; and,
 - c. be registered with the applicable Provincial authority prior to installation.
- (7) The Zoning By-law will establish minimum buffer areas around sewage treatment facilities and wastewater stabilization ponds, in accordance with Provincial regulations and/or guidelines, limiting land uses to those that will not be adversely affected by these facilities.
- (8) Where development will cause the District to carry out an alteration to a municipally operated water or wastewater system, the District will adhere to any existing applicable Provincial legislation, as well as ensure that all required engineering data supporting the proposal has been forwarded to the appropriate Provincial agency for review and comment.
- (9) Developments shall not be permitted in areas requiring the unnecessary expansion of existing water and/or wastewater treatment and distribution infrastructure.

11.2.3. Drainage

- (1) Any development proposing drainage into the Provincial highway drainage system or a designated Provincial waterway shall require permission from The Provincial Highway Authority and licensing from the appropriate Provincial authority. Should there be any upgrades required to the existing highway drainage system or Provincial waterway in direct relation to the development, the developer shall be solely responsible for any and all associated costs.
- (2) Applications for development may be required to include a drainage plan. As part of the approval process, The Board may impose conditions on the design and maintenance of drainage systems to prevent negative impacts on existing drainage infrastructure and/or affected areas of ecological significance.
- (3) The Board shall support opportunities for local farmers to work with the Northeast Red Watershed District in implementing sustainable agricultural drainage practices.

- (4) Proposed larger scale residential developments and subdivisions, when deemed appropriate, should be encouraged to incorporate naturalized stormwater retention facilities.

11.2.4. Emergency and Protective Services

- (1) The capacity of firefighting resources shall be considered when reviewing any applications for proposed higher density or intensive developments.
- (2) Convenient access and clear wayfinding strategies shall be considered for all new developments to ensure the effective response of police and emergency service providers.

11.2.5. Solid Waste Management

- (1) The District will provide facilities to dispose of solid waste in a sanitary, economic, and orderly manner by planning in advance for the location and development of suitable Provincially approved landfill sites.
- (2) The District shall encourage the provision of adequate waste management facilities and should explore programs for recycling, compositing, and the disposal of hazardous household items.
- (3) The layout of new residential developments in Settlement Centres shall allow for the efficient collection of solid waste.
- (4) The Zoning By-law shall establish minimum buffer areas around solid waste disposal sites, in accordance with Provincial regulations and/or guidelines, limiting land uses to those that will not be adversely affected by such facilities.

11.2.6. Public and Private Utilities

- (1) Essential activities of government, including public and private utilities, shall be allowed in any land use designation subject to zoning requirements. Special considerations may be given in the Zoning By-Law to review siting requirements for uses that include communications towers and maintenance compounds to ensure they will not have adverse impacts on adjacent lands. Such uses should be located and developed in a manner that minimizes any incompatibility with adjacent uses.
- (2) Existing public and private utilities should be protected from incompatible or potentially incompatible land uses which may threaten or adversely affect their operation.
- (3) To ensure community members can reliably access important information and communicate with one another, the District should work with utility companies and other levels of government to upgrade related facilities and improve service quality throughout the District.

PART THREE: LAND USE POLICY AREAS

PART THREE outlines objectives and policies applying to the land use policy areas within the District. The policies contained in this part should be read with reference to those outlined in **PART TWO**.

The following land use policy areas are described:

- Agricultural Areas
- Rural Residential Areas
- Seasonal Recreation Areas
- Urban Residential Areas
- Commercial Areas
- Industrial Areas
- Institutional Areas
- Open Space and Recreation Areas

12. Agricultural Areas

The Agricultural Area designation reflects the importance of agriculture in the District. As such, the policies are intended to protect the agricultural capacity and character of the District while providing for a vibrant rural economy and limited opportunities for rural living.

12.1. Objectives

- (1) To protect the prominent role of agriculture in the District.
- (2) To preserve productive agricultural land and discourage the fragmentation of land designated for agricultural use.
- (3) To strengthen and diversify the rural economy by encouraging uses that support agri-businesses and value-added production for agricultural operations, as well as provide opportunities for tourism, recreation, and complementary commercial enterprises.
- (4) To support limited farm-related residential development provided it does not supersede or conflict with the viability of agricultural operations.
- (5) To direct intensive forms of agriculture and livestock operations to appropriate areas that do not jeopardize the health, well-being, or viability of surrounding land uses, including Settlement Centres, regional destinations, and ecologically significant areas.
- (6) To protect the natural beauty and environmental integrity of rural areas while recognizing the prominent role outdoor amenities play in supporting active and healthy lifestyles.

- (7) To support the agricultural industry to become more resilient to the effects of climate change.

12.2. Policies

12.2.1. General

- (1) General and specialized agriculture shall be the primary land use within the Agricultural Area, providing for a full range of agricultural activities.
- (2) Lands within the Agricultural Area should be maintained in large parcels, generally 32 ha (80 ac) in area or more, to support the ongoing viability of agricultural activities.
- (3) Notwithstanding Policy **12.2.1(2)** above, the subdivision of land into parcels smaller than 32 ha (80 ac) to create specialized agricultural operations, such as nurseries, market gardens, greenhouses, u-pick operations, and apiaries, may be permitted, as to encourage the establishment of new smaller scale or diversified farms in the District. Only one subdivision per each 32 ha (80 ac) will be permitted. Additionally, the proposed subdivision must:
 - a. comply with this Plan and the Zoning By-law;
 - b. not be wasteful of agricultural land;
 - c. create a parcel that is a sufficient size to accommodate the proposed agricultural use;
 - d. be supported by a business plan or evidence of financial arrangements outlining the viability of the proposed specialized operation; and
 - e. have or will have direct access to an all-weather road of sufficient standard and capacity.
- (4) Existing agricultural activities shall be protected from development that may unduly interfere with their continued operation.
- (5) Existing communal settlements should be allowed to operate and continue with their way of life within the Agricultural Area provided they do not contravene the objectives and policies of this Plan, including those pertaining to livestock operations. However, this does not exempt communal settlements from the requirement to obtain development permits and building permits in accordance with the applicable Zoning By-law. Proponents intending to establish a new communal settlement shall be encouraged to consult the Board prior to submitting development applications to ensure alignment with the District's planning objectives.
- (6) The District may require a Special Study or Concept Plan to be prepared in support of any conditional use or zoning amendment application for non-agricultural uses in the Agricultural Area in accordance with **Section 21 Implementation Tools**.

