

THE SWAN VALLEY PLANNING DISTRICT

DEVELOPMENT PLAN

THE SWAN VALLEY PLANNING DISTRICT BY-LAW NO. 2/2004

Being a by-law of ***The Swan Valley Planning District*** to adopt a development plan.

WHEREAS, **Subsection 24 (1)** of *The Planning Act* provides authority for the preparation of a development plan;

AND WHEREAS, **Subsection 27 (1)** of *The Act* provides authority for the adoption of a development plan;

AND WHEREAS, pursuant to the provisions of **Section 30** of *The Act*, the Minister of Intergovernmental Affairs approved **The Swan Valley Planning District Development Plan** on April 25, 2006;

NOW THEREFORE, ***The Swan Valley Planning District Board***, in meeting duly assembled, enacts as follows:

1. The development plan, attached hereto and marked as Schedule "A", is hereby adopted and shall be known as ***The Swan Valley Planning District Development Plan***;
2. The Town of Swan River Development Plan By-law No. 21/83 and the Rural Municipality of Swan River Development Plan By-law No. 2132, in force and effect within the Swan Valley Planning District are hereby repealed; and
3. The Development Plan shall take force and effect on the date of third reading of this By-law.

DONE AND PASSED this 4th day of December 2006 A.D.

READ A FIRST TIME this 26 day of April 2004 A.D.

READ A SECOND TIME this 31 day of May 2004 A.D.

READ A THIRD TIME this 4th day of December 2006 A.D.

Certified true and correct copy of By-law No. 2/2004 of the Swan Valley Planning District.

Chairperson

Carolyn Gordon
Secretary-Treasurer

Secretary-Treasurer

**THE SWAN VALLEY
PLANNING DISTRICT
DEVELOPMENT PLAN**

BEING SCHEDULE “A”

Attached to

BY-LAW NO.2/2004

of

**THE SWAN VALLEY
PLANNING DISTRICT**

Originally Prepared for:

THE SWAN VALLEY PLANNING DISTRICT

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2003 November

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PART 1: INTRODUCTION

1.1 Area Covered by Development Plan

This Development Plan applies to The Swan Valley Planning District as illustrated in **Appendix “A” Development Plan Map 1**. The Swan Valley Planning District is comprised of the Towns of Minitonas and Swan River, the Villages of Benito and Bowsman, and the Rural Municipalities of Minitonas, Mountain, and Swan River.

1.2 Legal Authority

The Swan Valley Planning District was established by Order-In-Council No. 52/2001, on February 21st, 2001 and became effective on March 24th, 2001, the date of publication in *The Manitoba Gazette*.

Subsection 22 (1) of *The Planning Act* provides a planning district board with responsibility for preparation, adoption, administration and enforcement of a development plan and any amendments to the plan.

Subsection 24 (1) of *The Planning Act* provides a planning district board or council with authority to prepare and adopt a development plan.

Subsection 27(1) of *The Planning Act* provides that a planning district board or council shall by by-law adopt a development plan.

Section 30 of *The Planning Act* provides that, following second reading of the by-law to adopt a development plan, ministerial approval of the by-law is required prior to proceeding to third reading and that on the date of third reading, the development plan shall take effect.

1.3 Planning History

In 1976 the Village of Benito adopted the *Village of Benito Planning Scheme - By-Law 16/76*. There have been seven (7) amendments to this by-law but no overall review and update of the by-law.

In 1973, the Rural Municipality of Mountain adopted the *Mountain Planning Scheme - By-Law 447*. There have been six (6) amendments to this by-law but no overall review and update of the by-law.

In 1985, the Rural Municipality of Swan River adopted the *Rural Municipality of Swan River Development Plan – By-Law 2132*. In 1987, the *Rural Municipality of Swan River Zoning By-Law 2178* was passed. There have been three (3) amendments to the Development Plan, and three (3) amendments to the Zoning By-Law but no overall review and update of either by-law.

In 1983, the Town of Swan River adopted the *Town of Swan River Development Plan – By-Law 21/83*. In 1985, the *Town of Swan River Zoning By-Law 19/85* was passed. There have been six (6) amendments to the Development Plan, and seventeen (17) amendments to the Zoning By-Law. A 5-year review and update of the development plan was completed in 1989.

The establishment of the Swan Valley Planning District has necessitated the review of these by-laws in a broader context in conjunction with the other participating municipalities in the Planning District.

The Rural Municipality and Town of Minitonas, and the Village of Bowsman have not previously passed planning legislation.

The intent of the Swan Valley Planning District Development Plan is to establish land use objectives and policies for the entire planning district.

1.4 Purpose of Development Plan

A Development Plan is a long range planning document that establishes the overall municipal land use goals, objectives and policies. Subsection 25 (1) of *The Planning Act* states the purposes of a development plan as follows:

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

The Development Plan is a policy document. Policies are arrived at by reviewing development patterns, community goals, resource issues and current land use issues. Proposals to address these issues are identified by way of objectives. Policy statements serve to implement these objectives. The policies themselves are implemented through a number of methods such as zoning by-laws, zoning agreements, subdivision controls and development agreements.

1.5 Interpretation of Requirements

- .1 The general land use designations indicated on the Development Plan Maps illustrate the long-term land use and land development strategy and define the ultimate extent of the various uses. The achievement of the land objectives will take place over a period of years as the land use patterns evolve. During this period, the Zoning By-laws that will be adopted by member municipalities will provide one of the principal means to effect the transition.
- .2 The boundaries of the various land use designations shown on the Development Plan Maps and any lot size, distance and area requirements mentioned throughout this Development Plan are meant to serve as guidelines only. Certain situations will necessitate a degree of flexibility in the application of these standards providing it complies with the intent of the Development Plan. These standards will provide general guidelines for preparation of the more precise performance standards and requirements of each municipal zoning by-law.
- .3 Individual policies of this Development Plan should not be viewed or interpreted in isolation. They should be interpreted within the overall spirit and intent of all other objectives and policies of this Development Plan.

1.6 Key Findings

This Development Plan is based on the findings, conclusions and recommendations derived from the background planning and engineering analysis, together with input from The Swan Valley Planning District Board, member municipal councils, governmental and other agencies, and the public through the community consultation process. These background studies are the foundation upon which The Swan Valley Planning District Development Plan rests. The next step in the process will be the formulation of a zoning by-law for each participating municipality. The Zoning By-law is the primary tool used to implement the Development Plan. Together, the three documents (background studies, development plan and zoning by-laws) will provide the District with a comprehensive set of tools that can be used to efficiently and effectively accommodate a wide variety of development while minimizing potential land use conflicts.

Key characteristics of The Swan Valley Planning District are profiled in the Background Study, which provides a valuable database for ongoing future reference. Key characteristics are summarized herein for the rural and urban areas.

1.6.1 Key Rural Findings

- (a) More than 95% of all rural lands within The Swan Valley Planning District are held in parcel sizes of 160 acres or greater. The low level of rural land fragmentation and large average farm sizes enhance the District's ability to maintain large blocks of agricultural land for a full range of agricultural activity.
- (b) Small rural parcels are found most often in the area around the Town of Swan River. In this area of denser rural residential development, certain agricultural operations may not be feasible.
- (c) Small parcel subdivisions should be made available for certain commercial and industrial activities related to rural resources, specialized and diversified agricultural enterprises, those uses that need a rural location because of size of operation and potential incompatibility with urban uses, and those uses requiring a rural location with access to the provincial highway system.
- (d) Small parcel subdivisions may be appropriate for use as surplus farmsteads, additional sites for family members actively associated with an agricultural operation, farm incorporation purposes, and small parcels of land which have been physically separated by such things as major drains, sloughs, and transportation facilities, where such parcels cannot reasonable be used for agricultural purposes and do not interfere with adjacent intensive agricultural uses.
- (e) Rural residential subdivisions accounted for more than 70% of the subdivisions in the District during the past 10 years, with the majority of these subdivisions occurring in the RM of Swan River.

- (f) 27% of all labour in the District worked in primary industries in agriculture and related services reflecting the overall importance of agriculture to the District.
- (g) There are approximately 378 livestock production operations (LPOs) in the Planning District. 38 LPOs exceed 300 AUs which may be considered large intensive livestock production operations. There is growth potential for environmentally sound expansion of LPOs in the District.
- (h) The 378 LPOs of the District are scattered throughout the rural municipalities, with the greatest number and density of operations occurring in the RM of Swan River. There are many areas in the District where LPOs are widely separated.
- (i) With the exception of poultry, livestock operations have been stable or increasing in recent years. This is evidence that producers have been exploring the opportunities for diversification that are presented by livestock operations. This is evidenced also by the fact that many producers have been exploring alternative livestock opportunities, such as bison and elk.
- (j) The proportionate acreage of non-cereal crops increased during the years 1976 to 1996. Area farmers, like their counterparts throughout the province, have been diversifying in reaction to recent changes in the agricultural economy. Continued diversification may lead to relative stability of rural populations, and lead to growth in the region's value-added agro-commercial business activities.
- (k) There are numerous streams, drains and groundwater pollution hazard areas that may be affected by large LPOs with respect to manure storage and spreading.
- (l) Average farm size in the District increased in the years 1976-1996, while the number of farms decreased. In the rural municipalities of the District, there has been a corresponding decrease in population, with the exception of the Rural Municipality of Swan River which saw recent population increases, mostly a result of rural residential developments.

- (m) Although 60% of soils in the District are considered prime agricultural lands (Canada Land Inventory Classes 1-3) only 33% of rural land use is devoted to crop land. Crop production is unlikely to increase significantly in the future without a revolution in farming technology that allows for such changes in local farm practices as the productive use of poor-quality soils or better drainage of lands with excess water.
- (n) Groundwater is the principal source of potable water in the District. Rural residents use either private wells or truck water in from municipal truck fills. Availability of groundwater in the District varies widely. The water quantity and quality varies widely. A groundwater analysis should be conducted for every exploration to determine its suitability. Intensive residential developments and high capacity wells should only be permitted in areas where they will not affect the water supply for existing users. Where large quantities of high quality groundwater are available, groundwater resource management and protection should be a priority to assure adequate sustainable supplies for existing uses and for potential development.

