

NEEPAWA

& AREA PLANNING DISTRICT



DEVELOPMENT PLAN

MARCH 2018

PREPARED FOR:

Neepawa & Area Planning
District Board

SUBMITTED BY:



NEEPAWA AND AREA PLANNING DISTRICT DEVELOPMENT PLAN

By-law No. 108

March 2018

Prepared By:



Prepared For:

Neepawa and Area Planning District

AMENDMENTS

[illegible]

By-law No. 108
Neepawa and Area Planning District Development Plan

BEING A BY-LAW of the Neepawa and Area Planning District to adopt a new Development Plan.

WHEREAS, Section 40 (1) of *The Planning Act* provides authority for the preparation of a Development Plan and Section 59 (1) of *The Planning Act* provides for a mandatory review of the Development Plan.

AND WHEREAS, Section 45 of *The Planning Act* provides authority for a planning district to adopt a Development Plan;

NOW THEREFORE, the Neepawa and Area Planning District Board in meeting assembled enacts as follows:

1. The Development Plan, attached hereto as “Schedule A”, and forming part of this By-law, is hereby adopted;
2. This Development Plan shall be known as “The Neepawa and Area Planning District Development Plan”;
3. This Development Plan shall take force and effect of the date of third reading;
4. “The Neepawa and Area Planning District Development Plan By-law No. 78” and all amendments therein, are hereby repealed.

Done and Passed this ____ day of _____, 2018 A.D.

CHAIR

DEVELOPMENT OFFICER

Read a first time this 20th day of December, 2017 A.D.

Read a second time this 27th day of March, 2018 A.D.

Read a third time this ____ day of _____, 2018 A.D.

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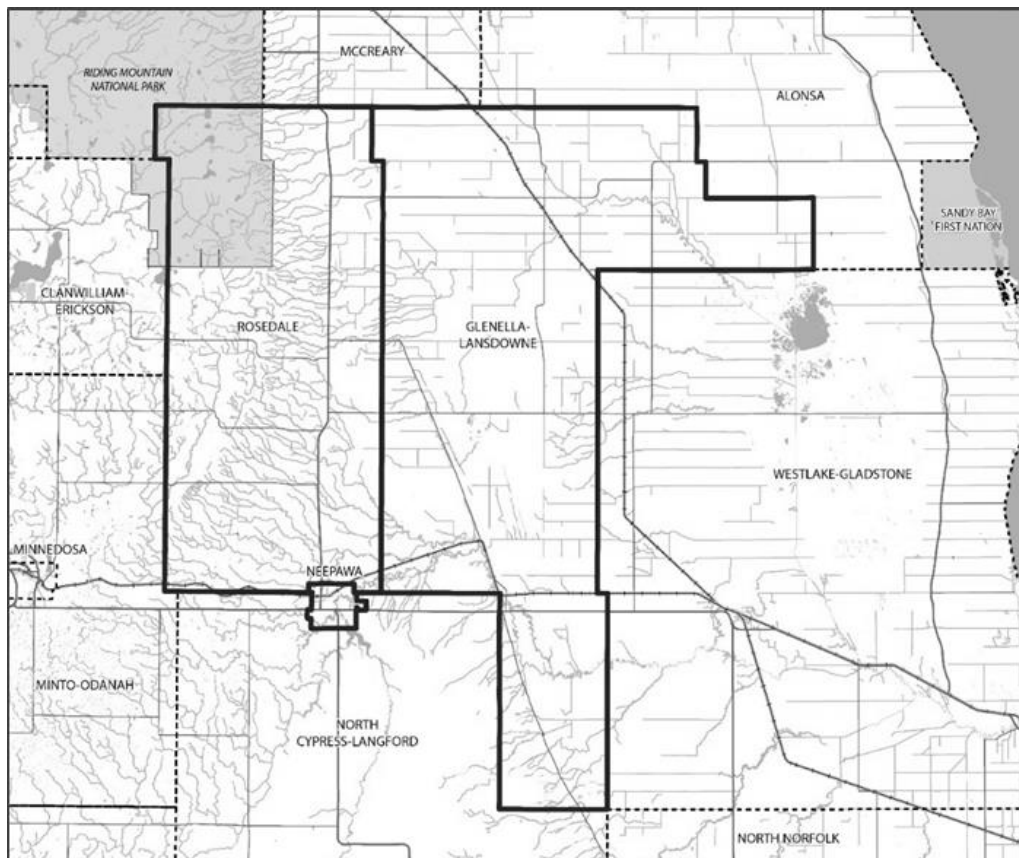
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1.0 INTRODUCTION

The Neepawa and Area Planning District (NAPD) was initially formed in 1978, and consisted of the Town of Neepawa and the Rural Municipalities (RMs) of Langford and Rosedale. On January 1, 2015, the RM of Langford amalgamated with the RM of North Cypress to form the Municipality of North Cypress-Langford, and joined the Cypress Planning District. At the same time, the RM of Glenella amalgamated with the RM of Lansdowne to form the Municipality of Glenella-Lansdowne and joined the NAPD. Today, the NAPD consists of the Town of Neepawa, the RM of Rosedale and the newly amalgamated Municipality of Glenella-Lansdowne.



Part III of *The Planning Act* (the *Act*) contains provisions for the formulation of planning districts. The intent of the legislation is to encourage comprehensive land use planning and the efficient and rational provision of municipal services.

The NAPD is governed by a six member Board of Directors, consisting of two representatives from the Town of Neepawa, two members from the RM of Rosedale, and two members from the Municipality of Glenella-Lansdowne. The NAPD regulates all development in the town and municipalities and is responsible for building inspections, permits (building, plumbing), planning (conditional uses, variations, rezoning), and zoning memorandums.

1.1 ABOUT THE NAPD DEVELOPMENT PLAN

1.1.1 PURPOSE

The NAPD Development Plan is a statement of the Planning District's goals and objectives with respect to its future development. The policies contained in this Plan reflect the District's issues and concerns as expressed by the members of the NAPD Board, the Municipal Councils, various community organizations, the people of the District, and the Province of Manitoba.

A Development Plan is not a rigid and inflexible document, but rather an expression of broad general guidelines for future development, guidelines which can, and should, be amended from time to time as conditions change and new issues arise. It is essential that a Development Plan reflect the attitudes and perceptions of the people of the constituent municipalities, bearing in mind, technical and legislative parameters. Therefore, it is necessary that the Plan contains sufficient flexibility to be able to reflect those attitudes and perceptions.

The goal of the Development Plan is to enhance the physical, socio-economic, and environmental opportunities for the people of the Planning District. Inherent in this goal is orderly and efficient development, protection of the environment, and the principle of public involvement.

1.1.2 REQUIREMENTS

The requirements of a Development Plan are outlined in Section 42 (1) of *The Planning Act* (Chapter P80). The requirements of a Development Plan are to outline critical issues, to set forth strategies and policies for addressing these issues, and to determine the best use and development of land in the planning area. Specifically, the *Act* states that the requirements of a Development Plan are:

- To set out the plans and policies of the NAPD respecting its purposes and its physical, social, environmental, and economic objectives;
- Through maps and statements of objectives, direct sustainable land use and development in the Planning District;
- Set out measures for implementing the Plan;
- Include such other matters as the Minister or the Board or Council considers advisable; and
- Include a livestock operation policy that guides zoning by-laws dealing with livestock operations.

For the municipalities within the NAPD, the preparation of a Development Plan serves several important additional functions. First, the Background Study to the Development Plan represents an attempt to undertake a complete inventory of information and to present this data in the form of a comprehensive overview. This may assist the NAPD in creating an "identity" and serve as a useful reference document.

The Development Plan will provide the NAPD with a series of land use policies and mapped land use designations. These will assist the Planning Board, the Councils of the constituent municipalities, and the general public to coordinate the assessment and determination of issues arising from present and future development in the Planning District.

1.1.3 FORMAT

A Development Plan in the Province of Manitoba is presented as two separate, but inter-related documents. The first is the Background Report to the Development Plan that "sets the stage" for the objectives and policies contained within the Plan. As such, the Background Report contains comprehensive factual information, both present and historical, about the Planning District. It serves as an overview of the District's historical development, its physical

resources, its socio-economic resources including population and economic base, and development issues and options experienced by the District.

The second document, contained herein, is the official Development Plan. The Plan contains clear objectives, policies, and corresponding mapping for addressing land use and development issues throughout the District. The objectives and policies are intended to provide a foundational framework that specifies the specifics of land use and development dealt with through supplementary legislation. Supplementary legislation tools may include zoning by-laws, subdivision regulations, building by-laws, and development agreements, among others. These tools can also be amended, if required, to reflect the overall intent of the updated Development Plan.

1.1.4 PREPARATION

The Development Plan was reviewed and updated based on an updated Background Report, public consultation process in the NAPD, and consultation with the Public Schools Finance Board and local school divisions. The feedback received is generally reflected in the objectives and policies guiding development in the Town of Neepawa, the RM of Rosedale and the Municipality of Glenella-Lansdowne. A summary of the consultation activities and feedback is included in the Background Report and is available from the NAPD.