12.2.2. Farm-Related Residential Development

- (1) One (1) farm dwelling shall be permitted in association with an agricultural activity, while additional farm-related dwellings may be permitted if legitimately accessory to the

agricultural activity. The approval of additional farm dwellings shall not be construed, in any way, as consent or approval for future subdivision.

- (2) Generally, the subdivision of lands in Agricultural Area for residential development should not be permitted, except in accordance with **Policies 12.2.2(3) – 12.2.2(7)** below.
- (3) The subdivision of a farmstead may be permitted in the following circumstances:
 - a. Where a retiring agricultural producer wishes to retain the farm residence;
 - b. Where a site is required to construct a home for a family member or individual actively participating in the farm operation and deriving significant income from such participation;
 - c. Where it is deemed necessary for agricultural purposes to realign farm boundaries around rivers, streams, highways, drains, and/or other features, provided no new titles are created;
 - d. Where a farm has been incorporated and it is necessary to establish a separate residential title from the agricultural corporation; and,
 - e. Where a legitimate farmstead site has been rendered surplus due to farm consolidation or amalgamation and the continued existence of the surplus farmstead will not have a negative impact on the operations occurring on adjacent agricultural lands. The farmstead shall contain a livable farm residence and be located within a well-defined and mature shelterbelt.
- (4) For subdivisions proposed under **Policy 12.2.2(3)**, the following conditions shall apply:
 - a. The proposed lot is not subject to flooding or erosion;
 - b. The proposed lot should not include cultivated lands;
 - c. The proposed lot can be serviced to a rural standard;
 - d. The proposed lot can be accessed by an existing all-weather road;
 - e. The proposed lot is confined to an existing shelterbelt whenever possible;
 - f. The proposed lot does not result in more than one (1) subdivision per generally 32 ha (80 ac), with a maximum of two (2) per quarter section; and
 - g. The proposed lot complies with the standards of the Zoning By-law.
- (5) The subdivision of land for a non-farm rural dwelling may be permitted where a parcel of land is isolated by way of a road, creek, drain, or other natural land feature, and where the size and/or shape of the parcel makes it difficult to carry out farming activities efficiently and economically.
- (6) For subdivisions proposed under **Policy 12.2.2(5)**, the following conditions shall apply:
 - a. The proposed lot shall comply with the applicable mutual separation distance for livestock operations, and should not limit the options for establishing a livestock operation in the future by way of creating a new or increased mutual separation distance, unless a variation to the applicable separation distance is approved by The Board;

- b. The proposed lot is generally not less than 0.8 ha (2 ac) and not more than 4 ha (10 ac), with consideration for existing buffers, shelterbelts, fence lines, or other similar types of physical restrictions, as well as requirements related to on-site water and sewage disposal systems;
 - c. The proposed lot will not restrict agricultural cropping practices on adjacent lands;
 - d. The proposed lot will not require services beyond the rural standard for the area;
 - e. The proposed lot shall not create undue competition with Settlement Centres by impeding the orderly growth of communities with available serviced lands;
 - f. The proposed lot generally does not result in more than one (1) subdivision per 32 ha (80 ac), with a maximum of two (2) per quarter section;
 - g. The proposed lot shall not be further subdivided in the future; and,
 - h. The proposed lot shall comply with the policies of this Development Plan pertaining to road access, flooding, and erosion, as well as with the standards of the Zoning By-law.
- (7) All rural residential development shall be located and designed to minimize land use conflicts and any capital and maintenance costs related to servicing and infrastructure.

12.2.3. Rural Economic Development

- (1) Commercial, recreation, and industrial uses that are related to agriculture or natural resource development, or that are better suited to a rural environment because they may create hazards or nuisances, may be permitted in the Agricultural Area provided that:
- a. The land is suitable for the proposed development;
 - b. The applicant can demonstrate the viability and marketability of the proposed development; and
 - c. A Concept Plan has been prepared and approved and any supporting Special Studies required by the District have been provided in accordance with **Section 21**
- Implementation Tools.**
- (2) Commercial, recreation, and industrial development shall be located where adequate road access, infrastructure, and services are either already in place or can be economically upgraded or extended to service the development.
- (3) Commercial, recreation, and industrial development should be directed away from prime or viable lower-class agricultural lands and existing livestock operations, wherever possible.
- (4) Farm diversification operations should be encouraged as value-added accessory uses in the Agricultural Area, in addition to home-based businesses and home-based industries, provided they comply with the Zoning By-law.
- (5) More intensive recreation developments, such as campgrounds and resorts, should not be permitted in Agricultural Areas and are better directed to Season Recreation or Open Space and Recreation Areas to minimize the potential for conflict with agricultural production and farm-related operations.