1.6.2 Key Urban Findings

- (a) The urban settlement centres provide the Planning District with a concentration of intensive residential, commercial, industrial, institutional, and urban recreational uses.
- (b) With the exception of the Town of Swan River, urban communities of the District have sufficient land in the developed areas to meet their future needs relative to the socio-economic trends that were identified in the Background Study. They can also accommodate moderate economic growth with an active economic development program, community promotion and agricultural diversification of development. If development begins to exceed the supply of land, the urban communities have sufficient reserve land that may be developed for urban expansion.

- (c) The Town of Swan River has sufficient reserve lands to accommodate development in the immediate future, but may soon find that it has reached the practical limits of development, especially for residential development. In addition, unforeseen commercial or residential development with specific site requirements could test the limits of available sites. While this need not be cause for immediate concern, the community would benefit from planning for this possibility.
- (d) Population loss in rural areas of the District can be attributed to the continued migration of the rural Manitoba population from smaller to mid and large-sized urban centres. There is evidence that the population is beginning to stabilize. Solutions must be sought that will promote population stability in the smaller villages.
- (e) The District has a lower percentage of population aged 60 years or older than is found in other areas of the Parkland. This may indicate a relatively stable population base. However, this may also indicate a need for a greater variety of seniors housing.
- (f) While the District population declined by 10.5% during the period 1986-2001, the number of households in the District declined by only 2.0% during the same period. This suggests that the local population requires proportionately more housing (and therefore, developed land) than it did in the past.
- (g) The District has an active Enterprise Centre, and draws on the resources of West Parkland Economic Development and the Parkland Community Future Development Corporation to promote and establish economic activity in the form of new business, employment, etc.
- (h) The urban infrastructure section of the Background Study profiles the road and drainage, water distribution and wastewater and disposal systems within the Villages of Benito and Bowsman, the Towns of Minitonas and Swan River, and local urban districts of Birch River and Mafeking. It outlines the upgrades that need to be undertaken as well as additional engineering studies that must be

undertaken prior to implementing any development, upgrading or expansion of municipal infrastructure.

PART 2: GENERAL OBJECTIVES AND POLICIES

2.1 Introduction

This section of The Swan Valley Planning District Development Plan outlines the general objectives and policies that will guide the overall use, planning and development of land in the area covered by the Development Plan. These objectives and policies apply generally throughout the Planning District and apply to both rural and urban areas unless otherwise provided herein.

2.2 General Objectives

- .1 To encourage use and development of land in a manner that is consistent with the principles and guidelines of sustainable development.
- .2 To recognize the importance of the rural land base and to adopt strategies and policies to conserve this base and to encourage development and growth of the agricultural industry.
- .3 To encourage the identification, development and appropriate use of recreational resources and to ensure that recreational areas are protected from inappropriate development on or adjacent to them.
- .4 To recognize existing settlement centres and to provide for their planned development in order for them to provide goods and services to the residents of the District.
- .5 To ensure that the use and development of land is consistent with the vision the community has regarding its future.
- .6 To encourage community economic development (CED) initiatives and use and development of land in a manner that contributes positively to the physical, mental, social and economic health and well being of the District.

- .7 To provide well planned areas for living, working, shopping and recreation that are visually attractive, make efficient use of land and public services that minimize incompatible land uses both within areas and between areas.
- .8 To ensure that development does not occur on lands which are not suitable for the proposed development, unless appropriate mitigative measures are taken to reduce potential negative impacts and/or enhance the capability of the land to support the proposed development.
- .9 To recognize that development will increase demand and impact on water supply quality and solid and liquid waste generation, requiring that these issues be considered in considering development proposals;
- .10 To ensure that new development is compatible with existing and anticipated land uses, utility and transportation networks, and minimizes the risks to quality of life, public health and safety.
- .11 To minimize risks to people and property that are associated with natural hazards or human-made features.
- .12 To protect the natural resources and the environment within the Planning District for the continued well being of area residents.
- .13 To promote wise use of renewable and non-renewable resources including aggregates, minerals, forests, soils, water and fisheries.
- .14 To protect the mineral, sand and gravel resources from conflicting land uses and to promote environmentally sound exploration and extraction.
- .15 To preserve and enhance areas which have natural beauty, scenic value, recreational potential, or historic/cultural significance.
- .16 To ensure continued public access to public resources (eg, streams, rivers).

- .17 To provide protection for past, present and future investments in public and private infrastructures, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.
- .18 To promote inter-municipal co-operation and consensus in order to undertake joint land use planning, municipal servicing and sustainable development initiatives that will benefit the entire District.

2.3 General Policies

The policies outlined in this section address issues that may arise throughout the Swan Valley Planning District.

2.3.1 Provincial Land Use Policies

- .1 The *Provincial Land Use Policies* are a *Regulation* under *The Planning Act* and serve as a guide for the District in undertaking Plan amendments or statutory reviews of The Swan Valley Planning District Development Plan. The Swan Valley Planning District Development Plan, once adopted, replaces the Provincial Land Use Policies for the Planning District.

2.3.2 Development Provisions

- .1 All new development in the District shall be consistent with this Development Plan. The implementation of the Municipal Zoning By-laws, subdivision and development approval and public works shall be consistent with the provisions and intent of this document.
- .2 No subdivision of land shall be permitted unless it conforms with the general intent and provisions of this Development Plan and *The Planning Act*;
- .3 Developments that create hazardous situations, or are subject to environmental hazards, shall not be permitted unless the hazard has been removed or appropriate mitigative measures have been taken that will protect life and

property. Where differing land uses abut each other and the potential for conflict exists, appropriate mitigative measures may be required as a means of minimizing the impact on adjacent lands.

- .4 Uses which may involve the storage and transfer of hazardous chemicals should be examined for appropriate setbacks and compliance with provincial regulations.
- .5 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. To avoid premature fragmentation of land, the supply of lots should bear a reasonable relationship to the demand or consumption of lots. The District and/or its member municipalities may require that a supply and demand study be undertaken to obtain an overall picture with respect to the availability of suitable undeveloped lots of that particular use.
- .6 In reviewing development applications the District and Member Council(s) will encourage the most appropriate use and development of land and other resources by
 - (a) protecting and enhancing the agricultural industry;
 - (b) protecting and strengthening the viability of the existing settlement centres;
 - (c) discouraging scattered and haphazard farm and non-farm developments or urban forms of development in the agriculture/rural area;
 - (d) minimizing the natural hazards such as flooding, erosion or bank instability that may be associated with future development;
 - (e) protecting the environment through a sustainable development strategy which reflects applicable Provincial regulations and guidelines, and
 - (f) promoting sound management practices for all resource development.

2.3.3 Utilities & Municipal Services

- .1 Essential activities of government and public and private utilities should be permitted in any land use designation subject to requirements in a municipal zoning by-law. Such uses should be located and developed in a manner which will minimize any incompatibility with neighbouring land uses. Special consideration should be given to reviewing siting requirements associated with such uses as communication towers and maintenance yards to ensure they will minimize adverse impacts on adjacent lands.
- .2 Co-operation will be encouraged with Manitoba Hydro, Manitoba TeleCom Services, Swan Valley Gas, and other similar utilities to ensure the provision of their services in the most economical and efficient manner possible.
- .3 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses which may threaten or adversely affect their operation.
- .4 Co-operative and inter-municipal servicing initiatives will be encouraged including possible revenue sharing agreements to equitably share costs and benefits of future development in the Planning District.
- .5 In order to minimize human exposure to the undesirable effects of such uses as sewage lagoons and waste disposal sites, development in the vicinity of these facilities should be limited to developments which would not be adversely affected by these facilities.

2.3.4 Hazardous Uses

- .1 Facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials will be governed by the following:
 - (a) wherever possible, new facilities should be separated from urban areas and buildings used for human occupation;
 - (b) hazardous facilities should not be located closer to dwellings than permitted or recommended by Manitoba Conservation; and
 - (c) where new 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 buffering and containment of such activities from adjacent uses.

2.3.5 Natural Areas & Environmental Conservation

- .1 Natural areas and habitats should be protected from incompatible or potentially incompatible uses where
 - (a) rare or endangered flora and fauna have received provincial designation and protection under either the *Manitoba Endangered Species Act* or the federal *Species at Risk Act*;
 - (b) lands have received provincial designation and protection under the Protected Area Initiative;
 - (c) lands have been identified as Wildlife Management Areas, or;
 - (d) private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.

- .2 The identification and protection of natural areas and wildlife and fisheries habitats will be encouraged within the Planning District.
- .3 Where District lands fall within the boundaries of the Intermountain Conservation District, co-ordination of development activities will be encouraged.
- .4 Access to natural areas and wildlife and fisheries habitat will be encouraged, to foster appreciation for and enjoyment of nature. However, such access should not lead to levels of activity which will exceed the capability of the area to sustain the environment and ecosystem integrity.

2.3.6 Sensitive Lands, Flooding & Erosion

- .1 Development will generally be directed away from environmentally sensitive areas. Sensitive lands include the following:
 - (a) lands subject to flooding – all lands which would be flooded by the 100-year flood, or by a recorded flood exceeding the 100-year flood;
 - (b) lands subject to water erosion – all lands which would, within a 50 year period, be eroded or become unstable due to the action of water contained in an adjacent waterway or water body, and;
 - (c) lands subject to other hazards such as landslides or subsidence – those lands where actual effects of such hazards have occurred or have been predicted to occur.

Relatively narrow flood plains may exist adjacent to surface water bodies. These areas represent land which has the potential to be flood prone and as such should not be subject to development unless detailed assessments indicate flood risk is minimal. **Appendix “B” Background Study Reference Map 1** shows potential flood risk areas within the District.

- .2 Land subject to significant flooding, erosion or bank instability should be left in its natural state or only developed for low intensity uses such as cropping, grazing, forestry or open space recreational activities which are generally acceptable within hazard areas.
- .3 It may not be practical or desirable for economic or social reasons to restrict certain development in hazard areas. Developments should, however, be carefully controlled and planned to ensure that they are compatible with the risks or that the hazard has been eliminated or protected against. In these instances, the following criteria should be applied:
 - (a) proposed developments should not obstruct, increase or otherwise adversely alter water and flood flows and velocities;
 - (b) there should be no added risk to life, health or personal safety;
 - (c) structures and services should be protected against damage and should be fully functional during hazard conditions;
 - (d) activities which alter existing slopes and may accelerate or promote erosion or bank instability should be prohibited, unless appropriate mitigative measures are taken to minimize the potential of such erosion or bank instability, and;
 - (e) existing tree and vegetation cover should be preserved where appropriate to reduce erosion and maintain bank stability.
- .4 Development proposals in flood plain hazard areas should be referred to the appropriate provincial department for review prior to approval by the Planning District.
- .5 In order to reduce the risk of bank erosion or instability in areas where the specific hazard has not been determined, buildings shall be set back from all waterways, a distance equal to ten (10) times the height of the bank above the channel grade or one hundred (100) feet, whichever is greater, unless an engineering investigation shows these limits may be reduced.