1.2 CHANGES TO THE DEVELOPMENT PLAN

A review of the Development Plan should be conducted within eight years of the adoption date of the By-law. This allows the NAPD Planning Board to respond to changing conditions within the NAPD.

While the Development Plan is intended to direct future development to appropriate locations, and to provide standards and guidelines for development, it is recognized that there may be cases where the Plan does not accommodate a proposed development that the community may wish to consider. In such cases, an amendment to the text of the Plan, or to Map 1, Map 2, Map 3, and Map 4 will be required in order to accommodate the proposed development.

Changes to the Development Plan should be thoughtfully considered since it represents a change to the accepted direction and vision of the community.

1.3 DEVELOPMENT PLAN STRUCTURE

This plan is structured into seven PARTS and two APPENDICES. Each PART is comprised of various Sections which cover specific development topics.

Part One: Introduction provides information on the Development Plan, changes to the document, how to use the plan and interpretation.

Part Two: The Rural Policy Area sets forth the objectives and policies for designations of land that primarily apply to the Rural Municipality of Rosedale and the Municipality of Glenella-Lansdowne. Policy Sections include Livestock Operations, Rural Settlement Centres, Seasonal Recreation and Mineral Extraction.

Part Three: The Urban Policy Area – The Town of Neepawa sets forth the objectives and policies for designations of land that primarily apply to the Town of Neepawa. As the primary regional urban center for the Planning District, Neepawa provides a range of municipal services and has interest in a pronounced urban orientation in comparison with the rest of the Planning District. Policy sections include Residential, Commercial, Industrial, Institutional, as well as Parks, Recreation and Rural Agricultural.

Part Four: Water, Hazards, Wildlife, Fisheries and Heritage provides specific objectives and policies relating to water resources, flooding and erosion, hazardous land areas, natural resources and heritage resources.

Part Five: Transportation and Utilities outlines objectives and policies of the Planning District regarding roadways, rail lines and airports, municipal servicing including water and wastewater services.

Part Six: Lake Irwin Reservoir Designated Area outlines the specific objectives and policies in place for the Lake Irwin Designated Area.

Part Seven: Implementation deals with the means of implementing the plan and provides the means whereby the plan can be reviewed and amended.

Appendix A: Land Use Designation Maps provide an overall future land use and development concept for the NAPD by illustrating future land use and development areas. Map 1 provides the regional setting of the NAPD, Map 2 illustrates the land uses within the limits of the Town of Neepawa, Map 3 illustrates the land uses for the RM of Rosedale, and Map 4 shows land uses for the Municipality of Glenella-Lansdowne. The maps of this document form part of the legal content of this Development Plan, and may only be revised through the formal amending procedure as provided in *The Planning Act*.

Appendix B: Reference Maps provide supplementary information for the provisions of this Development Plan, and may be updated periodically by a resolution of the Board of the NAPD. All Reference Maps are approximate and are subject to change. Reference Maps are conceptual only and should not be used to make site specific decisions.

1.4 USING THIS DEVELOPMENT PLAN

The following is a general guide describing how to use this Plan in relation to a particular proposed development or relevant topic:

- Review the Land Use Maps in Appendix A to determine the designation of the land;
- Review the Development Policies, focusing on the current designation of the land (e.g., Residential, Commercial, etc.);
- Review all applicable Reference Maps in Appendix B;
- Conduct a general assessment based on all of the relevant policies as to whether a project is appropriately conceived and developed; and
- Where policies appear to conflict, the interpretation of the Development Plan is at the discretion of the NAPD Board and/or their designate.

1.5 INTERPRETATION OF LAND USE MAPS

The land use maps included as part of the Development Plan illustrate the long-term land use and development strategy for the Planning District. The achievement of land use planning goals will take place over a period of years as the existing land use pattern evolves, subject to the periodic revision of the Development Plan.

Zoning by-laws applicable to each of the NAPD municipalities will provide the means to effect the transition. While the zoning by-laws will generally comply with the Development Plan, where existing development does not comply with the long-range policies reflected in this Development Plan, the areas may still be zoned in the respective municipal zoning by-laws according to their present use, to avoid the creation of non-conforming uses. Meanwhile, new development would be expected to conform to the by-laws. The boundaries of the land use areas shown on the maps are primarily for serving the purpose of providing a spatial relationship amongst the various land uses, and should not be interpreted as being exact as boundary lines are blurred.

The boundaries of the designated areas shown on the maps in **Appendix A** are intended to show the general arrangement of future development and land use in the NAPD. Where a boundary coincides with a physical feature on the map, such as a roadway or waterway, the boundary shall be deemed to be that feature. However, where a

boundary does not coincide with a physical feature on the map, it is intended that the Board have some latitude in determining the precise location of the boundary, with more precise boundaries being provided in the municipal zoning by-laws.

2.0 THE RURAL POLICY AREA

The NAPD Rural Policy area is focused on the predominantly rural and agricultural lands of the RM of Rosedale and the Municipality of Glenella-Lansdowne.

2.1 RURAL LAND USE DESIGNATIONS

Agriculture, as the major economic base of the NAPD, shall continue to be a primary activity and be encouraged in those areas designated as Rural Land Use, being; **Rural – Livestock Operation Existing, Rural - Livestock Operation Limited 1, Rural – Livestock Operation Limited 2 and Rural Livestock on Maps 3 and 4.**

All of these designations are intended to accommodate general agricultural activities and livestock operations (as defined in *The Planning Act*) along with small amounts of rural residential (i.e., non-farm dwellings and cottages), agro-commercial, agro-industrial, and institutional uses. Each agricultural designation has a livestock operation size restriction (capacity) based on the area's main uses, location, and proximity to other uses or environmentally sensitive areas.

2.1.1 OBJECTIVES

- a) To preserve prime agricultural land and viable lower class agricultural lands.
- b) To minimize potential conflicts between agricultural uses and non-farm uses.
- c) To promote the growth and diversification of the agricultural industry by encouraging the retention of large agricultural land parcels.
- d) To allow for farm-related subdivisions when they are deemed necessary for the ongoing maintenance and operation of a farm.
- e) To protect viable sources of potable surface water and groundwater within the Planning District.
- f) To maintain the existing livestock operations and provide for their reasonable expansion given their location in proximity to conflicting land uses and sensitive environmental features.
- g) To provide for new livestock operations, on prime agricultural land and lower class agricultural lands, where they are compatible with surrounding land uses and sensitive environmental areas.
- h) To maintain a high quality of life within the whole Planning District, with an understanding that the rural area must first and foremost be able to develop and sustain a viable agricultural industry.
- i) To set maximum animal unit capacities for livestock operations in various rural areas of the municipalities.

2.1.2 POLICIES

- 1. The policies in this section apply within all of the Rural Land Use designations.
- 2. Land shall be maintained, wherever possible, in large parcels, in order to accommodate a full range of agricultural activities.
- 3. All development in the agricultural area shall be environmentally sound and compatible with other land uses in the surrounding area.
- 4. The separation distances between any proposed livestock operation in any of the Rural Land Use designations, and any single dwellings or designated residential areas, seasonal residential areas, recreation areas, parks or

subdivisions shall be identified in the zoning by-law for the municipality, as indicated in the municipal Zoning-By-laws.

5. Agricultural operations shall be protected, where possible, from encroachment by the other land uses which could adversely affect their sustainability.
6. All new developments proposed within 328 feet (100 metres) of the Whitemud River or any tributary of it within the Planning District shall be considered by the Planning Board with respect to the risk of pollution of the water course. Where this risk is considered large, the Board may recommend rejection of the development or mitigating measures designed to allow the development to proceed under conditions containing these measures, unless restricted by other policies in this Plan.
7. Subdivision of land for specialized commercial agricultural uses requiring small parcels shall be allowed where consistent with the policies of this Plan.