12.2.4. Livestock Operations

- (1) A livestock operation is considered any permanent or semi-permanent facility or non-grazing area where at least 10 animal units of livestock are kept and/or raised, either indoors or outdoors or any combination thereof, including all associated manure collection facilities.
- (2) Facilities with fewer than 10 animal units are not considered livestock operations and therefore are not subject to **12.2.4(9) - (10)** below.
- (3) Livestock operations with a maximum of 299 animal units shall be a permitted use within the Agricultural Area and no others.
- (4) Livestock operations with 300 or more animal units shall be a Conditional Use within the Agricultural Area and no others, and shall be referred to a Provincial Technical Review Committee.
- (5) The District shall encourage proponents of new or expanding large livestock operations, meaning those with 300 or more animal units, to conduct meaningful and transparent consultation with affected landowners and stakeholders.
- (6) Any new or expanding livestock operation shall comply with the Zoning By-law, as well as all applicable Provincial regulations and approval requirements.
- (7) Owners and operators of livestock operations shall develop facilities and conduct operations in a manner that mitigates the potential for polluting soils, surface water, and groundwater, as well as minimizes the potential for land use conflicts.
- (8) Sensitive and Ecologically Significant Areas
 - a. New livestock operations shall not be allowed in groundwater sensitivity areas or Wildlife Management Areas
 - b. New livestock operations shall not be allowed on lands where the soil suitability is rated as Class 6, 7, or on unimproved organic soil, as determined by a detailed soil survey. If detailed soil survey information is not available for the area, the applicant may be required to provide a detailed soil survey that is consistent with Provincial standards.
 - c. New development, as defined in *The Planning Act*, for livestock operations shall maintain a minimum setback of 100 m (330 ft) from the normal high water mark of all major water bodies such as lakes and rivers, as well as from all surface watercourses such as wetlands, roadside ditches, and drains.
 - d. On sites where the Province has identified a potential risk of pollution to soils, surface water, and/or groundwater, new or expanding livestock operations may be required to incorporate measures that will reduce the risk to acceptable levels.

(9) Mutual Separation Distances

Minimum separation distances will be maintained between new and expanding livestock operations and all designated areas, non-farm residential subdivisions, and residential dwellings not associated with the livestock operation. These separation distances shall be established in the Zoning By-law in accordance with the following:

- a. Separation distances for livestock operations from Beausejour, Tyndall, Garson and Rural Residential Areas will be consistent with the Provincial standard for designated areas.
- b. Separation distances for livestock operations from non-farm residential subdivisions and residential dwellings not associated with the operation shall be consistent with the Provincial standard for residences.

(10) Special Livestock Policy Areas

For the purpose of guiding new livestock operations in proximity to potentially incompatible land uses and natural areas, two (2) Special Livestock Policy Areas have been developed to implement restrictions:

- **Livestock Policy Area 1 (Prohibited)** shall prevent the establishment of most livestock operations on lands immediately adjacent to residential areas;
- **Livestock Policy Area 2 (Limited)** shall place moderate limits on livestock operations on lands adjacent to Policy Area 1 boundaries.

Each policy area shall establish different use permissions as outlined below in **Table 1**:

Table 1: Special Livestock Policy Areas

Livestock Policy Area	Operation Size	Use Permissions
1 (Prohibited)	10 + Animal Units	Not Permitted
2 (Limited)	10-200 Animal Units	Permitted
	201-300 Animal Units	Conditional
	301+ Animal Units	Not Permitted

- a. Livestock Policy Area 1 (Prohibited) will be applied within: 800 m (2,625 ft) of any Settlement Centre boundary or Urban Residential Area.
- b. Livestock Policy Area 2 (Limited) will be applied within: 1,600 m (5,250 ft) of the boundaries of Livestock Policy Area 1 (Prohibited) around Beausejour, Tyndall, and Garson.
- c. Existing livestock operations may be expanded as a Conditional Use.

13. Rural Residential Areas

Rural Residential Areas are applied to the District's smallest population clusters, within otherwise predominantly agricultural areas. They contain limited services, and land uses are mainly residential and/or farm related. As such, the intent for these areas is to help support centres of rural activity within the District, as well as maintain a rural-residential and farmstead character within them.

13.1. Objectives

- (1) To minimize potential conflicts between agricultural and non-agricultural related uses.
- (2) To ensure residences can be serviced in a manner consistent with Provincial standards.
- (3) To direct most residential development to Settlement Centres and limit expansion of Rural Residential Areas.

13.2. Policies

- (1) Infill residential development within existing Rural Residential Areas shall be permitted, provided it would not adversely impact the provision of municipal services and the lot size is in conformance with the Zoning By-law.
- (2) The expansion of existing or establishment of new Rural Residential Areas should generally be discouraged, and whenever possible, new residential developments should be directed to existing Settlement Centres and Urban Residential Areas, as to ensure the efficient use of existing infrastructure and prevent potential land use conflicts with surrounding agricultural operations.
- (3) Notwithstanding 13.2(1), the infilling or expansion of existing and/or establishment of new Rural Residential Areas on the periphery of established Settlement Centres is discouraged, as to ensure the future growth of the centres would not be impeded by these developments.
- (4) All forms of residential development shall be regulated by the Zoning By-law to ensure minimum lot sizes and setbacks are established to accommodate on-site wastewater management and water supply systems in accordance with Provincial standards.
- (5) Dwellings should be sited to minimize the removal of productive agricultural land and natural vegetation, as well as be oriented to take advantage of passive solar heating.
- (6) Home-based businesses and home-based industries may be permitted, provided that they comply with the regulations and standards of the Zoning By-law and do not conflict with the character or livability of existing residential areas.
- (7) New development shall protect heritage resources in accordance with **Section 9 Culture & Heritage**.
- (8) Livestock facilities for fewer than 10 animal units that are accessory to a primary farmstead or rural residence may be permitted within Rural Residential Areas, subject to the Zoning By-law, provided that such facilities are compatible with existing agricultural operations and the size of the proposed site can support the use.

- (9) Mutual separation distances between Rural Residential Areas and livestock operations shall be established by the Zoning By-law in accordance with **Policy 12.2.4(9)**.

14. Seasonal Recreation Areas

The District is home to a variety of outdoor recreational resources that help support the economy and define a local way of life. From the many lakes to the expansive forested areas, these resources provide opportunities for activities such as fishing, boating, hunting, and hiking, which are enjoyed by residents and visitors alike. These resources also attract development interest, such as cottages, campgrounds, commercial resorts, and recreational lodges. As such, it is critical that the use and development of these resources do not threaten their long-term viability.