2.3.7 Water & Shoreland

- .1 Development will be encouraged in a manner which ensures that waterways, waterbodies, shoreland areas and groundwater resources are sustained. **Appendix “B” Background Study Reference Map 2** shows ground water quality within the District. Development or activities that may cause pollution under normal operating conditions or by accident should be discouraged from locating in areas with plentiful and high-quality groundwater supplies.
- .2 The preservation and reintroduction of native vegetation will be encouraged in sensitive environmental areas, such as along the shorelines of lakes, rivers, creeks and streams in order to stabilize the banks, to filter run-off and to maintain the quality of water in these waterways.
- .3 Waterways, waterbodies and shorelands in the Planning District may require protection to limit impacts of development. This may be achieved through local land use planning programs and cooperation with provincial programs. The extent of protection required will be directly related to the characteristics of the local situation. The size and configuration of the waterway, waterbody or shoreland; the need for public access; environmental characteristics; and economic potential will all have a bearing on the method of protection adopted. In order to provide protection, shoreland reserves may be created. **Appendix “B” Background Study Reference Map 3** shows an extensive network of streams and rivers that facilitate drainage within the Planning District (and the specific locations of solid waste disposal sites in the Planning District).
- .4 In the case of development proposals which require significant volumes of surface water and/or groundwater, the proponent may be required to investigate the need for a Water Rights License. Development approval may be withheld until such time as a license is issued.

- .5 Development or activities that may cause pollution under normal operating conditions or by accident will be directed away from groundwater sensitivity areas. These areas are identified in **Appendix “B” Background Study Reference Map 4**. Where this is not feasible or practical, development or activities which could cause pollution may be considered in groundwater sensitivity areas provided;
- (a) it can be proven by adequate engineering or hydro-geological investigation that the risk associated with the proposed activity is mitigated to an acceptable level; or
 - (b) appropriate precautionary measures have been or will be taken to sufficiently mitigate the risk of endangering the quality of the water supply for domestic potable water supply purposes.
- .6 Any work in or near water that has the potential to harmfully alter, disrupt or destroy fish habitat requires authorization through the appropriate provincial and federal departments to ensure that the development proponent’s project is in compliance with applicable regulatory requirements.

2.3.8 Transportation

- .1 Existing and proposed aircraft landing fields and aerial approaches within the Planning District should be protected from incompatible or potentially incompatible land uses that may adversely impact their operation and/or endanger public safety. The municipal Zoning By-law shall establish separation distances for future development adjacent to the Swan River Airport located in the E ½ 27-36-27W.
- .2 All developments shall conform to the appropriate requirements of the Province of Manitoba as they affect the provincial highway system.

- .3 Compatible land uses (for example, agriculture and highway commercial operations) may be permitted adjacent to major provincial highways and other provincial highways and roads where interference with other resources is minimized and the safe and efficient operation of the highway is maintained.
- .4 Proposed developments and subdivisions adjacent to the provincial highway system should be guided by an overall concept plan that establishes an internal road network that ties in with and complements the existing and planned highway network of the area, so as to minimize the number of access points on a highway.
- .5 Proposed development which contributes to the evolution of a row of lots each relying on direct access to the highway will not be permitted.
- .6 New development should have legal access to an all-weather road of sufficient standard and capacity, unless the proponent makes an agreement with the municipality to upgrade an existing road or develop new road access to a standard agreed upon by the District Board or member municipality. The proponent may be responsible for part or all of the costs of this roadway construction.
- .7 Land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic should locate in planned locations in proximity to major roadways, including provincial roads and provincial highways. Direct access to the provincial highway system will be discouraged whereby access should be via the municipal road system to the provincial highway system.
- .8 New development which has the potential to generate significant vehicle traffic should be directed away from those areas and land uses where such levels of traffic could endanger public safety.

- .9 Commercial uses adjacent to provincial trunk highways and provincial roads which primarily serve the traveling public should be located in planned or designated areas where there is access available from major roadways, including provincial roads and provincial trunk highways, where appropriate.
- .10 Development that is to occur within the control areas of provincial roads and provincial trunk highways under provincial authority will be subject to approval by Manitoba Transportation and Government Services and the Highway Traffic Board.
- .11 Where a local traffic authority has control over roadways, access to new development adjacent to such roadways will be subject to approval by that traffic authority.
- .12 Local road networks should be planned and designed economically in order to service both existing and future development.
- .13 Development proposals within the vicinity of the provincial highway system should be circulated to Manitoba Transportation and Government Services for review. Development that may have a significant impact on the highway system regardless of location or jurisdiction should also be circulated accordingly.
- .14 The location and construction of an access to a provincial road will be subject to approval by Manitoba Transportation and Government Services, and to a provincial trunk highway subject to approval by the Highway Traffic Board.
- .15 Proposed developments which may be adversely affected by noise, dust and fumes from roadways and railways (eg, residential uses, hospitals) should be encouraged to locate where there is adequate separation from these corridors and/or incorporate mitigative measures to minimize adverse impacts.

- .16 Where an area of development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, new development should, where appropriate, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
- .17 Municipal road allowances should be retained for public access. Any clearing, cultivation or cropping of unimproved road allowances should be approved by the responsible member municipality.
- .18 Where there are existing or anticipated high volumes of truck traffic and the municipality is the traffic control authority, Council may designate certain roadways as truck routes, in order to limit deterioration of the local road system and to minimize safety problems and nuisance factors within the District.
- .19 The local road or street network associated with any type of proposed development should be designed to conform with both the existing and planned road and street system of the neighbouring areas.
- .20 Development that may have a detrimental impact on the safe and efficient operation of the provincial highway system shall not be permitted unless mitigative measures suitable to the Province, are incorporated into the development.
- .21 Subdivisions/development shall not be permitted in areas designated for highway widening or expansion unless provisions suitable to the Province are made to accommodate future widening or expansion.

2.3.9 Mineral Resources

There are economically valuable sand and gravel and other mineral deposits located within the Planning District to provide essential raw materials required for present and future infrastructure requirements. They are identified in **Appendix “B” Background Study Reference Map 5**.

- .1 Areas designated by Manitoba Industry, Trade and Mines as being of high aggregate or mineral potential should be protected from incompatible and potentially incompatible land uses that would restrict exploration and development.
- .2 In areas designated by Manitoba Industry, Trade and Mines as being of medium aggregate or mineral potential, incompatible and potentially incompatible land uses may be permitted following review by Manitoba Industry, Trade and Mines.
- .3 Existing aggregate and mineral operations should be protected from incompatible and potentially incompatible land uses.
- .4 In areas with known aggregate or mineral resources, or areas having high discovery potential for these resources, uses should be limited to non-intensive agriculture (eg, grazing, cropping, forestry), temporary uses or other uses that will permit access to the resource.
- .5 The exploration, development, production and termination of all aggregate or mineral resources shall be undertaken in a manner that is environmentally safe, stable and compatible with adjoining lands.
- .6 Rehabilitation of depleted pits and quarries shall be the responsibility of the owner/operator of the site utilizing funds established for this purpose by Mines Branch.

2.3.10 Heritage Resources

- .1 The identification of heritage resources should be encouraged within The Swan Valley Planning District.
- .2 Heritage resources should be protected where:

- (a) buildings or landscapes have received municipal and/or provincial heritage designation;
 - (b) buildings or landscapes are in the process of receiving or are being considered for municipal and/or provincial heritage designation; or
 - (c) buildings or landscapes have been developed and operate as heritage sites.
- .3 Existing heritage resources should be protected from incompatible or potentially incompatible land uses which may threaten their integrity or operation.
- .4 The development, designation and preservation of heritage resources should be coordinated with other heritage and recreational resources in the region, existing and proposed, to maximize interpretive and tourism potential.
- .5 Sites and groupings of sites with heritage potential will be considered for designation as municipal heritage sites under *The Heritage Resources Act*, and/or municipal heritage conservation zones under *The Planning Act*.

2.3.11 Outdoor Recreational Resources

Recreation capability for outdoor recreation utilizes the *7 Class Canada Land Inventory System* where lands are differentiated on the basis of the intensity of outdoor recreational use, or the quantity of outdoor recreation, which may be generated or sustained per unit area of land per annum, under perfect market conditions.

- .1 Areas with high recreational capability, *Classes 1-3 Canada Land Inventory (CLI)* for recreation, interesting and/or rare natural features should be protected for outdoor recreation and related uses.
- .2 Areas with lower recreational capability, *Classes 4-5 Canada Land Inventory (CLI)* should be protected where high recreation capability resources are not sufficient to satisfy local and regional needs. *Classes 6-7 Canada Land*

Inventory (CLI) lands may only sustain low intensity activities or simply provide open space.

- .3 Existing outdoor recreational uses and areas should be protected from incompatible or potentially incompatible land uses which may threaten their integrity and/or operation.
- .4 Proposed recreational development should not preclude access to and use of natural resources (eg, lakes and streams).
- .5 Proposed recreational developments will be encouraged to carefully match the activity and its intensity to the capability of the land and its ability to sustain the use over an extended period.

PART 3: AGRICULTURE / RURAL POLICY AREAS

3.1 Introduction

This section of the plan outlines objectives and policies for Agriculture/Rural Policy Areas within the Rural Municipalities of Minitonas, Mountain, and Swan River. Agriculture/Rural Policy Areas are differentiated from Urban Policy Areas by less dense development and larger land parcels, with agriculture and resource-related activities being the dominant land uses. Agriculture/Rural Policy Areas depend on urban settlements for a range of commercial and public services and facilities. In rural areas, public services such as a common water supply and delivery system and/or a common sewage collection and treatment system are less common.

Appendix “A” Development Plan Map 2 provides policy areas best suited for agricultural and rural uses shown as **Agriculture/Rural Area**.