RECREATIONAL, INSTITUTIONAL, COMMERCIAL AND INDUSTRIAL USES IN AGRICULTURAL AREAS

8. Single lot development of rural outdoor recreational uses (i.e., campgrounds, exhibition grounds, etc.), agro-commercial uses (i.e., anhydrous ammonia storage and sales facilities, etc.), major public facilities (i.e., regional medical centre, etc.) or energy producing industrial uses (i.e., wind turbines, etc.) as found in the Zoning By-laws that serve the needs of the local public or the Province shall be conditional uses in Rural Land Use designations on **Map 3** and **Map 4**, provided that such uses will not conflict with any other sections of this Development Plan.
9. Rural institutional, recreational or agro-commercial single lot development may occur in accordance with the following siting criteria:
 - i. Wherever possible, the development site should be located away from prime agricultural land (Class 1, 2, or 3) and viable lower class lands used for agriculture, and the development of the use should not otherwise impact agricultural operations in the surrounding area;
 - ii. An overall concept plan for the site area shall be prepared illustrating proposed access, building locations and other major features of the proposed development;
 - iii. All proposed roadways and vehicular access locations to the property shall be subject to review and if required, specific approval, of the appropriate provincial authority;
 - iv. Lots shall be large enough to provide adequate on-site areas to accommodate all parking, loading, and service requirements, so that the adjacent roadways or highways will not be utilized for parking, loading or service purposes;
 - v. Accessory structures and signage shall be developed in a manner that will not create traffic hazards, such as obscuring the visibility of traffic in the area. If located within control areas of a Provincial Trunk Highway or Provincial Road, required permits must be obtained from the appropriate provincial authority;
 - vi. The site shall not be located in an area with significant aggregate potential, shall not be subject to flooding, slope failure, or other natural hazard, and should not have any adverse effects on any designated wildlife area; and
 - vii. The site design must provide area for on-site water and wastewater facilities to the extent required and receive Council's approval.
10. Agro-Industrial single lot developments including alternate energy development industries (e.g., wind turbines) and public utilities may occur in accordance with the criteria in Policy 9 above and the following additional criteria:

- i. A site shall be selected where there will be no unacceptable risks to the environment, particularly groundwater or surface water systems;
 - ii. A site shall be selected that would not have an adverse effect on any nearby residence, any community or cottage area;
 - iii. A site shall be selected where truck access (and if appropriate, railway access) can be provided in a safe and efficient manner. In situations where the site may have some traffic impacts on a provincial highway, the highway traffic authority shall be consulted prior to approval and a traffic impact study may be required. Any on-highway improvements that may be required to accommodate development will be the responsibility of the developer; and
11. Discussions with the Public School Finance Board and local school districts shall occur when considering new areas for residential development. Sites for the development of new schools will be identified and carried out according to the Land Use Planning Guide for School Sites.

HOME BASED INDUSTRIES AND OCCUPATIONS

12. Home based industries shall be accommodated in Rural Land Use designated areas only. Home occupations shall be accommodated in the Rural Land Use designated areas, **Rural Residential** and **Rural Settlement Centre** designated areas. Home based industries and occupations must be accessory to residential occupancy of the property, and not create any significant nuisance factors for nearby landowners, or traffic hazards on nearby roadways. Where a proposal might have a potential impact on a highway under provincial jurisdiction, a review and recommendation should be obtained from the Province regarding the proposed home based industry or business.

NON-FARM DWELLINGS

13. A limited number of subdivisions for rural non-farm dwellings may be allowed as a conditional use in the Rural Land Use designations where consistent with the policies of the Plan. In all cases, where a subdivision for rural non-farm purposes is proposed, approval may only be granted in the Rural Land Use designated areas and only once per quarter section and subject to meeting one of the following criteria:
- i. In respect of a farmstead that is no longer required as part of an agricultural operation or to allow the agricultural producer to continue to reside in the existing farm residence upon retirement;
 - ii. A new non-farm dwelling may be constructed on a separate site for an individual (including a child of a farmer) who significantly participates in the agricultural operation on an ongoing basis and derives an income from it;
 - iii. When a farm is incorporated and it is necessary to establish a separate residential site from the farm corporation;
 - iv. Where a parcel of land that has been physically isolated by such things as a transportation route or a water course, but only if the parcel is of a size, shape, or nature that makes farming physically impractical; or
 - v. A farmer and/or their spouse, upon retirement, may construct one non-farm dwelling on a separate site on the farm.
14. Notwithstanding Policy 12 above, an existing non-farm dwelling parcel may be split to create two rural non-farm dwelling parcels subject to the following:
- i. The existing non-farm dwelling parcel was created under the policies of this Development Plan or was in existence prior to the adoption of said By-law;
 - ii. That the second parcel is contained wholly within the existing non-farm dwelling parcel boundaries;

- iii. That each of the non-farm dwelling parcels are at least 2 acres in size;
 - iv. That access to both parcels may be achieved directly from the municipal road and that access may be via a shared driveway;
 - v. That the requirement for onsite water and wastewater management and the required setbacks between the properties can be met; and
 - vi. That the non-farm dwellings in this situation may be subject to a minimum separation distance set by Council in the municipal Zoning By-Law.
15. When conditionally approved, non-farm residential use shall be allowed on lots normally not less than 2 acres nor more than 10 acres in size, however, the exact size of the lots shall take into consideration any existing buffers, shelterbelts, fence lines, or other similar physical restrictions and natural topographical features, as well as the requirements for on-site water and sewage disposal systems.
16. Rural non-farm dwellings shall be further subject to the following conditions in all member Rural Municipalities:
- i. Services can be provided with reasonable efficiency and without undue cost to the Municipality;
 - ii. The site must be adjacent to an all-weather road or Provincial Road and the dwelling on said site must have legal access to an all-weather road or Provincial Road and meet provincial regulations where applicable;
 - iii. A non-farm dwelling shall, in the opinion of Council, in no way have the potential to restrict the farming activity on adjacent agricultural land;
 - iv. A new non-farm dwelling must maintain the same separation distance that a livestock production operation must keep from a non-farm dwelling as specified in the Zoning By-laws of the RM of Rosedale and the Municipality of Glenella-Lansdowne;
 - v. The number of animal units permitted on the site shall be determined by the Council in their Zoning By law or conditional use approval;
 - vi. The location of the non-farm dwelling shall be restricted to low class agricultural lands, wherever possible, or encouraged to locate close to existing farmsteads where appropriate; and
 - vii. Soil and drainage conditions shall be suitable for proper siting of on-site water supply and an efficient waste disposal system serving the non-farm dwelling.
17. The establishment of new farm residences and other developments shall be encouraged to locate in close proximity to any existing rural water distribution system, wherever possible, in order to minimize the need for future system extensions. Major non-agricultural water users shall generally be subject to a municipal service agreement, to be established prior to the service connections.

SERVICES, UTILITIES, NATURAL AREAS AND PARKS/CROWN LANDS

- 18. A protective buffer should be specified around waste disposal sites, in order to control the development of residences or other habitable buildings in close proximity to the site.
- 19. Irrigation operations shall be licensed in accordance with *The Water Rights Act* and *The Environmental Act*.
- 20. Drainage of private water bodies shall not have an adverse effect on other properties, municipal drains or the productivity of agricultural lands. The Planning District Board supports the promotion of a water conservation ethic as well as educational and remedial programs.
- 21. Areas which are identified as being exceptional forest areas should be protected and encouragement should be given to the development and utilization of the forest resources wherever feasible.

22. For the periphery of Riding Mountain National Park and Provincially designated Crown lands, development should be in accordance with the land capability to accommodate allowed uses and to promote land conservation through minimizing soil erosion and unwarranted destruction of wooded areas.
23. For areas susceptible to erosion and associated water run-off problems, maintenance of wood cover and afforestation should be encouraged.
24. The Planning District Board will encourage consultation, liaison, and discussion with the Provincial Government and the Government of Canada regarding mutual land use concerns on Crown and non-Crown land within the Planning District.

2.2 LIVESTOCK OPERATION POLICIES

1. New and expanding livestock operations are subject to the defined capacity limits described below for each Rural Land Use Designation:
 - i. Within areas designated **Rural – Livestock Operation Existing**, no new livestock operations may be established; however, existing livestock operations may be expanded up to a maximum of 99 animal units in accordance with the requirements and setbacks established in the Zoning By-law based on the Provincial Land Use Policies (PLUPs);
 - ii. Within areas designated **Rural – Livestock Operation Limited 1**, new and expanding livestock operations may be established or expanded up to a maximum of 299 animal units in accordance with the requirements and setbacks established in the Zoning By-law based on the PLUPs;
 - iii. Within areas designated **Rural – Livestock Operation Limited 2**, new and expanding livestock operations may be established or expanded up to a maximum of 800 animal units in accordance with the requirements and setbacks established in the Zoning By-law based on the PLUPs; and
 - iv. Within areas designated **Rural Livestock**, new and expanding livestock operations must meet the requirements and setbacks established in their associated municipal zoning by-law, based on the requirements of the Provincial Land Use Policies.
2. Minor variations to the above requirements, as permitted under *The Planning Act*, may be considered by Council based on unique circumstances of an individual application.
3. All new or expanding livestock operations shall be allowed, upon approval of the Planning District Board, an increase of a maximum of 20 percent over the defined animal unit capacity in the **Rural – Livestock Operation Limited 1 or 2** designation. Any further increase in the capacity will require a change in the land use designation and any increase above 300 animal units shall be submitted to the Provincial Technical Review Committee for their recommendations and a public hearing.
4. Livestock operations proposing 800 or more animal units in size within the **Rural – Livestock Operation Limited 2** designation will only be considered if the proposed site contains an adequate combination of slope and thickness of consolidated and impervious natural material between the surface and groundwater to stop nutrient movement into the aquifer in amounts that would deteriorate water quality beyond provincial standards.
5. Temporary increases in the size of a livestock operation due to natural or market factors, up to a maximum of 10 percent of the approved animal unit capacity, shall be considered normal and not require additional approval, provided the increase does not result in an overall size of 300 AUs or greater.
6. In the **Rural Livestock** designation, there is no upper limit on the size of a livestock operation that will be considered in the area, but all livestock operations proposed over the conditional use threshold, as identified in the Zoning By-law, must go through the conditional use process. Further conditional use applications may be made to further expand these original conditional uses, as required. Any application above 300 animal units

shall be submitted to the Provincial Technical Review Committee for their recommendations and a public hearing.