14.1. Objectives

- (1) To protect the integrity of outdoor recreational resources by preventing incompatible developments or uses that may exceed the capacity of the resource to support them.
- (2) To maintain adequate public access to the Brokenhead River and other natural amenities.
- (3) To provide opportunities for safe and environmentally responsible recreational uses that improve quality of life and promote economic development in The District.
- (4) To mitigate the impact of recreational developments on shorelands and significant natural areas, such as the Mars Hill Wildlife Management Area and the Libau Bog Ecological Reserve.

14.2. Policies

14.2.1 General

- (1) Economically sustainable and environmentally sound development shall be encouraged in Seasonal Recreation Areas, particularly on lands with high recreational capability, in accordance with **Section 6.2.5 Outdoor Recreational Resources**. Existing recreational developments of local, regional, or Provincial significance shall be protected from land uses that may detract from the social or economic opportunities such resources afford to residents and visitors alike.
- (2) Development shall be directed away prime agricultural lands and viable lower-class lands, existing livestock operations, aggregate extraction areas, sensitive or ecologically significant environmental areas, and other incompatible uses.
- (3) A Concept Plan shall be prepared prior to the subdivision of land for any proposed development in accordance with **Section 21 Implementation Tools**. This concept plan shall indicate major road patterns, general configuration of proposed land uses, public reserve and recreation facilities, relationship to adjoining lands and method(s) of servicing.
- (4) The District may require a market study to demonstrate sufficient demand for a proposed development.

- (5) Wherever feasible, new development shall preserve natural tree coverage (particularly when adjacent to waterbodies or rivers), as well as connect to a system of open spaces and/or natural pathways to allow for ease of access to adjacent recreational resources.
- (6) All proposed developments shall provide adequate drainage systems (internal and external), potable water supplies, and wastewater management systems, subject to applicable Provincial regulations and standards.

14.2.2 Seasonal and Permanent Residential Development

- (1) If located adjacent to a waterbody, all proposed seasonal and permanent residential developments shall comply with the applicable policies in **Section 14.2.1** above.
- (2) The use of residential properties in Seasonal Recreation Areas as year-round residences may be permitted, provided it can be demonstrated that:
 - a. It will not have a greater impact on the environment than would be expected with standard seasonal use, including factors such as tree removal, sewage disposal, disturbance to wildlife habitat, and similar such factors;
 - b. Provision of municipal services, such as snow clearing, street lighting, and solid waste pick-up, will not exceed that which would be expected with normal seasonal use in the area, unless a separate agreement can be reached with the District.
 - c. Roads will be designed and maintained for year-round use and the location does not prohibit access during winter conditions, including for the provision of emergency services, such as on lands characterized by steep slopes (15% or more).
- (3) Proposed residential developments, included seasonal and permanent residences, shall be encouraged to locate in existing built-up cottage areas or established recreation amenities (i.e., cluster concept) where suitable vacant land is available and surrounding land uses are compatible.
- (4) Where suitable vacant land is not available in existing built-up cottage areas, residential development shall be encouraged, where possible, to locate adjacent to existing built-up areas to allow for the efficient and economical provision of municipal services.
- (5) Where a residential development is proposed on lands known or suspected to be potentially hazardous, whether due to flooding, erosion, slope instability, or other such risks, it shall comply with all applicable policies under **Sections 5.2.1 Flood Hazard Areas and 5.2.2 Areas Prone to Erosion or Slope Instability**.
- (6) Lot sizes shall be capable of accommodating private onsite wastewater management systems, in accordance with **Section 11.2.2 Water and Wastewater** and applicable Provincial regulations.

15. Urban Residential Areas

The Urban Residential Area designation is applied to existing and emerging neighbourhoods within or adjacent to the Settlement Centres of Beausejour, Tyndall, and Garson. The intent of this designation is primarily to accommodate various forms of residential development, including detached, semi-detached, and multi-unit dwellings, as well as other complementary uses that help residents meet their daily needs, such as institutional and community facilities, public parks, and limited neighbourhood commercial uses.

15.1. Objectives

- (1) To maintain the stability, quality, and character of existing residential neighbourhoods.
- (2) To prioritize development on lands that are within or contiguous to built-up areas.
- (3) To encourage a variety of housing types in terms of size, affordability, and tenure to accommodate the community's evolving needs.
- (4) To create complete neighbourhoods with access to a variety of community amenities and services.

15.2. Policies

15.1.1. General

- (1) Within Urban Residential Areas, where undeveloped lands that require new or extended public roads are being considered for development, an overall concept plan shall be prepared in accordance with **Section 21 Implementation Tools** to ensure the development is well-planned, including such factors as internal and external connectivity and location of parklands.
- (2) Infill and revitalization of existing built-up areas shall be encouraged to accommodate new development in Urban Residential Areas. Where suitable vacant land is not available within built-up areas, new development shall be encouraged to locate adjacent to built-up areas where public services can be efficiently and economically expanded.
- (3) Residents or property owners shall be strongly encouraged to revitalize or remove an existing building when, in the opinion of The Board, the condition of the building has deteriorated to a point of being a visual nuisance or potential safety hazard. This may be enforced through the development and passing of a derelict building by-law by The Board.
- (4) Livestock operations shall not be permitted in Urban Residential Areas.

15.1.2. Residential Development

- (1) Development of a variety of housing types shall be encouraged in Urban Residential Areas, including single-unit, semi-detached, and multi-unit dwellings, as well as dwellings designed to be universally accessible, in response to evolving demands.