3.2 Objectives

- .1 To protect the dominant role of agriculture and resource-related activities within The Swan Valley Planning District.
- .2 To minimize the fragmentation of large land parcels as a means of protecting the long term agricultural viability and rural character of the District.
- .3 To encourage economic development, growth and diversification in rural areas in an orderly, efficient manner that will maintain and protect the dominant role of agriculture and resource-related activities in the rural area.
- .4 To recognize the distinct differences and required management practices between intensive livestock production operations (LPOs), small scale LPOs, mixed farms, and specialized agricultural operations and to make provision for their continued viability within the Swan Valley Planning District.

- .5 To recognize that within the Agriculture/Rural Policy Areas of the District, a variety of legitimate rural uses associated with agriculture, residential, commercial, industrial and recreational activities must be accommodated in such a manner that not only supports and enhances the continued viability of the Planning District but also minimizes potential for land use conflicts.
- .6 To encourage development and growth which is sustainable, and which efficiently uses land and existing road networks.
- .7 To promote development which is compatible with adjacent land uses, both existing and anticipated.
- .8 To maintain the character and quality of life presently enjoyed in rural areas.
- .9 To encourage growth and development in rural areas in a manner which is compatible with the objectives and policies for urban areas.
- .10 To minimize the hazard of pollution of water, soil, and air while at the same time encouraging development.

3.3 Policies

3.3.1 General

- .1 Land uses such as outdoor recreation and commercial and industrial uses that support the agricultural sector as outlined in 3.3.6 may be appropriate in Agriculture/Rural Policy Areas. The subdivision of land for these uses may be permitted in the Agriculture/Rural Policy Areas provided that conflict with other land uses is minimized. When feasible, this development should generally be directed away from prime agricultural lands and viable lower class lands. In general, urban uses such as commercial, industrial, indoor recreational, institutional, public and small lot and multiple residential uses should be directed to existing urban settlements.

- .2 New development in Agriculture/Rural Policy Areas should be located so as to be compatible with other existing or proposed uses.
- .3 New rural residential development should be directed away from prime agricultural lands and viable lower class agricultural lands.
- .4 New development in Agriculture/Rural Policy Areas should be located to be compatible with existing or potential resource extraction or harvesting.
- .5 Proposed development in the Agriculture/Rural Policy Areas which by virtue of their use, land requirements and/or servicing requirements would compete with urban areas should be directed towards Urban Policy Areas.

3.3.2 Agriculture

- .1 Agriculture/Rural Policy Areas should be preserved for a full range of agricultural activities on prime agricultural lands and on lower class lands that are being used for agricultural production. Prime agricultural lands and viable lower class lands should not be developed for non-agricultural uses, unless there is no suitable alternate site or if the development meets an important public need.
- .2 To support the ongoing viability of large-scale agricultural operations, generally lands in the Agricultural/Rural Policy Areas should be maintained in large parcels.
- .3 Small land holdings for small-scale or specialized agricultural operations may be considered for approval within Agriculture/Rural Policy Areas, provided that such proposals are compatible with other existing agricultural operations, and that the size of the proposed parcel is appropriate for the intended use.

- .4 Existing agricultural enterprises which operate with generally accepted practices of farm management and in conformance with provincial regulations within Agriculture/Rural Policy Areas should be protected from new development which might unduly interfere with their continued operation. Specifically, non-farm residential development will be discouraged in close proximity to existing livestock production operations in order to minimize potential land use conflicts and help to maintain the ongoing viability of existing livestock production operations.

3.3.3 Livestock Production Operations Policies

Livestock production operations are an important component of the agricultural economy. In some situations, these types of operations may have potentially adverse effects on nearby developments and the local environment, primarily due to factors such as odour, noise, insects and manure storage and handling, which are usually associated with these types of operations. Careful consideration needs to be given to the location of newly established or expanding livestock operations and areas identified in **Appendix “B” Background Study Reference Maps 1, 2, 3 and 4** with regard to potential flood risk areas, potable groundwater quality areas, surface drainage and groundwater sensitivity areas respectively. These reference maps have been provided by Manitoba Conservation and due to limitations of scale and accuracy should only be utilized for informational purposes to assist in the siting of livestock operations.

- .1 Livestock production operations within two (2) miles of the limits of the Town of Swan River and within one (1) mile of developed areas including the other urban communities, any designated residential and seasonal residential areas and the Swan River Golf and Country Club will be limited to livestock production operations of greater than nine (9) animal units (AUs) in existence as of the date of adoption of this By-law and the expansion of these operations may be allowed at a lower level of animal units (under 300 AUs) as conditional uses subject to the procedures and requirements for conditional uses specified in *The Planning Act* and that municipality’s zoning by-law and separation standards as set out in each municipal zoning by-law.

- .2 Unlimited livestock production development may be permitted on lands designated **Agriculture/Rural Area** subject to 3.3.3.3 – 3.3.3.11 herein.
- .3 Proponents, owners and operators of livestock production operations will be encouraged to develop facilities and conduct their operations in a manner which minimizes the production of offensive odours, potential pollution of soils, groundwater and surface water and mitigates other potential land use conflicts.
- .4 Livestock production operations will be encouraged to locate where they will be compatible with surrounding land use and they will not pose a pollution risk to soils, groundwater or surface water.
- .5 On sites where there is a potential risk of pollution of soils, groundwater and/or surface water, operations should be required to incorporate mitigative measures that will reduce the risk to acceptable levels.
- .6 Municipal zoning by-laws may establish agricultural zones that distinguish between lands that have significantly different social and/or environmental considerations. These environmental considerations may include, but are not limited to, such factors as groundwater quality, quantity and sensitivity, flood risk and surface water sensitivity, lands designated as Wildlife Management Area(s) Ecological Reserve, designated Protected Areas, Provincial Parks, as well as the protection of high quality aggregate resources. For lands with such social and/or environmental considerations that can be identified as having greater environmental sensitivity, lower animal unit thresholds may be established for the purpose of determining when a livestock production operation will be considered a conditional use in each municipal zoning by-law.
- .7 New and expanding livestock production operations exceeding the animal unit (AU) threshold (cumulative across species) specified in a member municipality's zoning by-law are conditional uses and subject to the procedures and requirements for conditional uses specified in *The Planning Act* and in that municipality's zoning by-law.

- .8 Mutual separation distances will be maintained between livestock production operations and residences not accessory to the operation in a member municipality's zoning by-law. Council may, pursuant to provisions of *The Planning Act*, vary the separation distance as provided for in that municipality's zoning by-law.
- .9 Mutual separation distances, largely reflective of provincial guidelines and regulations, for livestock production operations locating close to any developed area including designated urban communities, any designated residential and seasonal recreation areas, any existing recreation areas, any surface watercourse flowing either perennially or intermittently beyond the site of the facility, and any sources of domestic water supply including community wells and water treatment plants will be established in each municipal zoning by-law.
- .10 Councils are encouraged to require proponents of new intensive livestock production operations to site their operations in a manner that is sensitive to existing residential development in neighbouring municipalities and/or planning districts.
- .11 The Planning District Board, Councils and proponents of livestock production operations will be encouraged to have regard to the advice of provincial technical advisors respecting the proposed siting and development of major livestock operations. New and expanding livestock production operations will be evaluated on the basis of criteria such as, but not limited to:
- (a) Type of operation (i.e., cattle, hogs);
 - (b) Size of operation (i.e., animal units);
 - (c) Water supply (i.e., source and consumption levels);
 - (d) Manure management system (i.e., lagoon, storage tank);
 - (e) Manure disposal system (i.e., spreading, injection);
 - (f) Nature of land base (i.e., soils, crop practice, proximity to surface water);
 - (g) Adjacent land use (i.e., agricultural, residential);
 - (h) Provincial guidelines and regulations governing livestock production;
 - (i) Reports from appropriate provincial reviewing agencies; and

(j) Amount of truck traffic generated.

3.3.4 Rural Residential Development

.1 General Provisions

The following development criteria for all rural residential and farm related residential uses shall assist the District Board and its Member Councils in the processing of subdivision applications in rural agricultural areas of the District:

- (a) Proposed development should be directed to lower class agricultural lands, areas naturally treed due to unsuitability for agricultural use, areas with adverse topography or other physical constraint, or areas of extensive ownership fragmentation, and where feasible, adjacent to an existing residential site;
- (b) The site area should not be less than two (2) acres and should not be excessive in size and wasteful of land resource
- (c) Subdivision for rural residential uses shall not have the effect of potentially creating a new settlement centre;
- (d) The proposed development shall be located a sufficient distance from conflicting or incompatible land uses such as existing or proposed livestock production operations, industrial areas, waste disposal areas, landing areas for aircraft, high capability areas for mineral extraction, and prime wildlife habitat;
- (e) The subdivision must comply with the mutual separation distances for livestock operations as set out in each municipal zoning by-law;
- (f) Development shall not be located on sensitive land subject to flooding, inadequate drainage, erosion or with a continuous or reoccurring high water table. The site shall be physically suitable for the proposed use;

- (g) A newly created rural residential development should not have the potential to restrict the farming activity on adjacent agricultural land;
- (h) The proposed development should have access to a potable water supply;
- (i) The development shall not cause groundwater pollution, and shall not adversely affect the water supply for existing users with respect to quality and quantity;
- (j) Access to services such as, but not necessarily limited to, all weather roads, drainage, gas, hydro and telephone can be provided at the municipal standard for the area with any undue costs to be borne by the developer;
- (k) The proposed development should be capable of providing an approved on-site sewage disposal system in accordance with the Provincial Environmental Regulations;
- (l) Where rural residential development is considered appropriate, it should be encouraged to develop in a pattern which efficiently uses land, infrastructure and public services;
- (m) New rural residential development shall not impede the orderly expansion of urban areas and will be discouraged at the periphery of existing urban areas;
- (n) Rural residential development should only be approved when, in the Board's and/or Council's opinion, the number and the location of the proposed lots is necessary to meet the current needs of the municipalities and are consistent with the policies and objectives of this Plan.

.2 Policies for Rural Residential Subdivisions

All residential development shall be subject to the “Residential Development General Provisions”. Residential developments of up to 3 lots will be allowed and developments of four lots or more would be subject to a Development Plan redesignation and rezoning.