7. Livestock operations will be characterized by the total number of animal units produced by all types of animals on the farm.
8. All livestock operations are subject to conditional use approval when required in the Zoning By-law.
9. For new and expanded livestock operation applications, proponents will be required to provide information on existing and proposed animal confinement areas (including barns), manure storage areas, and the surrounding farmyard within 328 feet (100 metres) of these structures. This information shall include proposed operation location and site plan, type, and size of existing and proposed operation.
10. Livestock operations shall not be located on soils determined by detailed soil surveys, acceptable to the Province at a scale of 1:50,000 or better, to have an Agricultural Capability of Class 6, 7 or unimproved organic soils as described under the Canada Land Inventory.
11. If detailed soil survey information is not available for an area for which a new or expanding livestock operation is proposed, the applicant may be required to provide a detailed soil survey of the site acceptable to the Province at a scale of 1:50,000 or better. This would provide the proponent with the opportunity to prove that the soils are of a higher class or, when organic, can be improved, protected, and managed in a sustainable fashion.
12. All livestock operations shall have access to the type and amount of land required to properly utilize the operation's manure production on a sustained annual basis.
13. All new confinement buildings and structures in livestock operations that:
 - i. Are 10 animal units or more;
 - ii. Have been expanded between 10 animal units, but less than 300 animal units where the original operation was built after April 15, 2004; or
 - iii. Have been expanded between 10 animal units but less than 300 animal units where the original operation was built before April 15, 2004, that cannot meet section 16 (6) of *The Environment Act*, Livestock Manure and Mortalities Management Regulation, as determined by Manitoba Sustainable Development.

Must meet all of the following criteria with respect to surface water bodies and water courses:

- i. Be 328 feet (100 meters) outside and from the top of the water body's upper bank;
 - ii. Be above the high water level; and
 - iii. Be outside and above the riparian area located along each side of the water body.
14. All new or expanding livestock operations found in all agricultural designations shall be subject, not only to the livestock operation animal unit size capacities of the designation, but also to the siting and separation requirements from single residential dwellings, designated residential areas, seasonal residential, recreation areas, and parks identified in the Development Plan and set out in the Municipal Zoning By-laws.
15. Livestock operations can have negative effects on other land uses. Also, these land uses can limit the activities of livestock operations. The Rural Municipal Zoning By-laws will therefore establish mutual siting and separation requirements between single residential dwellings and livestock operations and between designated land uses in the Development Plan and livestock operations. These requirements will act as a buffer, thereby reducing any negative impacts which may occur.
16. With respect to provincial siting and separation regulations (PLUP-No.2) for livestock operations, the Municipal Zoning By-laws will have the same separation distances for most of the regulation distances regarding designated areas in the Development Plan. Where the few deviations occur in separation distances they will range from approximately 17 to 33 percent larger than the Provincial regulation.

17. The Municipal Zoning By-laws will have slightly larger separation distances for most of the regulation distances regarding single residences and livestock operations. Where the deviations occur in separation distance requirements they will range from approximately 12 to 50 percent larger than the Provincial regulation.
18. These deviations in requirements from Provincial regulations stem from a local acceptance of existing separation requirements found in the current Zoning By-law provisions.
19. The threshold between permitted and conditional use shall be defined in each Zoning By-law. These thresholds may vary between zones. In all cases, livestock operations of 300 animal units or more shall be a conditional use. *The Planning Act* defines types of conditions that can be placed on a proposed livestock operation.
20. A Council may require an owner of a proposed livestock operation to enter into a development agreement regarding items specified in *The Planning Act*.
21. When considering approval of an application for a new or expanding livestock operation the following factors shall be reviewed:
 - i. Compliance with Development Plan and Zoning By-law;
 - ii. Type and size of operation;
 - iii. Water supply;
 - iv. Location and amount of land;
 - v. Measures to reduce level of odour;
 - vi. Proximity and compatibility to other land uses;
 - vii. Impact on all roads;
 - viii. Site development, construction, landscaping, and drainage plans;
 - ix. Proximity to water bodies, groundwater and flood risk areas; and
 - x. Cumulative effect of multiple livestock operations within an influenced area.
22. All livestock operation proposals involving 300 or more animal units in size shall require a review and report by the Technical Review Committee. Should this review identify additional specific requirements, these requirements shall be satisfied prior to the issuance of a development permit. A Technical Review Committee report shall be submitted to Council and used as defined by *The Planning Act*.
23. All new or expanding livestock operations within the Planning District proposing to produce less than 300 animal units will be subject to the policies of this Plan and an approval process as defined in each Municipal Zoning By-law.
24. A livestock operation will not be permitted at a location where adjacent land uses would be negatively affected by drainage, the degradation of water resources or other incompatible situations such as excessive noise and odour produced by the operation. In such cases mitigative measures may remove the negative impact and allow approval. When Council has major concerns with these matters, for which there is insufficient information, it may require the livestock operation proponent to provide site development and/or management information so that the impact on surrounding land uses may be determined by Council and the operation considered for approval, approval with mitigative measures or rejection.
25. No development of a proposed new or expanding livestock operation shall take place until all approvals are obtained as required in *The Planning Act* and *The Livestock Manure and Mortalities Management Regulation* under *The Environment Act* and any other Act.

26. Livestock operations shall not be located on high quality aggregate resource deposit areas, as defined by the Province (**see NAPD Aggregate Resources Map, Appendix B**), until such deposits have been mined and the site rehabilitated.
27. Livestock operations may be located on medium quality aggregate resource deposit areas, if approved by the Province and local Council.
28. Livestock operations may be located on low quality aggregate resource deposit areas, if approved by the local Council, after considering environmental issues.
29. All livestock confinement buildings and structures housing animals producing between three to nine animal units or more shall be located a minimum of 328 feet (100 metres) or as required in the Zoning By-law from a residence (other than the livestock owner's residence), motel, restaurants, community buildings and residential or recreation designated areas.

2.3 RURAL RESIDENTIAL

The following policies are established for rural residential development in the designated areas located in the RM of Rosedale and the Municipality of Glenella-Lansdowne.

2.3.1 OBJECTIVES

- a) To direct the location of **Rural Residential** designated areas to prevent conflicts with agricultural, livestock, and mineral resource operations.
- b) To protect agricultural land from fragmentation.
- c) Preserve prime agricultural lands.
- d) To ensure that all rural residential development is healthy, safe, of acceptable quality, and is planned in an orderly, cost effective manner.

2.3.2 POLICIES

1. New **Rural Residential** designated areas should consider the following:
 - i. Should not be located immediately adjacent to the Town of Neepawa boundaries so as to preclude expansion of the urban area.
 - ii. New **Rural Residential** designated areas should be directed away from prime agricultural lands and viable lower class lands better suited to agricultural use in accordance with the requirements of the PLUPs.
 - iii. The proposed location of new rural residential development must not conflict with existing agricultural and livestock operations and must respect mutual separation distances between the proposed designated area and existing livestock operations.
 - iv. The proposed location of new rural residential development must be acceptable to the host municipality in terms of the provision of public services including public roads, fire-protection, as well as disposal of all liquid and solid waste produced by the development.
 - v. New rural residential development should be setback the appropriate distances from conservation district waterways as well as the rights-of-way for railways, pipelines, and highways. Council approval of the location of any new Rural Residential development may rely on setbacks established in provincial regulations, or industry standards and guidelines. Council may establish specific separation distances in the Municipal By-Laws.

- vi. New **Rural Residential** designated lands must avoid locations which:
 - a) Are subject to flooding or a high water table;
 - b) Detrimentially affect surface water and groundwater resources; and
 - c) Are considered hazard lands including areas that experience water drainage issues or are subject to surface erosion or subsurface instability.
 - vii. New **Rural Residential** designated lands must not be located near an active municipal waste disposal site, for either liquid or solid waste; minimum separation distances will be established in the Municipal Zoning By-law.
2. Proposed development within **Rural Residential** areas should not be of the size or density to be urban in character or serve as a new urban centre in the future.
 3. Permanent buildings in **Rural Residential** areas within the controlled areas along provincial highways should generally be discouraged. New development proposed within the controlled area along provincial highways will require approval from the appropriate provincial authority.
 4. Multi-lot Rural Residential development will only be approved in areas of the NAPD that are designated and zoned for that purpose and a conceptual design (showing proposed public roads and private lots) has been approved by the Council of the host municipality. The approved design shall be reflected in any proposed application for subdivision, which will also be subject to Council's approval.
 5. In areas designated **Rural Residential**, new parcels may be established at a minimum of 2 acres in site area to help maintain the rural character of the area and may be larger in size to allow for the keeping of animals or livestock. Each municipal Council may establish different Rural Residential zones based on a range of desired site areas, and may establish a maximum site area in the Municipal Zoning By-law.
 6. The keeping of animals as pets, as well as accessory structures, such as kennels and pet boarding facilities, may be permitted on **Rural Residential** lots.
 7. The keeping of a small number of livestock for personal and recreational purposes may be approved on larger lots in a specific **Rural Residential** zone where the number of livestock will be limited by the size of the property and subject to requirements established in the Municipal Zoning By-Law. The keeping of livestock may include accessory structures such as fences, stables, barns, and arenas.
 8. Livestock Operations (defined as being 10 animal units or more in size) are not considered compatible with multiple-lot rural residential developments and will not be permitted on lands designated **Rural Residential**.
 9. Rural residential development will be subject to provincial regulations regarding on-site wastewater management systems and water supply systems.
 10. All new **Rural Residential** lots must have a provincially approved onsite wastewater management system and an approved water supply. If the water supply is a well, the well shall be properly developed with respect to well depth, pipes, linings, surface and subsurface components and construction.
 11. Access to private lots within an area proposed for multiple-lot **Rural Residential** development must be from public roads within the development which connect with municipal roads, or directly from municipal roads. Direct access to private lots from provincial highways is generally discouraged, and any such direct access would need provincial approval.