- (2) The location, size, and siting of all residential development types shall be regulated by the Zoning By-law to provide for general compatibility with existing neighbourhoods.
- (3) Residential development shall be located to avoid potential conflicts with incompatible facilities and infrastructure, such as lagoons, highways, and active rail lines, as well as uses that generate noise, dust, odors, heavy traffic, and other similar types of nuisances, such as industrial and large-scale commercial developments.
- (4) Recognizing the existing supply of undeveloped residentially designated lands within and adjacent to Beausejour, Tyndall, and Garson, designation of additional lands to Urban Residential should generally be discouraged until such time that the proponent can demonstrate a sufficient need in relation to the existing supply.
- (5) Prior to the installation of municipal piped services, single residential lots may be developed in Urban Residential Areas only on the condition that such development be connected to the servicing once those systems, typical to the urban area, is installed.
- (6) Home-based businesses may be permitted in Urban Residential Areas, provided that they comply with the regulations and operational standards of the Zoning By-law.
- (7) The location of residential development should allow for convenient access to public and institutional uses, such as recreation facilities, libraries, parks, and schools, as well as commercial uses that help satisfy daily needs.
- (8) Parks and playgrounds shall be considered as an integral part of new residential developments and shall be identified on conceptual plans of subdivision and dedicated to the community as public reserve through the subdivision process. These parks and playgrounds should be centrally located in each neighbourhood to maximize access. Such facilities should be provided in existing residential areas where, in the opinion of The Board, there is an apparent need due to population growth or changing demographics.

15.1.3. Non-Residential Development

- (1) Non-residential developments within Urban Residential Areas should be limited to types of uses that provide a public or semi-public service, such as governmental, educational, recreational, or religious facilities, as well as limited commercial uses that are complementary to the scale and character of the neighbourhood, provided the location is suitable for the intended use.
- (2) Proposed non-residential developments shall be evaluated with respect to their potential impacts on surrounding residential areas, having regard for factors such as vehicle traffic and parking, as well as noise.
- (3) Institutional facilities shall be encouraged to locate with easy access to collector streets and in proximity to community amenities and other established institutional uses.

16. Commercial Areas

The Commercial Area designation is predominantly applied to lands within the Settlement Centres of Beausejour, Tyndall, and Garson to support a mix of commercial services, attractions, and amenities, as well as higher density residential developments.

16.1. Objectives

- (1) To encourage a range of commercial uses, institutional facilities, and community services that serve the needs of residents and visitors.
- (2) To support urban design and placemaking initiatives that reflect local identity and create vibrant main streets in existing Settlement Centres.

16.2. Policies

16.2.1. General

- (1) The primary land uses in Commercial Areas shall be commercial, allowing for a range of professional, hospitality, and retail services, in addition to community services, institutional facilities, public amenities, higher-density residential developments, and commercial-residential-mixed-use developments.
- (2) The conversion of commercial space to low-density residential should be discouraged.
- (3) Commercial developments with extensive site requirements, such as outdoor storage and display, large surface parking lots, or warehouse style sales areas, will be encouraged to locate at appropriate locations near major roadways.
- (4) For proposed commercial developments, a concept plan may be required in accordance with **Section 21 Implementation Tools** to address servicing issues, site access, and other planning matters.
- (5) Livestock operations shall not be permitted in Commercial Areas.
- (6) Pedestrian pathways and sidewalks that provide connectivity within Commercial Areas and to surrounding residential neighbourhoods, park spaces, and public amenities shall be prioritized by the District to promote active mobility options.

16.2.2. Main Street Development

- (1) The District shall consider creating concept plans for Settlement Centre main streets within Commercial Areas that address:
 - a. Active transportation connectivity and safety.
 - b. Delineation of parking, driving, and pedestrian areas.
 - c. Landscaping, street trees, lighting, and public art.
 - d. The potential for infill development on vacant or under-utilized lands.
 - e. Market gaps and economic development opportunities for locals and tourists alike.
- (2) An update and/or consolidation of member Zoning By-laws, shall consider the following directions for Settlement Centre main streets within Commercial Areas:

- a. Directing small-scale businesses that serve local residents to locate along Settlement Centre main streets rather than in Industrial Areas or the edge of the community.
 - b. Requiring minimal setbacks from the front property line.
 - c. Enabling a mix of local commercial, institutional, and multiple-unit residential uses.
 - d. Enabling infill development along Settlement Centre main streets that is complementary to the scale and form of existing development.
 - e. Requiring minimal on-site parking in favour of street parking.
- (3) Landscaped boulevards and medians, treed sidewalks, and pocket parks should be incorporated along main streets where pedestrian traffic is most concentrated.

17. Industrial Areas

The Industrial Area designation supports industrial and larger scale commercial uses that are compatible with surrounding land uses, while also supporting economic development in the Settlement Centres of Beausejour, Tyndall, and Garson.

17.1. Objectives

- (1) To promote the growth of industrial uses within the District and increase employment opportunities.
- (2) To ensure industrial uses are compatible with surrounding land uses.
- (3) To mitigate the potential health and environmental risks of industrial developments.
- (4) To encourage industrial uses to be designed, built, and maintained in an aesthetically pleasing manner.
- (5) To direct Industrial Areas to locations with convenient highway access.

17.2. Policies

17.2.1. General

- (1) The primary land uses in Industrial Areas shall be industrial types of uses, such as manufacturing or processing related developments, as well as larger scale commercial and motor vehicle related uses, such as warehouse sales and service stations.
- (2) Livestock operations shall not be permitted in Industrial Areas.
- (3) Development that may pose risks to the well-being of residents, whether due to noise, odour, traffic, or other detrimental factors, shall be considered a Conditional Use in the Zoning By-law.
- (4) Unsightly commercial or industrial developments shall be adequately buffered from adjacent residential uses, institutional facilities, and public areas.
- (5) New Industrial Areas should only be developed if there are no existing serviced lands available that can accommodate projected demand. The servicing of new Industrial Areas should be done to minimize the costs of extending municipal infrastructure, while also ensuring the proposed development is compatible with existing adjacent land uses.
- (6) An overall concept plan, in accordance with **Section 21 Implementation Tools**, may be required for proposed developments in Industrial Areas to address such matters as servicing, landscaping, buffering, site drainage, vehicular access, and other relevant planning considerations.