The creation of small lots for rural non-farm residential uses may be allowed under the following circumstances:

- (a) The subdivision of land may be permitted where a parcel of land is isolated by way of a creek, drain, road or natural land feature and is of size or shape that makes farming difficult;
- (b) The subdivision of land may be permitted for infill situations where existing subdivision is such that unused road frontage exists between existing lots in such a manner as to create difficulties in using the area for farming;
- (c) The subdivision of land for rural non-farm residences, subject to the rural land division criteria outlined in General Provisions 3.3.4.1 herein;
- (d) Rural non-farm residential use may be a conditional use in a member municipality’s Zoning By-law; and
- (e) The cumulative effect of lot creation in an area will be considered.

.3 **Policies for Farm Related Residential Subdivisions**

The subdivision of land for farm related residential purposes may be considered under the following conditions:

- (a) Where it is necessary to establish a separate lot title from the corporate farm operation;
- (b) Where a residence is required for an individual actively involved in the farming operation. “Actively involved” is defined as having significant and ongoing participation in the farming operation for the purpose of deriving an income;
- (c) Subdivision of an existing farmstead for a retiring farmer who wishes to retain his/her farm residence for retirement purposes; or
- (d) Subdivision of an existing farmstead which contains a habitable dwelling and/or defined shelterbelt which is no longer required as part of the farm operation and has become surplus due to the amalgamation of land for the purpose of farm enlargement. The subdivided area should not include cultivated land.

All newly created farm related residential developments as identified above, are subject to the procedures and requirements for permitted uses specified in that municipality’s zoning by-law.

3.3.5 Seasonal Recreation Development

- .1 Seasonal residential development will follow the policies set forth in 3.3.4 herein for rural residential development.
- .2 Certain types of seasonal recreation development and activities are appropriate within the agriculture/rural area. These types of activities can occur within specially developed areas, such as parks, golf courses and campgrounds or may occur more extensively throughout the Planning District such as angling, hunting, snowmobiling, hunting outfitters and similar activities.
- .3 Seasonal residential development should be directed away from prime agricultural lands, existing livestock production operations and sensitive environmental areas, and encouraged to maintain the natural character of the landscape.
- .4 In instances where proposed seasonal residential developments incorporate shoreline, the proponent should ensure adequate and continuing public access to the water body.
- .5 Residential development in seasonal recreational areas such as single-family dwellings and condominiums should be encouraged to locate in close proximity to community services, commercial developments, and recreational amenities, such as golf courses.
- .6 Accessory uses including ancillary commercial services may be provided to serve local needs.

3.3.6 Commercial & Industrial Development

- .1 Agro-commercial and industrial developments which support the agricultural sector, require larger land parcel do not require piped municipal services, or may be better suited to a rural environment, may be established in Agriculture/Rural Policy Areas. Other commercial and industrial developments should be directed to designated areas, or to designated urban communities or immediately adjacent to one of these communities where urban services can be extended.
- .2 Commercial and industrial developments in Agriculture/Rural Policy Areas should locate at appropriate locations in a manner that is consistent with the transportation policies of this document.
- .3 Commercial and industrial developments will ideally be sited in clusters along one side of a provincial highway, provincial road or municipal road. When necessary, frontage roads may be utilized to control access onto the provincial highway system. The municipalities are responsible for any frontage road constructed.
- .4 Commercial and industrial developments should be located as close to an urban or settlement centre as is safe, nuisance-free and practical in order to strengthen existing communities. However, such developments should be planned in such a manner that they do not impede the orderly expansion of the community.

3.3.7 Home-based Businesses

Home-based businesses may occur generally in Agriculture/Rural Policy Areas and designated rural residential areas. Home-based businesses are secondary to a primary residential use and are, generally, modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. For certain types of businesses, a home-based setting may be appropriate when first starting up, however, as the business grows and level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the rules for home-based businesses in the municipal Zoning By-law. Any home-based business located near the provincial highway system may be referred for review to Manitoba Transportation and Government Services.

Part 4: Urban Policy Areas

4.1 Introduction

This section of the Plan outlines objectives and policies for the urban areas of the Planning District. The urban areas are differentiated from the rural area by more dense development and smaller lots. The higher population density and smaller lots allow for a greater variety of shared services (eg., piped water and sewer) to be provided more efficiently and economically. The ten (10) urban centres of The Swan Valley Planning District are the Villages of Benito and Bowsman, the Towns of Minitonas and Swan River, the Local Urban Districts of Birch River, Mafeking, and Pine River, and the unincorporated communities of Cowan, Durban, and Kenville.

The urban areas of the District function as service centres for the surrounding rural areas and offer a range of residential, commercial, industrial and public services and facilities. Such services and facilities include retail stores, businesses, schools, government offices, recreation facilities, and sewer and water infrastructure. The urban areas offer a greater variety of housing types than the rural areas including single-family, multi-family, seniors' and special needs.

There are sufficient lands in the developed areas of each urban community to meet a variety of potential future needs relative to the land use trends that have been identified in the Background Study. If development begins to exceed supply of land, each urban community has sufficient reserve land that may be developed for urban expansion. **Appendix "A" Development Plan Maps 3-12** are conceptual illustrations of the land use designations within the Villages of Benito and Bowsman, the Towns of Minitonas and Swan River, the Local Urban Districts of Birch River, Mafeking, and Pine River, and the unincorporated communities of Cowan, Durban, and Kenville. The conceptual illustrations provide a means of representing and designating the complex form of the different development areas.

The Engineering Background Study provided information on service provision and municipal infrastructure from which projections can be made for the most suitable areas for urban expansion. The following is a statement of policies pertaining to each of the land use designations represented in the urban communities of the Planning District.

4.2 General Objectives

- .1 To sustain and strengthen existing urban communities by encouraging new development, revitalization and renewal while at the same time minimizing potential land use conflicts between the range of legitimate land uses found in the Urban Policy Areas.
- .2 To encourage development and growth of urban areas which efficiently uses land, infrastructure and public services by promoting complementary in-fill and revitalization of existing developed areas within the Urban Policy Areas.
- .3 To provide a range of residential, commercial, industrial, recreation and public institutional facilities and services to the residents of the existing urban areas and residents of the region.
- .4 To provide an adequate supply of serviced land to accommodate the future needs of District communities.
- .5 To promote development which is compatible with adjacent land uses, both existing and anticipated.
- .6 To encourage growth and development of urban areas in a manner which is compatible with the objectives and policies for rural areas.

4.3 Policies

4.3.1 General

- .1 In general, 'urban-like' uses such as commercial, industrial, indoor recreational, institutional, public and small lot residential uses should be directed to existing urban centres.
- .2 The urban areas should provide for an appropriate mix of residential, commercial, institutional, recreational, industrial and public uses in quantities reasonably related to demand.
- .3 Proposed development should take into account the health, safety and general welfare of the residents, and the viability and character of the urban centre.
- .4 Those uses or activities which are permitted in the urban areas should be located so as to be compatible with other existing or proposed uses.
- .5 Infilling and revitalization of existing built-up areas should be encouraged as a means to accommodate new development in urban areas. Re-subdivision of over-sized lots should also be encouraged for compact development.
- .6 Expansion and/or development of underdeveloped areas of existing urban centres should be directed away from prime agricultural land, livestock operations and other resource-related uses to avoid incompatibilities and so that land is not prematurely taken out of production or its use prematurely inhibited.
- .7 Where suitable vacant land within the existing urban area is not available, new development should be encouraged to locate adjacent to the existing built-up areas where public services, including roads, water and sewer services, natural gas, power lines, and other services can be efficiently and economically expanded. The most economical areas for development are identified in The Swan Valley Planning District Background Study.

- .8 Lot sizes and densities should be governed by the limitations of existing sewer and water services within each community. Where no existing piped services are available within the community, lot sizes should be sufficiently large to minimize the risk of contamination of private wells, and to allow for the installation of suitable types of sustainable private sewage disposal systems in accordance with *Environment Act* regulations. Where piped services are available, lot sizes may be smaller to provide for a higher density of development, and thus more efficient use of piped services. In the case of commercial and industrial developments, lot sizes should be large enough to provide adequate space for the needs of the development, particularly with respect to exterior display, storage and service areas. However, lot sizes should not be so large that they are wasteful of land.
- .9 Where large undeveloped areas are being considered for future community development, an overall concept plan should be prepared for the area, in order to provide for an efficient, well-planned development. The concept plan should illustrate the general arrangement of future roadways, building lots, open spaces, piped services, area drainage, and other major features. The design of the roadways, drainage, piped services and building lots should be integrated with existing roadways and services, and should generally conform to recognized engineering and planning standards.
- .10 Where a developer is proposing new development, Council should specify the standards for new infrastructure (such as roadways, drainage or piped services), and may, in its discretion, require the proponent to contribute towards the cost of establishing new infrastructure that may be needed to adequately service the new development.
- .11 Separation standards for incompatible uses such as sewage lagoons and waste disposal sites locating close to or within the urban areas will be established in the Municipal Zoning By-laws.

4.3.2 Piped Water & Sewer Services

- .1 Where municipally operated water or sewer services are provided within any developed area, new developments should be required to connect to these services at the time of development.
- .2 Where new water or sewer systems are provided within existing developed areas, existing development should be required to connect to these systems within time frames established by Council.
- .3 Where piped water or sewer services are not available in urban areas, development should be planned so as to be able to accommodate efficient and economical piped water and sewer services in the future.

4.3.3 Vehicle Traffic

- .1 Development which has potential to generate significant vehicle traffic, including significant truck traffic, should locate in planned locations in proximity to major roadways, including provincial roads and provincial trunk highways and away from residential areas where the traffic would create incompatibilities with surrounding land uses, or endanger public health or safety, or cause excessive wear and tear on road networks.
- .2 Development which primarily serves the travelling public should locate at planned locations with access to major roadways including provincial roads and provincial trunk highways.
- .3 Direct access to the provincial highway system will be discouraged; access should be via the municipal roads to the provincial road network.

4.3.4 Home-based Businesses

- .1 Home-based businesses may occur generally in the urban area. Home-based businesses are secondary to a primary residential use and are, generally, modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. For certain types of businesses, a home-based setting may be appropriate when first starting up, however, as the business grows and level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the rules for home-based businesses in the Municipal Zoning By-law.