2.4 RURAL SETTLEMENT CENTRES

The following objectives and policies are intended to guide future development in the designated Rural Settlement Centres located throughout the NAPD, including: Arden, Eden, Riding Mountain, Kelwood, and Glenella. **Rural Settlement Centres** serve an important function by allowing municipal residents an opportunity to live in a residential community in closer proximity to commercial and industrial uses.

2.4.1 OBJECTIVES

- a) To assist in the preservation and maintenance of the NAPD's existing rural communities.
- b) To provide NAPD residents with an alternative to living in the Town of Neepawa, on rural residential lots, or non-farm dwellings.
- c) To encourage additional high quality residential development in keeping with the existing character of the **Rural Settlement Centres** and to promote safe, functional, and pleasant residential environments.
- d) To ensure that a sufficient supply of residential land is designated to meet present and future demand.

2.4.2 POLICIES

1. More compact development will be permitted in the communities of Arden, Birnie, Eden, Franklin, Riding Mountain, Kelwood, Tenby, and Glenella. These areas are designated as **Rural Settlement Centres** on **Maps 3 and 4**.
2. All development in **Rural Settlement Centres** must be environmentally acceptable and sensitive to potential environmental problem areas.
3. In each community, the potable water supply should be monitored regularly to ensure that a minimum standard of potable water is maintained. All proposed developments utilizing water and sewage disposal, will be required to provide evidence of a potable groundwater supply satisfactory to their needs, where required, and the ability of the environment to accommodate, on a sustainable basis, the proposed sewage disposal system. If any of these conditions cannot be met, then an alternate water supply and/or an alternate sewage system must be provided that is satisfactory to the respective Council and the PLUPs.
4. All zoning sites shall be of a sufficient size to permit the effective onsite disposal of sewage and to minimize the risk of ground water pollution where municipal services do not exist. These onsite wastewater management systems shall be maintained in proper working order. All off-site sewage disposal from onsite wastewater management systems shall be deposited in provincially approved facilities designed for this purpose (e.g., approved Village sewage lagoons).
5. All residential lots shall be connected to municipal services if services become available in the future, within a time period approved by Council and in accordance with Provincial regulations.
6. Adjacent land uses should be compatible with one another, wherever possible. Land uses which may have an adverse effect on adjacent uses shall be dealt with as Conditional Uses in the Zoning By-law.
7. All new or expanding industrial uses that generate waste, which must be emitted into the environment, must meet, on a continuing basis, the applicable Provincial pollution guidelines, standards, and regulations.
8. Any industrial use may be required to monitor its waste emissions and submit the results to the Municipal Council and/or the Provincial Government for their consideration.
9. Generally, uses of a particular type; residential, commercial, industrial, etc. should be grouped within one area most suitable for that use.

10. Due to the close proximity of the solid waste disposal site and sewage lagoon to the community of Arden in the Municipality of Glenella-Lansdowne, these two facilities must be properly monitored regularly for pollutants and maintained in a fashion satisfactory to the responsible provincial department.
11. Livestock operations will not be permitted on lands within the Rural Settlement Centres designation as they are not compatible with more compact community development.

2.5 SEASONAL RECREATION

The following objectives and policies are intended to guide future development in the designated **Seasonal Recreation** area located in the East of the RM of Rosedale, on Kerrs Lake, south of Riding Mountain National Park.

2.5.1 OBJECTIVES

- a) To direct seasonal recreational development to lands of marginal capability for agricultural production.
- b) To ensure development of existing and future recreation use is appropriately planned and accessible to the public.

2.5.2 POLICIES

1. The designated **Seasonal Recreation** area shall be designated as such on **Map 3 – RM of Rosedale Land Use Plan**.
2. Seasonal **Recreation** developments, including cottage development, shall occur on sites that will ensure privacy and the preservation of the natural setting, and optimize the utilization of the existing municipal road network.
3. Multi-lot recreational developments shall be located so as to avoid any interference with the main function of the regional transportation network. Recreational developments, except for low density trail development, shall not be allowed within 1000 feet of the center line of trade and major tourism routes as defined in the Provincial Land Use Policies (including Provincial Trunk Highway No. 5 and No. 16) or within 2640 feet of the center line intersection of these Trade and Major Tourism Routes and any other Provincial Trunk Highway.
4. Multi-lot cottage developments in the Rural Municipalities may be permitted in **Seasonal Recreation** designated areas.
5. New **Seasonal Recreation** designated areas must meet the following criteria:
 - i. Must be located on low class agricultural lands not currently viable for agricultural production, in accordance with the PLUPs. There must not be a conflict between existing agricultural land uses and the **Seasonal Recreation** development;
 - ii. Must not conflict with existing livestock operations and therefore must maintain the same separation distance that a livestock operation of a specific size must keep from a designated and zoned seasonal recreation area as specified in the Municipal Zoning By-laws;
 - iii. Must not cause unacceptable social or economic costs to the host or adjacent municipality. This includes such services and development of roads, schools, hydro, telephone, pipelines, highways, airports, police, and fire protection;
 - iv. Must be carried out by plan of subdivision, under the subdivision approval process as outlined in The Planning Act;
 - v. A concept plan must be prepared, by the developer, prior to the subdivision of the proposed **Seasonal Recreation** development. This concept plan shall indicate major road patterns, general configuration of proposed lots, public reserves, other recreation facilities, relationship to adjoining lands, method of

servicing, and any other information deemed necessary by the Council and NAPD Board to establish the suitability of the proposed development for the site and capability of the water body (where one exists) to support the proposed development;

- vi. All proposed **Seasonal Recreation** development must make provision for adequate drainage systems and an approved potable water supply. Any water being drained into the provincial highway drainage system must seek permission from the appropriate provincial authority. If the water supply is a well, the well shall be properly developed with respect to well depth, pipes, linings, surface, and subsurface components and construction;
 - vii. Minimum lot sizes should be based on development aesthetics and the type of sewage disposal system proposed. These lot sizes shall be determined in the RM's Zoning By-Law and installation of the onsite wastewater management system on the lot will be subject to all applicable provincial regulations and approvals; and
 - viii. All proposed **Seasonal Recreation** adjacent to lakes and other bodies of water must allow for public access to the water.
6. Livestock Operations are not allowed on lands within the **Seasonal Recreation** designation areas as they are not compatible with the development of recreation facilities and activities.

2.6 MINERAL EXTRACTION

A number of areas of sand and gravel (aggregate), as well as iron, oil shales, Odanah shale, and salt in the form of brine have been identified by the Province in the NAPD. Aggregate are the most important mineral resources in the area. Most high and medium quality deposits are located in a long, narrow band running north to south between Kelwood and Neepawa. This section outlines policies and provisions pertaining to Mineral Extraction within and the NAPD (see **NAPD Aggregate Resources Map, Appendix B**).

2.6.1 OBJECTIVES

- a) To identify and protect the Planning District's valuable non-renewable aggregate resources.
- b) To avoid future land use conflict and environmental degradation.
- c) To manage the extraction process for present and future infrastructure and community needs.
- d) To rehabilitate lands disturbed by aggregate exploration, development, and production to a condition that is safe, stable, and environmentally compatible with adjoining lands.

2.6.2 POLICIES

- 1. An aggregate extraction operation will be considered a Conditional Use. The NAPD Board or Council may require interim and final rehabilitation plans so as to ensure the unused extraction areas are returned to a state that is aesthetically pleasing and non-hazardous. The depleted aggregate area must be reclaimed to a condition that is safe, environmentally stable, and compatible with the adjacent land use.
- 2. Any application for quarrying will be considered a Conditional Use in the RM of Rosedale and the Municipality of Glenella-Lansdowne and will be required to include the submission of a site plan which will show in detail the location, the manner in which extraction or development will occur, and the intended use of the site after the quarrying of parts or all of the site has been completed, and include, if required by the NAPD Board or Council, a rehabilitation plan. A landowner of an exhausted quarry will be encouraged to apply for site rehabilitation under Manitoba's Pit and Quarry Rehabilitation Program.