17.2.2. Industrial Development

- (1) Industrial uses which are incompatible or potentially incompatible with other urban uses, such as residential and institutional uses, and/or which pose a significant risk to public health, safety, or well-being due to the nature and intensity of the operation,

should be directed to suitable locations to prevent such issues. If a site is not available within an Industrial Area, a suitable location in the Agriculture Area may be considered in accordance with **Section 12.2.3 Rural Economic Development**.

- (2) Industrial uses which are likely to be unsightly due to the nature of the industrial operations, exterior storage, building or structures, should generally be discouraged from locating along the highway approaches and entrance roadways to urban areas. If such uses are proposed in these areas, special landscape buffering or other mitigative screening measures should be taken to screen these industrial uses from view.
- (3) Industries presently located outside of Industrial Areas should be encouraged to relocate to the appropriate area, with a particular focus on those industries that have a negative impact on adjoining properties or planned future development. Should relocation of existing industries be impractical, steps should be taken to minimise the negative impact on adjoining properties, in accordance with **Policy 17.2.2(2)** above.
- (4) The rehabilitation and redevelopment of existing industrial sites shall be promoted prior to the development of new industrial areas.
- (5) All industrial uses shall make provision for water supply, sewage disposal, surface drainage and landscaping in compliance with all applicable regulations and by-laws.
- (6) If deemed necessary by the District or a Provincial agency, an engineering report addressing environmental concerns, such as groundwater protection or land drainage, shall be required prior to the approval of any proposed industrial development.
- (7) In order to preserve the quality of the environment and natural character of the District, new or expanded industrial uses shall ensure:
 - a. Water consumption in peak use periods will not unduly strain the water supply.
 - b. Emissions, in terms of dust, odour, gases, noise, vibration or light, will not significantly diminish the quality of the environment.
 - c. Any proposed alteration of the topography will not aggravate or cause flooding or drainage problems on other lands.
 - d. The development is consistent with applicable policies outlined in **Section 6 Natural Areas, Environmental Conservation & Outdoor Recreation**.

17.2.3. Commercial Development

- (1) The development of commercial clusters shall be encouraged to allow for the efficient provision of servicing, shared parking facilities, and limited access points from roadways.
- (2) Commercial developments with extensive site requirements, such as large surface parking lots or outdoor storage areas, shall be encouraged to incorporate adequate screening from any surrounding public right-of-way(s), such as natural vegetation.
- (3) In accordance with **Section 10.2.1 Provincial Highways and Roadways**, proposed commercial developments adjacent to Provincial highways shall be complementary to

the existing and planned highway system and, as required, will be circulated to The Provincial Highway Authority for review.

18. Institutional Areas

Public facilities provide important services to residents of the District. The intent of the Institutional Area designation is to identify lands for public utilities, government offices, healthcare facilities, schools, places of worship, cultural facilities, and other community services.

18.1. Objectives

- (1) To ensure a suitable supply and distribution of community facilities and public services to meet residents' needs.

18.2. Policies

- (1) The primary land use in Institutional Areas shall be non-commercial in nature, including public utilities, government offices, healthcare facilities, schools, places of worship, cultural facilities, and other community services.
- (2) Limited small-scale accessory commercial (e.g., café or gift shop) and residential (e.g., parsonage or rectory) uses may be considered in Institutional Areas, subject to the Zoning By-law.
- (3) Livestock operations shall not be permitted in Institutional Areas.
- (4) Uses that may generate noise, traffic, or other detrimental factors, shall be considered a Conditional Use in the Zoning By-law.
- (5) Unsightly areas (e.g., parking lots and loading docks) shall be adequately buffered from adjacent residential uses and public areas.
- (6) An overall concept plan, in accordance with **Section 21 Implementation Tools**, may be required for proposed large scale developments in Institutional Areas to address such matters as servicing, landscaping, buffering, site drainage, vehicular access, and other relevant planning considerations.
- (7) Compatible institutional uses may locate in Urban Residential Areas, such as places of worship, schools, and daycares.
- (8) Compatible institutional uses may locate in Commercial Areas, such as government offices.

19. Open Space and Recreation Areas

Green spaces and recreational facilities are critical to supporting a high quality of life for residents. The preservation of natural areas helps protect the integrity of the environment, as well as maintain the District's rural character. The Open Space and Recreation Area designation is applied to lands that serve these purposes. The intent is to ensure that residents can access a range of green spaces and recreational facilities within Settlement Centres while also protecting the natural environment.

19.1. Objectives

- (1) To promote healthy and active lifestyles by supporting year-round recreational activities.
- (2) To maintain the District's natural environment and rural character by protecting green spaces, tree stands, wetlands, and areas of ecological significance.
- (3) To encourage the use of naturalized space as a buffer between incompatible land uses.
- (4) To bolster local tourism by maintaining and enhancing outdoor recreational amenities.

19.2. Policies

19.2.1. General

- (1) Preserved natural areas, public parks, playgrounds, and recreational facilities, including private commercial recreation developments such as campgrounds and golf courses, shall be the primary land uses in Open Space and Recreation Areas. Ancillary uses that provide a public benefit or enhance the overall experience shall also be encouraged, such as concession stands, outdoor stages, washrooms, and equipment rentals.
- (2) Livestock operations shall not be permitted in Open Space and Recreation Areas.
- (3) Land shall be acquired through the subdivision process for park, recreation, and open space use according to the provisions of *The Planning Act* and designated Open Space and Recreation, including riparian lands acquired in accordance with **Policy 6.2.2(3)**.
- (4) Tree planting to offer shaded areas and help reduce GHG emissions will be encouraged in parks, playgrounds, and recreational areas throughout the District. Such planting should utilize a variety of native tree species and provide for visual diversity. The preservation of existing healthy mature trees shall be strongly encouraged.
- (5) Open Space and Recreation Areas shall be easily accessible for residents, and where possible, evenly distributed throughout urban communities.
- (6) Open Space and Recreation Areas shall be maintained at an acceptable level to ensure that recreational spaces provide for clean and hazard free experiences.
- (7) The repurposing of under-utilized lands for parks, open space, or recreational use shall be encouraged.
- (8) The use of landscaped buffers, sports fields, and open spaces shall be considered as a means of protecting the District's physical environment, including the preservation of ecologically significant lands, and of separating non-compatible types of land uses.