4.4 The Town of Swan River

4.4.1 Introduction

The Town of Swan River is the major urban settlement and service centre within The Swan Valley Planning District, offering a wide range of residential, commercial, industrial, and public services. The Town is growing faster than any of the other urban communities of the Swan Valley. There are sufficient lands in the developed areas to meet immediate future needs relative to the land use and demographic trends that have been identified in the Background Study. However, the Town requires options for future development of residential, commercial, and industrial areas that will be needed when the capacity of existing lands has been exceeded.

4.4.2 Urban Land Use Designations

Appendix “A” Development Plan Map 3 is a conceptual illustration of the land use designations within the Town of Swan River. The conceptual illustrations provide a means of representing and designating the complex form of the different development areas.

The Engineering Background Study provided information on service provisions and municipal infrastructure from which projections can be made for the most suitable areas for urban expansion. The following is a statement of policies pertaining to each of the land use designations represented in the Town.

The general objectives and policies contained in 4.2 and 4.3 herein shall also apply to the Town of Swan River.

4.4.3 Residential Areas

- .1 New residential developments shall be directed to areas designated **Residential Area** in **Appendix “A” Development Plan Map 3** for this use in order to make maximum use of existing services.
- .2 Development of a full range of housing types should be encouraged in the Residential Area (e.g., single-family, multi-family, mobile homes, seniors’, special needs) in response to demand and where suitable services and infrastructure are available or can be provided efficiently and/or cost effectively.
- .3 Residential development should be located to avoid potential conflicts with other incompatible uses (e.g., industrial uses which generate noise, dust, odours, heavy traffic and other potential nuisance, sewage lagoons, highways, rail lines).
- .4 Residential development will be encouraged to locate in proximity to complementary public (e.g., recreation facilities, parks, libraries), institutional (e.g., schools) and commercial uses (e.g., neighbourhood commercial).
- .5 In planning and developing residential areas, parks and playgrounds shall be considered as an integral part of new residential areas 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 maximizing pedestrian and vehicular segregation. Such facilities should be provided in existing residential areas where, in the opinion of Council, there is an apparent need.
- .6 Multi-family housing projects or seniors’ housing projects will be encouraged to locate in close proximity to important community services such as the central commercial area.

- .7 The Town should ensure that a suitable stock of serviced land be maintained to satisfy future demands. It is desirable to provide for a three to five year supply of serviced residential lots including available in-fill lots and lots in existing and new subdivisions.
- .8 In-filling and revitalization of existing dwellings and neighbourhoods should be an ongoing process that complements the creation of newly serviced lands which may also be developed to satisfy demand.
- .9 Prior to subdivision of land for a large residential development, a concept plan of the area should be submitted to Council for evaluation.

4.4.4 Commercial Areas

- .1 New commercial development shall be directed to areas designated **Commercial Area** in **Appendix “A” Development Plan Map 3**.
- .2 The commercial core area of the Town should be promoted as the principal location for specialized retail, professional offices, financial institutions, as well as government offices, cultural and indoor recreational amenities. Emphasis will be placed on in-filling vacant land and revitalizing existing buildings prior to expanding the commercial core.
- .3 To strengthen the central core area’s higher density development, revitalization of existing buildings, infrastructure upgrading, landscaping programs, and other efforts to maintain a high standard of appearance will be encouraged.
- .4 Lands adjacent to the central business area and PTH No. 10 are designated for commercial use based on a long-range view of commercial development within the Town. These lands contain a significant number of residences and the Zoning By-law will protect the existing use; therefore, these lands need not be zoned immediately for the use that they are designated for in this Development Plan. In those instances they may be zoned according to their current use. Any subsequent change in land use, however, must be in conformity with the Development Plan.
- .5 High and medium density multiple-family dwellings shall be permitted in both the central commercial and highway commercial areas, preferably on the periphery of these areas and bordering residential areas.
- .6 Adequate parking must be made available in the downtown commercial area to accommodate its needs.
- .7 Council should ensure, when considering new developments, that buildings of historical value are not being destroyed or defaced. This assures that elements of the town’s history are not being lost.

- .8 Commercial developments of such a nature that downtown location is not viable will be encouraged to locate at appropriate locations outside of the central core area and do so in a manner that complements rather than detracts from the viability of the Town's central commercial area. Such developments include uses which cater to the traveling public such as service stations, motels, etc. and with extensive site requirements such as outdoor storage, display, parking requirements (e.g., large trucks), shopping malls and shopping plazas. For new commercial developments, overall concept plans may be required that address servicing issues, site access and other planning considerations.
- .9 Efforts to control the visual impact of the highway commercial area shall be made. This is important as Highway 10 is the major entrance to town.
- .10 The development and servicing of new commercial areas on the periphery of Town should only be undertaken if there are no existing serviced lands available that are capable of accommodating projected demand. The servicing of new commercial areas should be done so as to minimize the costs of extending municipal infrastructure, while at the same time ensuring that proposed development is compatible with existing adjacent land uses.

4.4.5 Industrial Areas

- .1 New industrial development shall be directed to areas designated **Industrial Area** in **Appendix “A” Development Plan Map 3**.
- .2 Industrial uses which are incompatible or potentially incompatible with other urban uses and/or which pose a significant risk to public health and safety, due to the storage or processing of hazardous materials or requirements for heavy truck traffic, should be developed at suitable locations in the urban area where they will be compatible with other uses and will not endanger public health and safety. If selection of such a site is not possible, a suitable location in the rural area may be considered.
- .3 New development which could be incompatible with industrial uses should be directed away from areas where industrial uses occur or are anticipated to occur.
- .4 For new industrial developments, overall concept plans may be required that address servicing issues, site access and other planning considerations.
- .5 The development and servicing of new industrial areas on the periphery of Urban Policy Areas should only be undertaken if there are no existing serviced lands available that are capable of accommodating projected demand. The servicing of new industrial areas should be done so as to minimize the costs of extending municipal infrastructure, while at the same time ensuring that proposed development is compatible with existing adjacent land uses.
- .6 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 measures should be taken to screen these industrial uses from view.

- .7 The rehabilitation and redevelopment of existing industrial sites should be promoted prior to the development of new industrial areas.
- .8 Industries presently located in non-industrial areas should be encouraged to relocate to the appropriate industrial area. This particularly applies to those industries that have a negative impact on adjoining properties. Should relocation of existing industries be impractical, steps should be taken to minimize the negative impact on adjoining properties.
- .9 The municipal councils of the Swan Valley Planning District may enter into tax, service and cost sharing agreements for municipal infrastructure and industrial development particularly for resource and agro-related commercial/industrial developments that require inter-municipal co-operation and support to make the project viable.
- .10 A wide range of activities shall be allowed, but to avoid unnecessary stress on the services, each new industry shall be reviewed to ensure it is compatible with existing industries and infrastructure.
- .11 Residences shall not be allowed on industrially designated land except for an accessory suite or dwelling unit for the use of an owner, operator, caretaker or watchman and his family.
- .12 Performance standards shall be established in the municipal zoning by-law.

4.4.6 Institutional Areas

- .1 Large institutional uses such as government offices, schools, hospitals, nursing care homes, senior citizen homes and similar uses shall be directed to areas designated **Institutional Area** in **Appendix “A” Development Plan Map 3** and other institutional uses, such as but not necessarily limited to, police stations, fire halls, churches and special needs housing shall be located in other land use designations compatible with the area in which they are located.
- .2 Buildings which are widely used by the public shall be encouraged to locate in the vicinity of the downtown commercial core to add cohesiveness to the area and to take advantage of existing services.
- .3 All institutional developments shall be evaluated with respect to their potential impacts on residential areas, particularly with respect to vehicle traffic and parking issues.
- .4 Any building which is thought to be of historical value shall be examined for its value before any changes are made or the building is destroyed.

4.4.7 Open Space/Recreation Areas

- .1 Large open space, parks and recreation uses shall be directed to the appropriate areas designated **Open Space/Recreation Area** in **Appendix “A” Development Plan Map 3**.
- .2 Parks and recreational uses should be evenly distributed throughout the Town to ensure easy access by all residents regardless of their residential location.
- .3 Parks and open space areas are to be maintained at an acceptable level to ensure clean, hazard-free recreational space.
- .4 Wherever possible, land should be acquired through the subdivision process for park, recreation and open space use according to the provisions of *The Planning Act*.
- .5 Through zoning and dedication of land, riverbanks shall be protected for stability, aesthetics, access and passive recreation.
- .6 The use of landscaped buffers, sportsfields and open spaces shall be considered as a means of protecting the Town of Swan River’s physical environment and of separating non-compatible types of land uses.
- .7 All recreational developments shall be evaluated with respect to their potential impacts on residential areas, particularly with respect to vehicle traffic and parking issues.

4.4.8 Agriculture/Urban Reserve Areas

- .1 Lands located in the undeveloped areas of the Town of Swan River that are not immediately required for urban usage are designated **Agriculture/Urban Reserve Area** in **Appendix “A” Development Plan Map 3**. These tracts of land should be reserved in an unfragmented state for future urban development.
- .2 These lands may be used for general agricultural activities such as cereal and forage crops, resource extraction or open space type uses but livestock shall not be allowed.
- .3 Non-agricultural developments will generally not be allowed within these areas until such time as an overall plan has been prepared illustrating the layout of future roadways, building lots and servicing systems (sewer, water, hydro, telephone, gas) and until the area has been redesignated and rezoned for development.

4.4.9 Flood Prone Lands

Certain lands within the Town of Swan River, as designated under the Canada-Manitoba Flood Damage Reduction Agreement, are subject to flooding by the Swan River. While most of these lands have been designated **Open Space/Recreation Area** and **Agriculture/Urban Reserve Area**, some, due primarily to existing land use, have been designated **Residential Area** in **Appendix “A” Development Plan Map 3**. These lands shall be subject to the following flood protection criteria:

- .1 No new buildings or structures shall be permitted within the designated floodway area as defined within the Manitoba Flood Damage Reduction Program.
- .2 Any new buildings or structures or additions to or reconstruction of existing buildings or structures within the floodway fringe area as defined within the Manitoba Flood Damage Reduction Program shall be on land raised by fill to an elevation of at least two (2) feet above the 100 year flood level.

The Map attached to the Town of Swan River Zoning By-law shall show these flood risk lands as shaded areas but detailed information regarding boundaries, contour lines and elevation data are shown on the official flood risk maps at the Town of Swan River municipal office.