3. All quarry operators will be required to obtain proper authorization from the Province before starting quarry operation.
4. Intensive land uses will be restricted in areas of potentially valuable mineral deposits. In known valuable areas, all intensive development will be prohibited until the minerals have been extracted and the pits have been rehabilitated, where necessary.
5. The quarry mineral areas shall be classified, by the Province, as defined in the Provincial Land Use Policies-Policy 9 – Minerals Resources into areas of “high (stop)”, “medium (caution)”, and “low (go)” quality. Refer to **Appendix B** of this Plan. These areas shall be protected in the following manner:
 - i. Within an area designated as “high (stop)”, no conflicting land use will be allowed;
 - ii. Within an area designated as “medium (caution)”, with provincial approval, a potentially conflicting land use may be permitted in the designated area; and
 - iii. Within an area designated as “low (go)”, conflicting land uses are permitted, if approved by Council.
6. There shall be a separation distance between mining extraction operations and conflicting surface land uses established in the Municipal Zoning By-Laws.
7. All local roads in the RMs which now carry high volumes of truck traffic from a quarry, or which may be anticipated to eventually carry high volumes of truck traffic upon commencement of mining a particular mineral deposit, should be protected from any adjoining development which would be sensitive to such traffic by:
 - i. Precluding development of any such land uses; or
 - ii. Establishing setback, screening, and ingress/egress controls which would mitigate the impact of high volumes of truck traffic.
8. The Province of Manitoba owns mineral under-rights located within the NAPD and routinely issues mineral dispositions under the authority of The Mines and Minerals Act. Lands containing a valid mineral disposition must be protected for mineral exploration and extraction from conflicting uses.

3.0 THE URBAN POLICY AREA – THE TOWN OF NEEPAWA

Part III includes all the policies applicable to lands within the boundaries of the Town of Neepawa. Lands designated within the Town of Neepawa are identified on **Map 2 – Town of Neepawa Land Use Plan**.

3.1 RESIDENTIAL

The **Residential** land use designation provides opportunities for a wide variety of serviced residential development and compatible land uses within the Town of Neepawa and identifies land for expansion in the future.

3.1.1 OBJECTIVES

- a) To ensure that a sufficient supply of residential land is designated to meet present and future demand.
- b) To encourage high quality residential development.
- c) To promote safe, functional, and pleasant residential environments.
- d) To encourage the maintenance and upgrading of housing.
- e) To preserve, infill, and enhance existing residential areas, where possible.
- f) To invest in the preservation and repair of existing infrastructure, where possible.
- g) To ensure that the provision of municipal services such as sewer and water, can be implemented in a cost-effective fashion.
- h) To direct future greenfield residential development to lands adjacent to existing residential designated areas.

3.1.2 POLICIES

- 1. Residential development should occur so as to minimize any conflict with existing and future land uses.
- 2. The preservation and renovation of existing residential areas will be encouraged by the Council and the Town of Neepawa.
- 3. New residential development will be accommodated in those areas designated **Residential** and **Residential Hold** on **Map 2: Town of Neepawa Land Use Plan**.
- 4. Infill development and subdivisions or housing replacement in the existing designated **Residential** areas shall be encouraged.
- 5. New Development should be directed to **Residential** designations first. Prior to approving new subdivisions in the areas designated **Residential Hold**, Council shall consider the impact of a new supply of lots on the existing vacant **Residential** lot supply.
- 6. An area concept plan must be prepared prior to the subdivision of part or all of any previously undeveloped residential area. This concept plan shall indicate major road patterns, general configurations of proposed land use, staging of development, and services.
- 7. Individual unserviced residential lots will be permitted in areas designated **Residential** and **Residential Hold** only on the condition that the lots and buildings meet unserviced requirements and the proposed on-site sewage

systems are approved and an adequate water supply is proposed and developed in accordance with the Zoning By-Law and the PLUPs. Such developments shall be connected to the municipal servicing once services are available.

8. Unserved residential subdivisions will only be considered in areas designated **Residential** and **Residential Hold** when it is determined that providing services to the area is not cost efficient at the time of the proposal and Council decides the larger lots are appropriate for the proposed area. All residential lots shall be connected to municipal services once services are available, within a time period approved by Council and in accordance with Provincial regulations.
9. All unserved development within the **Residential** and **Residential Hold** areas in the Town of Neepawa will be designed to be serviced in the future with municipal water and sewer.
10. Uses that are compatible with residential uses, including but not limited to, places of religious assembly, day cares, parks, playgrounds, and community centres, will be allowed in all residential designated areas.
11. Small neighbourhood commercial development shall be permitted in conjunction with residential development in the areas designated **Residential** or **Residential Hold**. These neighbourhood commercial uses must be identified in the concept plans to be prepared for these areas and in accordance with the Zoning- Bylaw.
12. Council will encourage private land owners to make residential land available for residential development when there is a demonstrated need, and the development can be economically serviced by road, drainage, water, and sewer systems.
13. In response to expressed demand, the development of a variety of housing types will be encouraged in the Town of Neepawa (e.g., single-family, mobile home, multi-family, 55+ residences, assisted living, etc.). Changes to zoning, where required, will be considered by Council and in accordance with the Zoning By-law.
14. Developers of new multi-family dwellings will be encouraged to locate the proposed multi-family development at specific locations within the community. Special attention should be given to the unique characteristics and needs of each type of development and its impact on the immediate neighbourhood. In particular, the following criteria will be considered with respect to multi-family dwellings (containing three (3) or more dwelling units):
 - i. Wherever possible, new multi-family dwellings should be encouraged to locate in close proximity to the downtown area, so that residents will have convenient access to the various commercial, social, and recreational facilities in this area;
 - ii. Locations for new multi-family dwellings in the vicinity of major institutional complexes (such as the hospital, senior residences, and schools, etc.), may also be considered;
 - iii. Multi-family dwellings shall generally be encouraged to locate along major arterial or collector streets;
 - iv. All new multi-family dwellings must be serviced by municipal sewer and water systems;
 - v. The owner of a multi-family dwelling site must provide sufficient off-street parking to accommodate the needs of future residents; and
 - vi. The multi-family dwelling site must be planned and landscaped to the satisfaction of Council, with due consideration given to the location of parking, and the provision of suitable open spaces on the site.
15. While home based businesses are a viable and important part of the community, their size and method of operation must be kept in harmony with the residential areas in which they are located. For this reason, the respective Zoning By-Laws will specify maximum square footage, standards of operation, signage, and other criteria relative to home based businesses, to ensure that the integrity of the residential area is maintained.
16. The development of additional mobile home areas will be accommodated within the Town of Neepawa, provided that such development occurs in a clustered fashion within areas specifically designed for this purpose. Consideration will be given for the unique structural characteristics and servicing needs of mobile homes.

17. Areas which are subject to natural hazards such as flooding or bank instability will not be developed for residential purposes, unless satisfactory measures can be taken to mitigate the risk, based on a recommendation from a qualified professional engineer licensed to practice in Manitoba. In addition, any such development shall conform to provincial flood protection guidelines.
18. Residential buildings must be located in such a manner that they will not front directly onto heavily traveled roadways, whenever possible.
19. Livestock operations will not be permitted within **Residential** land use designations as they are not compatible with residential development.

3.2 COUNTRY RESIDENTIAL

Country Residential areas are intended to accommodate larger lot development with private services.

3.2.1 OBJECTIVES

- a) To encourage high quality residential development.
- b) To accommodate a rural living environment within an urban area.
- c) To promote safe, functional, and pleasant residential environments.
- d) To maintain the character of the existing Country Residential development.

3.2.2 POLICIES

1. Country Residential development shall be permitted in the Country Residential and **Country Residential Hold** designated areas identified on **Map 2 – Town of Neepawa Land Use Plan**.
2. **Country Residential** lots in the areas designated as such shall be a minimum of two acres in size.
3. Prior to any subdivision for Country Residential development in the designated areas, a land use concept shall be prepared which will outline the main road system and provide a generalized outline of the proposed development pattern.
4. Lands designated **Country Residential** shall generally be developed before lands designated **Country Residential Hold**.
5. All new proposed **Country Residential** lots shall have a provincially approved wastewater disposal system and an approved water supply. If the water supply is a well, the well shall be properly developed with respect to well depth, pipes, linings, surface and subsurface components and construction and receive any approvals necessary.
6. Prior to approving new subdivisions in the areas designated **Country Residential Hold**, Council shall consider the impact of a new supply of lots on the existing vacant country residential lot supply.
7. Additional **Country Residential** designations may be considered within the Town of Neepawa provided it is located in an area most suited to large site residential development and is not wasteful of land suited to more intensive type development.
8. All new proposed **Country Residential** re-designations shall be compatible with existing surrounding land uses.
9. Within the Town of Neepawa, the keeping of horses, cows, sheep, pigs and similar farm animals shall not be permitted in designated **Country Residential** areas.

10. Livestock operations shall not be permitted in designated **Country Residential** areas as they are not compatible with residential development.