19.2.2. Commercial Recreational Developments

- (1) In order to ensure new and expanding commercial recreational developments are appropriate for the proposed site and location, the District shall consider:
 - a. The potential for intermittent flooding, slumping, and/or erosion on the lands.
 - b. Compatibility with surrounding land uses, having regard for vehicle traffic and parking issues, as well as noise and light emissions.
 - c. The potential impact on the natural environment, having regard for wildlife habitats, groundwater sensitivity areas, and the removal of natural vegetation.
 - d. The quality of site access in relation to the surrounding mobility network.
 - e. The significance of the lands as a public amenity for passive recreational use.
 - f. The appropriateness of the proposed development in relation to the intended character and function of Open Space and Recreation Areas.
- (2) Commercial recreational uses may be considered as Conditional Uses within the urban open space and recreational zone(s) of the Zoning By-laws.

PART FOUR: IMPLEMENTATION

PART FOUR provides an overview of processes, planning tools, and strategies to implement this Development Plan and in turn, advance the goals, objectives, and vision contained herein.

20. Administration

20.1. Adoption & Enforcement

In accordance with *The Planning Act*, Development Plans in Manitoba shall be approved by the Minister of Municipal and Northern Relations before officially being adopted through The Board resolution. Once adopted by The Board, this Development Plan will rescind and replace the existing Brokenhead River Planning District Development Plan By-law No. 138-09, thereby giving it the force of law.

Enforcement of the Development Plan shall be carried out through the decisions of the Board, the actions of administrative staff, and the directions provided by Provincial departments and agencies. Any future development in the District shall be in keeping with the policies and objectives of this Plan. In order to ensure this is achieved, The Board may, through the development application review and approval process, establish conditions or requirements for proponents in accordance with the tools set out in **Section 21 Implementation Tools** of this Plan.

20.2. Amendment & Review

All Development Plan amendments, whether initiated by the District or an affected property owner, shall be reviewed and approved in accordance with *The Planning Act*, including review and approval by the Minister before coming into effect. If new development is proposed that does not conform to the Development Plan, then an application to amend the Plan shall be prepared for initial review by The Board. Applications to amend the Plan shall demonstrate the impact of the proposed change and shall be determined to be in the best interest of the community.

The Development Plan should also be reviewed periodically and as deemed necessary, revised to anticipate and respond to changing conditions within the District. *The Planning Act* provides that The Board may set out a date by which a review of the Development Plan shall be completed. Based on current growth and development trends, The Board intends to carry out a review of the Plan no later than approximately eight (8) years after the effective date of this document being adopted.

20.3. Monitoring & Performance

This Development Plan is intended to be a long-term policy document that guides decision-making for the next 20-years. However, it cannot be a static and inflexible document. As new issues, challenges, and opportunities emerge, The Board should monitor the performance of the Plan to ensure the District stays on the desired track towards meeting its goals and objectives. This can be achieved in a number of ways. The District may choose to establish indicators for success as starting points for tracking results, such as targets for population growth, and residential infill units. Alternatively, the District may choose to collect and periodically review data on different factors related to land use and development, helping to guide decision making.

20.4. Development Officer

The Development Officer of the District is responsible for the administration and enforcement of this Development Plan. The Development Officer may also be authorized to receive, evaluate, and approve or refuse development permits, zoning memoranda, certificates of non-conformance, and other similar documents, in addition to allowing minor variations to the requirements of the Zoning By-law(s).

21. Implementation Tools

The following section summarizes a suite of planning tools available to the District to implement this Development Plan under the authority of *The Planning Act* and *The Municipal Act*.

21.1. Zoning By-Laws

Following adoption of this Development Plan, member municipalities should update their respective Zoning By-laws, which set out specific regulations for land use and development. Zoning By-laws establish different land use zoning districts (agricultural, residential, commercial, industrial, etc.), each with prescribed permitted and conditional uses, as well as standards to regulate the form of development. The Zoning By-law(s) will be the primary implementation tool of the Development Plan and therefore shall conform to the principles, objectives and policies herein.

21.2. Variances

Since Zoning By-laws are often applied to an entire municipality, it may not be able to adequately deal with unusual or unique conditions. Therefore, *The Planning Act* allows The R.M. of Brokenhead or Town of Beausejour to issue a Variance Order in situations where the Zoning By-law adversely affects a person's ability to use their land. A public notice and public hearing are required before the R.M. of Brokenhead or Town of Beausejour can decide whether to reject or approve a variance order application. Similar to a Conditional Use, The R.M. of Brokenhead or Town of Beausejour may impose conditions including requiring the applicant to enter into a Development Agreement.

The Planning Act also allows The Board to authorize the Development Officer, or a designated employee, to grant minor variances without a public notice or hearing. Minor variances may vary the height, distance, area, size, intensity of use, or number of parking spaces required by the Zoning By-law by up to 15%.

21.3. Conditional Uses

Within a Zoning By-law, each zoning district may contain Conditional Uses, which are specific uses of land or buildings that may be allowed depending on the particular circumstances of the development. Conditional Uses are typically more intensive with the potential for greater impact on neighbouring properties than uses that are permitted as of right. Therefore, a public notice and public hearing are required to gain public feedback. The R.M. of Brokenhead or Town of Beausejour may also impose conditions on the proposed use, including the potential for a Development Agreement, to ensure that it is consistent with the Development Plan and that it will be acceptable at its location. *The Planning Act* has specific Conditional Use provisions for livestock operations above and below 300 animal units, as well as for unique notification requirements and appeals related to new aggregate operations.