4.5 The Incorporated Urban Centres of Minitonas, Benito and Bowsman and the Local Urban District of Birch River

4.5.1 Introduction

The Town of Minitonas, the Villages of Benito and Bowsman and the Local Urban District of Birch River are the four mid-sized urban centres of The Swan Valley Planning District. Each is a residential community with several commercial businesses and public facilities that serve local residents and the immediate rural area as well as the agro-commercial/industrial sector of the rural economy.

4.5.2 Urban Land Use Designations

Appendix “A” Development Plan Maps 4-7 are conceptual illustrations of the land use designations within the Town of Minitonas, the Villages of Benito and Bowsman and the Local Urban District of Birch River. The conceptual illustrations provide a means of representing the complex form of the different development areas.

The Engineering Background Study provided information on service provision and municipal infrastructure from which projections can be made for the most suitable areas for urban expansion. The lands which may be most economically developed in each community are indicated on maps contained in the Background Study.

The general objectives and policies contained in 4.2 and 4.3 herein shall also apply to the Town of Minitonas, the Villages of Benito and Bowsman and the Local Urban District of Birch River.

4.5.3 Residential Development

- .1 New residential developments shall be directed to areas designated **Residential Area** in **Appendix “A” Development Plan Maps 4-7** for this use in order to make maximum use of existing services.
- .2 Development of a variety of housing types should be encouraged in the Residential Area (e.g., single-family, multi-family, mobile homes, seniors’, special needs) in response to demand and where suitable services and infrastructure are available or can be provided efficiently and/or cost effectively.
- .3 Residential development should be located to avoid potential conflicts with other incompatible uses (e.g., industrial uses which generate noise, dust, odours, heavy traffic and other potential nuisance, sewage lagoons, highways, rail lines).
- .4 Residential development will be encouraged to locate in proximity to complementary public (e.g., recreation facilities, parks, libraries) institutional (e.g., schools) and commercial uses (e.g., neighbourhood commercial).
- .5 In planning and developing residential areas, parks and playgrounds shall be considered an integral part of new residential areas 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 maximizing pedestrian and vehicular segregation. Such facilities should be provided in existing residential areas where, in the opinion of Council, there is an apparent need.
- .6 Multi-family housing projects or seniors’ housing projects will be encouraged to locate in close proximity to important community services such as the central commercial area.

- .7 The Town, Villages and Local Urban District should ensure that a suitable stock of serviced land be maintained to satisfy future demands. It is desirable to provide for a three to five year supply of serviced residential lots including available in-fill lots and lots in existing and new subdivisions.
- .8 In-filling and revitalization of existing dwellings and neighbourhoods should be an ongoing process that complements the creation of newly serviced lands which may also be developed to satisfy demand.
- .9 Prior to subdivision of land for a large residential development, a concept plan of the area should be submitted to Council for evaluation.

4.5.4 Commercial Development

- .1 New commercial development shall be directed to areas designated **Commercial Area** in **Appendix “A” Development Plan Maps 4-7**.
- .2 The commercial core of the urban centres designated herein as **Commercial Area** should be promoted as the principal location for specialized retail, professional offices, financial institutions, as well as government offices, cultural and indoor recreational amenities and may include multi-family dwellings with or without associated commercial uses preferably at the periphery of the commercial core. Emphasis will be placed on in-filling vacant land and revitalizing existing buildings prior to expanding the commercial core.
- .3 To strengthen the central core area’s higher density development, revitalization of existing buildings, infrastructure upgrading and landscaping programs will be encouraged.
- .4 Where lands of a suitable size are not available in the commercial core, commercial developments with extensive site requirements, such as outdoor storage, display, parking requirements (i.e., large trucks), shopping malls and shopping plazas, will be encouraged to locate at appropriate locations outside of the central core area and do so in a manner that complements rather than detracts from the viability of the urban centre’s central commercial area. For new commercial developments, overall concept plans may be required that address servicing issues, site access, parking and other planning considerations.
- .5 The development and servicing of new commercial areas on the periphery of incorporated urban centres should only be undertaken if there are no existing serviced lands available that are capable of accommodating projected demand. The servicing of new commercial areas should be done so as to minimize the costs of extending municipal infrastructure, while at the same time ensuring that proposed development is compatible with existing adjacent land uses.

4.5.5 Industrial Development

- .1 New industrial developments should be directed to areas designated **Industrial Area** in **Appendix “A” Development Plan Maps 4-7**.
- .2 Industrial uses which are incompatible or potentially incompatible with other urban uses and/or which pose a significant risk to public health and safety, due to the storage or processing of hazardous materials or requirements for heavy truck traffic, should be developed at suitable locations in the urban area where they will be compatible with other uses and will not endanger public health and safety. If selection of such a site is not possible, a suitable location in the rural area may be considered.
- .3 New development which could be incompatible with industrial uses should be directed away from areas where industrial uses occur or are anticipated to occur.
- .4 For new industrial developments, overall concept plans may be required that address servicing issues, site access and other planning considerations.
- .5 The development and servicing of new industrial areas on the periphery of Urban Policy Areas should only be undertaken if there are no existing serviced lands available that are capable of accommodating projected demand. The servicing of new industrial areas should be done so as to minimize the costs of extending municipal infrastructure, while at the same time ensuring that proposed development is compatible with existing adjacent land uses.
- .6 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 measures should be taken to screen these industrial uses from view.

- .7 The rehabilitation and redevelopment of existing industrial sites should be promoted prior to the development of new industrial areas.
- .8 Industries presently located in non-industrial areas should be encouraged to relocate to the appropriate industrial area. This particularly applies to those industries that have a negative impact on adjoining properties. Should relocation of existing industries be impractical, steps should be taken to minimize the negative impact on adjoining properties.
- .9 The municipal councils of the Swan Valley Planning District may enter into tax, service and cost sharing agreements for municipal infrastructure and industrial development particularly for resource and agro-related commercial/industrial developments that require inter-municipal co-operation and support to make the project viable.

4.5.6 Institutional and Open Space/Recreation Development

- .1 In the urban centres of 4.5 there are no particular institutional designations in this development plan. Institutional uses are those which provide a public or semi-public service including such uses as governmental, educational, medical, religious, cultural functions as well as residential institutions serving as group homes, seniors and personal care type functions. Large institutional uses such as hospitals, schools and nursing homes shall be zoned for institutional use in the municipal zoning by-laws and other institutional uses such as, but not necessarily limited to, police stations, fire halls and churches shall be allowed in the zone in which they are located.
- .2 In the urban centres of 4.5 large open space and parks and recreation uses shall be designated **Open Space/Recreation Area** in **Appendix “A” Development Plan Maps 4-7**.
- .3 Indoor recreational and public institutional uses requiring piped municipal services should be directed to larger settlement centres with piped water and/or piped sewer systems.
- .4 The use of landscaped buffers, sports fields and open spaces shall be considered as a means of protecting the incorporated urban centres’ physical environment and of separating non-compatible types of land uses.
- .5 Areas within the incorporated urban centres which are susceptible to flooding and erosion and which cannot be readily serviced by sewer and water shall be given consideration whenever there is a need for outdoor recreational facilities.
- .6 All public institutional and recreational development shall be evaluated with respect to their potential impacts on residential areas, particularly with respect to vehicle traffic and parking issues.

4.5.7 Agriculture/Urban Reserve and Limited Development

- .1 Lands located in the undeveloped fringe areas of the urban centres of 4.5 are not immediately required for urban usage. These large tracts of land should be reserved in an unfragmented state for future urban development. These lands are designated **Agriculture/Urban Reserve Area** in **Appendix “A” Development Plan Maps 4, 6 and 7** and **Limited Development Area** in **Appendix “A” Development Plan Map 5**.
- .2 Urban reserve lands may be used for general agricultural activities such as cereal and forage crops, resource extraction or open space type uses but no new livestock production operations shall be allowed.
- .3 Non-agricultural developments will generally not be allowed within these areas until such time as an overall plan has been prepared illustrating the layout of future roadways, building lots and servicing systems (sewer, water, hydro, telephone, gas) and until the area has been redesignated and rezoned for development.
- .4 Urban reserve lands contain certain community facilities such as the urban centre’s sewage lagoon where it can operate with the least amount of conflict with surrounding land uses. These uses will be conditional uses in the municipal zoning by-laws and subject to the procedures and requirements for conditional uses specified in *The Planning Act* and the municipal zoning by-laws.
- .5 All sewage and other waste disposal shall comply with regulations under the *Public Health Act* and the *Environment Act*, and surface water quality shall be protected by adherence to the guidelines of the *Manitoba Surface Water Quality Objectives*.

4.6 The Unincorporated Villages of Cowan, Durban, Kenville, Mafeking, and Pine River

4.6.1 Introduction

The unincorporated villages of The Swan Valley Planning District share similar basic characteristics. The communities developed alongside railway lines and provided a certain level of servicing including commercial activities such as service garages, stores, grain handling facilities and institutional uses including schools and post offices. The process of time has considerably altered the original functions of these centres, but they continue to provide community and social facilities and amenities for their respective municipalities. They have sufficient developed land to meet their immediate development requirements according to the present and anticipated demographic trends. Should the need arise, they have reserve lands that may be economical to service.

The unincorporated communities have the potential to offer a viable rural alternative in residential lifestyle. Therefore, the option is there for the District to direct appropriate residential and commercial development to these centres as the demand so dictates.

4.6.2 General Development Policy Area

- .1 The general objectives and policies contained in 4.2 and 4.3 herein shall apply to the village urban centres.
- .2 Residential, commercial and industrial uses have not developed sufficiently to exhibit distinct areas, and no such designations will be made in **Appendix “A” Development Plan Maps 8-12**. Instead the village centres will be designated as **General Development Area**. While the general development emphasis is residential, other appropriate land uses or activities normally associated with urban communities including commercial, industrial, and like activities shall be allowed in such manner so that adjoining land uses are compatible, and potential conflict between uses is minimized.

- .3 Where there are a reasonable number of suitable vacant lots existing in the villages, no further subdivision of land should be allowed adjacent to it.
- .4 All sewage and other waste disposal shall comply with the regulations under the *Public Health Act* and the *Environment Act*, and surface water quality shall be protected by adherence to the guidelines of the *Manitoba Surface Water Quality Objectives*.
- .5 Undeveloped lands within the villages will be restricted to low intensity agricultural uses such as cereal and forage crops. The keeping of livestock will not be permitted.