3.3 COMMERCIAL

The Town of Neepawa is considered the commercial hub of the NAPD. Commercial development within the town is divided into three land use designations: **Central Business District (CBD)**, **Highway Commercial** and **Highway Commercial Hold**.

3.3.1 OBJECTIVES

- a) To encourage the development of a broad range of commercial uses, which would further strengthen and enhance the Town of Neepawa's role as a regional service centre.
- b) To encourage the creation of comprehensive marketing and business development of the **Central Business District (CBD)**.
- c) To provide for visually attractive commercial areas and encourage the physical upgrading of the existing downtown area. This may require government assistance to private land owners and prospective developers as well as a public facilities and structures upgrade program.
- d) To encourage new businesses to develop in the established downtown area, and to provide for the eventual expansion of the downtown area into contiguous areas that are economical to develop and/or have above average access opportunity via major roads and highways. Neepawa downtown area must be maintained by encouraging general commercial development to locate in this area and mainly highway commercial development to locate along PTH No. 16 and 5.
- e) A number of benefits occur for businesses and the community when businesses are grouped within a relatively compact downtown area. Such an area acts as a collective focus for commercial and community activity.
- f) To strengthen the downtown area by encouraging commercial and mixed use development including social, financial, educational, residential, and recreational facilities to locate within or in close proximity to the area.
- g) To minimize future traffic problems in the downtown area by encouraging the provision of off-street parking and loading facilities.
- h) The central commercial area of Neepawa has evolved and should remain the economic and social heart of the community. This is where people mingle and socialize.
- i) To provide for additional highway commercial development at appropriate locations adjacent to PTH 16 and PTH 5 north.
- j) To maximize traffic safety and minimize traffic congestion problems in development adjacent to highways through proper planning and design of future highway commercial areas.

3.3.2 POLICIES

1. The NAPD Board and Council will encourage the ongoing development, maintenance, and reinforcement of the Town of Neepawa's CBD. New commercial development will be encouraged to locate in the CBD, wherever possible. The upgrading and/or replacement of existing buildings in the CBD will be encouraged, along with a landscaping program at selected locations. Where suitable, new construction should blend in and be complimentary with existing buildings. Various social, cultural, entertainment, financial, educational, child care, and recreational facilities will be encouraged to locate within or in close proximity to the CBD as a means to ignite additional economic activity. All future businesses in the CBD will be encouraged to provide off-street parking areas for employees' vehicles and off-street loading areas, wherever possible.

2. Highway Commercial development will be restricted to those areas designated on **Map 2 – Town Neepawa Land Use Plan**. The approval for the development of land designated as **Highway Commercial** and **Highway Commercial Hold** will be dependent on the type of highway commercial use proposed, required site area, its need for various services (roads, piped water and sewer) and the availability of the services. Normally, lands designated **Highway Commercial** should be developed before lands designated **Highway Commercial Hold**, where possible. Lands designated as **Highway Commercial** in the closed CN railway station grounds shall require an environmental review prior to development, unless a general environmental review of this land is undertaken and results are available to Council.
3. The area indicated as **Highway Commercial Hold** on **Map 2 – Town of Neepawa Land Use Plan** shall be reserved for long-term Highway Commercial development.
4. Future development within the designated **Highway Commercial** areas should typically include uses such as automobile service centres, restaurants, and hotels, where high visibility and convenient access are required for the traveling public and generally exclude those uses better suited for the Central Business District.
5. Prior to any development in the designated **Highway Commercial** areas, a concept plan must be prepared indicating the proposed development of the entire parcel including access points and internal road patterns.
6. Any future proposals for a shopping mall will only be permitted within the **Central Business District (CBD)**. Strip malls will also be encouraged to locate in the CBD, but they may also be allowed to locate in the highway commercial areas when they are proposed for only highway commercial uses, as defined in the Zoning By-law. The approval of strip malls in designated **Highway Commercial** areas will be a Conditional Use. The approval of strip malls should be kept to a minimum and approval should be based on demonstrated need, the provision of all municipal services and appropriate site, building, internal road, access points, and parking design.
7. Conversion of other land use designations to a commercial designation will be considered if the land is contiguous to either the **Central Business District, Highway Commercial** or **Highway Commercial Hold** designations. Among other relevant factors, consideration will involve the proposal containing sufficient land to provide for the proposed buildings, display areas, on-site parking or on-street parking of customer vehicles, the provision of adequate services, and provision of adequate measures to buffer any nearby residences or other incompatible uses.
8. Livestock production operations will not be permitted within lands designated for commercial use as they are not compatible with urban business developments.

3.4 INDUSTRIAL

The Town of Neepawa contains industrial areas designated **Industrial** or **Industrial Hold**. Lands located within the **Industrial** land use designation will be developed in accordance with the Zoning By-law and the following objectives and policies.

3.4.1 OBJECTIVES

- a) To encourage the growth and diversification of the industrial sector in the NAPD. This development generates new wealth for the local economy.
- b) To encourage "home grown" industries to be developed by local entrepreneurs, and to encourage outside industrial interests to develop facilities in the Town of Neepawa and area.
- c) To designate appropriate areas for future industrial development.
- d) To ensure that suitable areas of land are readily available for industrial development.
- e) To ensure newly designated industrial lands will be compatible with surrounding land uses.

- f) To ensure that future industrial development does not occur at random locations which may adversely affect neighbouring development.
- g) To encourage the relocation of existing poorly located industrial developments to an appropriate industrial area, wherever practical.
- h) To recognize existing industrial development within the Town of Neepawa and to protect these areas from the encroachment of incompatible land uses in order that current operations may continue.
- i) To promote the development of safe, efficient, and attractive industrial areas.

3.4.2 POLICIES

1. Industrial development will be restricted to those areas indicated **Industrial** on **Map 2 – Neepawa Land Use Plan**.
2. Future incompatible and/or noxious industrial uses must not be located in industrial areas adjacent to residential development.
3. Where industrial areas abut an existing or proposed residential area, the NAPD and Council will ensure that a suitable buffer is provided to prevent adverse impact on the residential area. This may take the form of landscaped buffer strips and/or some other appropriate structure. Where such buffers are not possible, the industrial areas nearest the residential area should be reserved for industries which are typically non-offensive in terms of noise, dust, odour, vibration or other nuisance factors.
4. Development in a designated **Industrial** area must be in accordance with a concept plan to be prepared prior to any subdivision. This concept plan must indicate general land uses, access points, road patterns, and servicing. Approval of development will be based on this plan, a site plan, and the availability of services and resources, including water resources necessary for the sustainable operation of the proposed industrial development.
5. Areas identified as **Industrial Hold** shall be developed after areas designated as **Industrial** are developed. Exceptions may be considered where a proposed development requires a larger land parcel than can be provided in the current industrial subdivisions and required servicing can be provided. Or, in the instance that a proposed industrial development is best suited to an area identified as **Industrial Hold** due to environmental reasons or other important reasons acceptable to Council, and necessary services can be provided.
6. In the case of any industrial development proposal which may present a severe threat to the environment or to the health of nearby residents, Council will require special impact studies to be undertaken at the expense of the developer in order to accurately determine the extent of the risk. In addition, the developer will be required to take any mitigation measures that Council deems appropriate in connection with any development proposal.
7. If it can be determined that a proposed industrial development presents an unacceptable risk to the environment or to public health, in the opinion of Council, then such development will not be permitted within the Town of Neepawa.
8. Livestock may be kept in confinement for industrial processing purposes on lands designated **Industrial** as outlined in the Zoning By-law for limited periods of time. The maximum and number of livestock that may be confined at any one time will be determined by Council.

3.5 INSTITUTIONAL

Institutional facilities are located throughout the Town of Neepawa, with the largest being the adjacent parcels containing the high school, hospital, senior citizens homes, clinic, and museum, just north of Hospital Street east of Mountain Avenue. Lands located within the **Institutional** land use designation must comply with the Zoning By-law and the following objectives and policies.

3.5.1 OBJECTIVES

- a) To promote and accommodate a broad range of institutional uses that will help to improve the quality of life of residents.
- b) To provide planning co-ordination and assistance, where applicable, for the location and eventual expansion and/or replacement of various institutional facilities within the Town of Neepawa.
- c) To provide adequate land in appropriate locations to meet the institutional needs of the Town of Neepawa and surrounding areas.
- d) To recognize the existing institutional development within the Town of Neepawa and to prevent encroachment by and conflicts with incompatible land uses.
- e) To ensure that institutional uses are developed in a manner that is in keeping with the character of the adjacent area.

3.5.2 POLICIES

- 1. Major institutional developments or areas will be designated as **Institutional** on **Map 2 – Town of Neepawa Land Use Plan**.
- 2. General institutional development will not be restricted to any one area and will be considered a Conditional Use wherever it is most appropriate for that particular facility, at the discretion of the NAPD Board and Council.
- 3. New institutional land uses will be encouraged in conjunction with new residential development, as appropriate.
- 4. Institutional uses which locate adjacent and/or within Residential areas, should be planned to minimize any adverse impact on the surrounding residential environment.
- 5. Each proposed institutional development must submit a site plan which includes, but is not limited to, information on building location, access roads, parking, loading spaces, and provision of necessary services and will be considered on its own merits.
- 6. Livestock operations are not permitted within this land use designation as they are not compatible with institutional uses.
- 7. Discussions with the Public School Finance Board and local school districts shall occur when considering new areas for residential development. Sites for the development of new schools will be identified and carried out according to the Land Use Planning Guide for School Sites.