21.4. Subdivision Control

The approving authority for subdivisions is the Province. However, a subdivision cannot be approved without the approval of the Municipal Council in which the land is situated. The review process provides an opportunity for The Board to evaluate whether the proposed subdivision complies to this Plan and the Zoning By-law in effect. The R.M. of Brokenhead or Town of Beausejour may also attach conditions of approval in accordance with Section 135 of *The Planning Act*. If the R.M. of Brokenhead or Town of Beausejour approves the subdivision application, then the approving authority must consider it. However, if the R.M. of Brokenhead or Town of Beausejour rejects the application, then the approving authority must also reject the application.

21.5. Development Levies

As per Section 143(1) of *The Planning Act*, the R.M. of Brokenhead or Town of Beausejour may require applicants to compensate the District for capital costs that may be incurred by the subdivision of land.

21.6. Development Permits

New development or uses generally require a Development Permit issued by the Development Officer. Before a Development Permit is issued, proposals should be reviewed for conformity with the Development Plan. The procedures for reviewing, evaluating, and approving or refusing development permits are contained in the Zoning By-law(s).

21.7. Development Agreements

The Planning Act allows The Board to require a Development Agreement as a condition for amending a Zoning By-law, approving a conditional use, or making a variance order. A development agreement may deal with a number of matters including but not limited to: the use of the land or building, the siting and design of buildings, the provision of open space, the installation of services etc. A Development Agreement applying to a subdivision application deals with the responsibilities of the applicant and the municipality in providing services to the land in question.

21.8. Secondary Plans

The Planning Act allows the Board to adopt, by by-law, a Secondary Plan to provide more guidance on land use and development in any part of the District. For that part of the District, the Secondary Plan can address objectives and issues without limitation, on matters regarding:

- (1) Any part of this Development Plan;
- (2) Subdivision, design, road patterns, building standards, site servicing or other land use and development matters; or
- (3) Economic Development or the enhancement or special protection of heritage resources or sensitive lands.

21.9. Adoption of Other By-laws

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

21.10. Strategic Action Plans

As outlined in *The Municipal Act*, municipalities may adopt a strategic action plan for economic development. If the District is to move closer to the future envisioned in the Development Plan, a clear plan of action is required. Therefore, the District should consider developing an action plan that outlines a schedule of key action items to be completed. Implementation of the Development Plan is an ongoing process, and it may be some time before significant progress is achieved. However, an action plan that is consistent with the

Development Plan and integrated with the annual budget planning process can help ensure incremental progress is being achieved.

21.11. Special Studies & Concept Plans

Any special studies or technical investigations that may be required in support of a proposed subdivision or development such as grading plans, geotechnical / environmental assessments, water / wastewater management plans, infrastructure capacity assessments or traffic impact assessments, shall be prepared by a certified engineer or other appropriately licensed professionals with the costs of the study to be borne by the applicant.

A detailed concept plan 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, the purpose of a concept plan is to provide a detailed summary of the proposed development, including but not limited to the:

- (1) Rationale for the proposed development;
- (2) Conformity to the Development Plan and Zoning By-law;
- (3) Existing site conditions;
- (4) Development design, land uses, densities, and landscaping;
- (5) Location and size of proposed buffers, parks, and open spaces;
- (6) Site drainage strategy;
- (7) Servicing and utilities strategy; and,
- (8) Access and transportation strategy.

21.12. Capital Expenditures & Public Works

Realizing the vision, goals, and objectives of this Development Plan will require investments to be made in community infrastructure and services. At the same time, the District is approaching a critical period where its existing municipal infrastructure will require maintenance and /or upgrades in order to meet the current and future needs of residents. Pursuant to Section 167 of *The Municipal Act*, when member municipalities revise their annual capital expenditure programs, the Development Plan should be consulted to ensure consistency with long-term planning goals. Finally, the District may pursue opportunities for funding partnerships with senior levels of government, as well as cost-sharing opportunities with neighbouring jurisdictions to ensure the viability of future investments.

22. Municipal & Regional Cooperation

For a District where the population is spread out in vast rural areas and smaller urban centres, it is very important to work collaboratively with neighbours in the region. To assist with implementation of the Development Plan, the District should explore opportunities for intermunicipal agreements and partnerships with senior levels of government. Sections 259, 260 and 261 of *The Municipal Act* provide for tax sharing agreements, service sharing agreements, and cost sharing agreements between municipalities.

22.1. Public Participation

Fostering a strong culture of public participation and community engagement will be fundamental for the implementation of the Development Plan. An actively involved and engaged community will help address issues of shared importance, minimize negative impacts, maximize public benefits, and achieve intended outcomes. The District will continue to prioritize frequent communication with residents through newsletters, the website, and social media platforms. Application materials, planning policies, applicable by-laws, and meeting information should be conveniently accessible by the public.

In addition to complying with the mandatory public participation requirements and processes of *The Planning Act*, The Board should apply the following values from the International Association for Public Participation (IAP2) when considering how to engage the community and stakeholders on decisions, plans, and projects:

- (1) Public participation is based on the belief that those who are affected by a decision have a right to be involved in the decision-making process.
- (2) Public participation includes the promise that the public's contribution will influence the decision.
- (3) Public participation promotes sustainable decisions by recognizing and communicating the needs and interests of all participants, including decision makers.
- (4) Public participation seeks out and facilitates the involvement of those potentially affected by or interested in a decision.
- (5) Public participation seeks input from participants in designing how they participate.
- (6) Public participation provides participants with the information they need to participate in a meaningful way.
- (7) Public participation communicates to participants how their input affected the decision.

PART FIVE: POLICY MAPS

REFERENCE MAPS