PART 5: URBAN FRINGE AREAS

5.1 Introduction

The urban fringe areas adjacent to the Towns of Minitonas and Swan River and Village of Benito are located in the Rural Municipalities of Minitonas and Swan River and can be described as transitional zones which lie between that which is urban and that which is rural. The fringe area around the Town of Swan River deserves particular note, in that it may be considered to extend some miles into the surrounding rural municipalities. These fringe areas provide lands for urban expansion, commercial and industrial lands where suitable vacant land is not available within the urban centres and where infrastructure and other services can be efficiently and economically expanded. (e.g., highway commercial and industrial development adjacent to built-up areas). Large lot residential development is found here as well. The rural urban fringe areas, particularly adjacent to the Town of Swan River, are characterized by a mix of land uses and new development needs to be controlled and done on a planned basis. **Appendix “A” Development Plan Maps 13-15** identify land use Designations for these areas.

5.2 Objectives

- .1 To regulate and make available lands within these areas for future urban expansion;
- .2 To prevent the further expansion of the urban fringe area by recognizing existing urban fringe areas and to adopt a policy of in-fill;
- .3 To ensure that the public health and safety is addressed by locating development in areas:
 - (a) where suitable soil conditions exist for utilising on-site sewage disposal systems, and
 - (b) where flood damage risk is minimal.
- .4 To provide areas for commercial uses relating to highway activity; and

- .5 To minimize conflict among the dissimilar uses that such urban fringe area development gives rise to.

5.3 Urban Fringe Policies

5.3.1 General

- .1 Land uses in the fringe areas must utilize on-site services where extension of piped water and sewerage services is not possible or practical.
- .2 Open space type uses such as parks and recreation will be permitted in the mix of land uses within the fringe areas. New development in the fringe area which is adjacent to the Swan River should incorporate a “green space” adjacent to the river.
- .3 Development proposals within these areas must address road access, municipal piped services, compatibility with neighbouring land uses, site drainage and flood protection, and other pertinent matters.
- .4 A development plan and zoning by-law amendment may be required to accommodate a particular development.
- .5 Subdivision and development of lands within the urban fringe areas, as generally identified in **Appendix “A” Development Plan Maps 13-15**, may be approved in accordance with the policies outlined herein and the requirements of the municipal zoning by-laws.
- .6 In those areas designated **Rural Residential Area, Highway Commercial Area** and **Rural Industrial Area**, development of undeveloped parcels will be permitted.

5.3.2 Rural Residential Areas

- .1 There are generally three sizes of rural residential development within the fringe areas:
 - (a) Older existing residential areas with a fifteen thousand (15,000) sq. ft. minimum site area;
 - (b) More recent residential areas with a two (2) acre minimum site area; and
 - (c) Residential areas with a five (5) acre minimum site area suited to the keeping of animals as an accessory use, the number and regulation of which may be specified in a municipal zoning by-law.
- .2 The Development Plan will identify the Rural Residential areas and the municipal zoning by-laws will establish regulations and requirements for these different zones.
- .3 Clustered rural residential development shall be directed to the areas designated **Rural Residential Area** as identified in **Appendix “A” Development Plan Maps 13-15**.
- .4 All new residential lots within this designation shall be of a size capable of sustaining an individual on-site sewage disposal system satisfactory to provincial regulations.

5.3.3 Highway Commercial Areas

- .1 Highway commercial development in the fringe area of the Town of Swan River shall be permitted in areas designated **Highway Commercial Area** shown in **Appendix “A” Development Plan Map 13**.
- .2 Highway commercial uses are those which cater to the traveling public and may be those uses requiring a large site, easy and safe large truck highway access, or those which may not be located in close proximity to densely populated areas for safety reasons.
- .3 Highway commercial uses will be planned as incremental extensions from developed areas on municipal roads, and will be clustered where possible.
- .4 Where municipal piped services cannot be extended, highway commercial sites shall be of such dimensions as to accommodate on-site waste disposal systems.

5.3.4 Rural Industrial Areas

- .1 Industrial development in the fringe area of the Town of Swan River shall be permitted in areas designated **Rural Industrial Area** shown in **Appendix “A” Development Plan Map 13**.
- .2 Industrial uses will be limited to those requiring a large site and to certain agro-related industrial or commercial developments that are directly related to agriculture such as fertilizer sales, anhydrous ammonia sales, seed cleaning plants, grain elevators, bulk oil establishments, etc. These will be considered conditional uses in the municipal zoning by-law.
- .3 Industrial uses should be planned to use existing municipal service roads.
- .4 Where municipal services are not available, industrial sites shall be of such dimensions as to accommodate on-site waste disposal systems.
- .5 An overall concept plan shall be prepared to prevent unnecessary fragmentation and to ensure adequate circulation patterns and linkages to existing roads. The conceptual plans shall make provision for drainage systems.
- .6 Evaluation of proposed industry or major expansion of existing industries shall include evaluation of:
 - a) existing transportation system;
 - b) groundwater resources;
 - c) emissions of odour, dust, smoke, noise, etc.;
 - d) disposal of industrial wastes; and
 - e) drainage.

5.3.5 Agriculture/Rural Areas

- .1 This subsection refers to lands adjacent to the Towns of Minitonas and Swan River and the Village of Benito that are designated **Agriculture/Rural Area** in **Appendix “A” Development Plan Maps 13-15**. The policies of **3.3.2 Agriculture** shall generally apply to this area and livestock production operations will be subject to **3.3.3**. The municipal zoning by-laws will establish standards relating to livestock that is accessory to a rural residence, and which would be permitted eg., horses, chickens, cows and pets.
- .2 The **Agriculture/Rural Areas** adjacent to the Town of Swan River and the Village of Benito contain the municipal sewage lagoons where they can operate with the least amount of conflict with surrounding land uses. These are permitted uses.
- .3 **Appendix “A” Development Plan Map 13** identifies by directional arrows two potential expansion areas for the Town of Swan River – one area is located northwest of the Swan River and the other area is located south of the Town. Development of these areas will require planning, infrastructure study and design, and inter-municipal co-operation and approval.

Part 6: Implementation

6.1 Basic Implementation Measures

The policies outlined in this Development Plan will be implemented by the following measures and methods:

6.1.1 Adoption of this Development Plan

Adoption of The Swan Valley District Development Plan by the Board by by-law will give the plan the force of law. *The Planning Act* states that once adopted no development or land use change may be carried out within the area affected by the development plan that is inconsistent or at variance with the proposals or policies set out in the development plan. *The Planning Act* also states that adoption of a development plan does not require a board or council to undertake any proposal suggested or outlined in the plan.

6.1.2 Adoption of Municipal Zoning By-laws

Following adoption of the development plan, each municipality comprising The Swan Valley Planning District is required to enact a zoning by-law which will set out specific regulations for land use and development.

Zoning by-laws designate areas for certain types of development. While the Development Plan policies guide the Zoning By-laws, it may be necessary in some cases to zone a specific property for its existing use rather than for the use foreseen in the Development Plan. Permitted and conditional uses and development standards are prescribed for each zone.

Each municipal zoning by-law must generally conform to the policies and objectives outlined in the adopted Swan Valley Planning District Development Plan.

The objectives and policies in the Development Plan provide guidance to a council when preparing the zoning by-law or considering an amendment to the zoning by-law.

6.1.3 Conditional Use Approvals

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

6.1.4 Variation Orders

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

6.1.5 Development Permits

New development generally requires a development permit issued by The Swan Valley Planning District Board.

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

6.1.6 Development Officer

Council may authorize the Development Officer of The Swan Valley Planning District to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to the requirements of a zoning by-law.

6.1.7 Subdivision Approvals

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review and approval process involving the relevant municipal council and Planning District Board, utility companies and certain provincial government departments as specified in *The Planning Act*.

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

A subdivision proposal cannot proceed without the approval of municipal council and the provincial approving authority.

Council and/or the provincial approving authority may attach conditions to a subdivision approval in accordance with provisions of *The Planning Act*.

6.1.8 Development Agreements

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

6.1.9 Review & Amendment

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

6.2 Additional Measures

In addition to the measures outlined above, the Planning District may also utilize the following additional measures:

6.2.1 Acquisition & Disposal of Land

The municipality/planning district/community development corporation may acquire an interest in land or sell, lease or otherwise dispose of land for the purpose of implementing the development plan.

6.2.2 Adoption of Other By-laws

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

6.2.3 Special Studies

Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering or other professional studies may be required for development proposed for lands affected by flooding hazards, endangered species, potential for groundwater/surface water pollution, and general risk to health and the environment. Other examples of such studies include professional evaluation of extension of municipal services and their efficiency or capacity to support additional development, conceptual layout designs for servicing subdivisions and traffic studies.

6.2.4 Public Works

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

6.2.5 Capital Expenditure Program

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

6.2.6 Strategic Plans for Economic Development

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

6.2.7 Municipal Co-operation

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

6.2.8 Other District Studies

There are some additional areas that warrant more detailed planning and study beyond the scope of this Development Plan. These include:

- a) Rural transportation network plan relating to existing and proposed uses;
- b) Rural infrastructure study for coordinated expansion into rural areas of urban piped water, gasification, 3 phase power, and/or other infrastructure services;
- c) Computerized GIS (Geographical Information System) land use mapping in a format that may readily be upgraded from time to time;
- d) Updates of community vision and action plans by the Bowsman and Swan River Round Tables, and development of community visions and action plans by those municipalities that have not already done so;
- e) Inventory of available commercial and industrial sites, and identification of any commercial and/or industrial lands that may be developed to meet any shortfalls;
- f) Consideration of a regional tax-sharing agreement, to facilitate cooperation of member municipalities in developing serviced lots and attracting industry;
- g) Identification of lands and infrastructure requirements for future expansion of commercial, industrial, and eventually residential land uses;

- h) Development of community wastewater disposal systems in Birch River and Mafeking;
- i) Upgrading of Birch River's water distribution system; and
- j) Infrastructure maintenance.

Other studies and initiatives were suggested in ***The Swan Valley Planning District Background Study***.

6.3 Interpretation

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

APPENDIX “A”

DEVELOPMENT PLAN MAPS

APPENDIX “B”

BACKGROUND STUDY

REFERENCE MAPS

These Reference Maps are included as attachments to this Development Plan for information purposes only and shall not be treated as Development Plan policy maps and are not intended to identify the statutory limits of any particular designated area.