3.6 PARKS, RECREATION AND OPEN SPACE

The Town of Neepawa is considered the recreational hub of the NAPD. Recreational areas within the town are divided into two land use designations: **Parks, Recreation & Open Space** and **Parks, Recreation & Open Space Hold**. These lands are subject to the Zoning-Bylaw and the following objectives and policies.

3.6.1 OBJECTIVES

- a) To maintain a wide range of recreation facilities to meet the existing and future recreational needs of the residents of the Town of Neepawa and surrounding areas.
- b) To provide for the expansion or replacement of recreational facilities, as necessary.

- c) To preserve the Whitemud River, including all of its tributaries, the river valley, and Park Lake, as scenic natural corridors.
- d) To develop and maintain other open space uses suited to this environment.
- e) To conserve lands for open space uses, which are unsuitable for intensive urban development and/or which may contribute to the enhancement of the scenic or amenity value of the Town of Neepawa.

3.6.2 POLICIES

1. All areas designated as **Parks, Recreation & Open Space on Map 2 – Town of Neepawa Land Use Plan** shall be retained for open/recreation purposes. The **Parks, Recreation & Open Space Hold** designation represents land that may be used for future open space development.
2. All development will be prohibited on lands designated as floodway, but development may occur on lands designated as floodway fringe area (within the total flood risk area as defined by the Province, (**see NAPD Flood Risk Map, Appendix B**), subject to certain conditions that protect the environment and the development. Permanent flood protection will be provided to the 200 year flood level or the flood of record, whichever is greater.
3. Development of local recreation, parks and open space facilities will be permitted in conjunction with other development such as residential neighbourhoods, at the discretion of the NAPD Board and Council.
4. The development of walkways, parks, and recreation areas will be promoted in such a way as to improve the visual appearance and aesthetic quality of the community.
5. The development of walkways will be promoted and assisted throughout the Town of Neepawa to improve connectivity between the various neighbourhoods and the **Central Business District (CBD)**.
6. Individual and group efforts towards conservation of land, water, flora, and fauna are encouraged and supported by the NAPD.
7. The development of future parks, recreation facilities and open spaces will only be approved if they are considered to be environmentally suitable by the approving authority.
8. Council should support and encourage the joint use of school grounds and facilities for community recreation purposes in co-operation with the school division.
9. Council should encourage the development of public and private open space buffers between non-compatible uses of land in all future developments. Council will endeavour to promote open space buffer zones to minimize conflicts between incompatible existing land uses where it is feasible and desirable.
10. Council will, in cooperation with landowners, support and encourage the maintenance of riverbanks and lands immediately adjacent to the Whitemud River.
11. Livestock operations are not permitted within this land use designation as they are not compatible with the activities occurring on these lands or the environmental sensitivity of many of these lands.

3.7 RURAL AGRICULTURAL

This section outlines policies and provisions pertaining to lands within the Town limits have been designated **Rural Agricultural** and are intended to remain in agricultural production.

3.7.1 OBJECTIVES

- a) To provide sufficient land in suitable locations in the Town of Neepawa limits to accommodate agricultural uses and activities on a restricted basis.
- b) To prohibit agricultural land uses which could inhibit long term urban development.

3.7.2 POLICIES

- 1. The areas designated as **Rural Agricultural** on **Map 2 – Town of Neepawa Land Use Plan** will be retained for agricultural, associated agricultural uses, and some large site public recreational and cultural uses. At this time, no urban development shall be permitted in these areas.
- 2. Prior to re-designating **Rural Agricultural** areas, a demand study should be undertaken, along with a utilities and service needs and cost study, where future proposed uses require it.
- 3. Some livestock, up to an approximate maximum of five (5) animal units in capacity, may be allowed in the **Rural Agricultural** areas subject to Council's approval. Livestock operations (defined as 10 or more animal units) will not be permitted within lands designated **Rural Agricultural**.

4.0 WATER, HAZARDS, WILDLIFE, FISHERIES AND HERITAGE

4.1 WATER RESOURCES AND HAZARD LANDS

The NAPD is drained by a hierarchy of interconnecting natural water courses supplemented by a number of man-made systems including the Gilmore, Correction Line, Glenella, Riding Mountain, Alonsa, Jumping Deer, and Award 2 drains. This section outlines policies and provisions pertaining to areas identified as water resources and/or hazard lands within and the NAPD.

4.1.1 OBJECTIVES

- a) To maintain good water quality from both a health and cost perspective.
- b) To restrict development in flood hazard areas to avoid costly replacement and rehabilitation expenditures.
- c) To maintain erosion control along the Riding Mountain escarpment area and the Planning District's various drainage courses.

4.1.2 POLICIES

1. The potability of the water supply from individual wells serves many dwellings and must be monitored regularly to ensure that a minimum standard of potable water is maintained.
2. Preservation of the drainage area, particularly along the Riding Mountain escarpment and the various creeks and rivers, will be encouraged. The NAPD Board and Member Municipal Councils will also encourage agricultural practices and non-agricultural developments which would preserve vegetation cover and not contribute to increased erosion.
3. The NAPD Board and Municipal Council should ensure that new developments comply with appropriate provincial standards including the Manitoba Surface Water Quality Objectives, concerning water, sanitary sewage, and solid waste. Such standards shall be applicable to local conditions.
4. Within the Town of Neepawa limits, floodways and flood risk areas were delineated under the Canada-Manitoba Flood Damage Reduction Agreement on the 1993 Neepawa Area Flood Risk Map. No development will be permitted except for open space and agricultural uses within the floodway. Development is permitted within the floodway fringe, provided the hazard can be eliminated or the use is of a type that is compatible with flooding (see **Town of Neepawa Flood Risk Map** in **Appendix B** for the general location of flood risk areas in Neepawa).
5. Developments in all areas of the NAPD which, in the opinion of the NAPD Board or Municipal Council, may be subject to physical hazards must generally be limited to agricultural or open space uses. Under special economic or social circumstances, the Board or Council may permit more intensive development if the hazard is eliminated or protected against. Development in hazardous areas shall be subject to the following requirements:
 - i. If the land is subject to periodic flooding, all permanent structures must be located on land which has been raised by fill to an elevation at least 2 feet (0.6 metres) above the 200 year flood level;
 - ii. Land which may be eroded away within a period of 50 years must be excluded from development unless it is demonstrated, to the satisfaction of the Board or Council, that the erosion process has been halted;

- iii. Development will not be permitted on lands subject to bank instability, landslides, or subsidence;
 - iv. All structures and services located in hazard areas must be protected against damage and must be functional under hazard conditions.
6. Notwithstanding Policy 5 above, development will not be permitted if, as a result of the development:
- i. There is an added risk to life or safety; or
 - ii. Water flow, flow velocities, or stages are adversely altered, obstructed, or increased.
7. Activities such as dumping, excavation, clearing, cultivation, or excessive grazing which would accelerate or promote dangerous erosion or bank instability will be prohibited.
8. In areas where the specific hazard has not been defined, permanent structures must be setback from all waterways a distance of at least 10 times the height of the bank above channel grade or 150 feet (46 metres), whichever is greater, unless a geotechnical investigation by a qualified engineer licensed to operate in Manitoba shows that these limits may be reduced.
9. Intensive and high pollution risk developments (including livestock operations, chemical and fertilizer storage facilities, septic fields and tanks, fuel tanks, waste disposal grounds and wastewater treatment facilities) shall be restricted within 1.5 km of source water protection areas, as identified in the Whitemud River Integrated Watershed Management Plan.

Where restrictions are not possible, development must be limited and may be subject to the following:

- i. Demonstration by the proponent that no significant negative effect on water systems is likely to occur;
- ii. The implementation of mitigation measures and alternative approaches that protect, improve or restore these areas; or
- iii. The preparation of a strategy for mitigation in the event that negative impacts do occur.

4.2 WILDLIFE AND FISHERIES

4.2.1 OBJECTIVES

- a) To ensure that both existing and future agricultural practices and other potentially conflicting land uses do not unnecessarily disrupt the prime wildlife habitat of the Planning District.
- b) To protect the local fisheries habitat and existing spawning sites.
- c) Quality wetland habitats, including riparian areas, shall be protected to ensure continued waterfowl production.

4.2.2 POLICIES

- 1. The NAPD Board will discourage any development in areas identified as prime wildlife habitat. The Board deems the Riding Mountain periphery, summer storm drains, Sandhill Area, Neepawa Creek, other major tributaries to the Whitemud River, the Whitemud River, and any Wildlife Management Areas to be significant renewable resource areas. The Board may consult with the appropriate provincial government departments to define additional areas. Land within and immediately adjacent to these areas shall be retained in rural use unless applications for development can demonstrate that an adverse impact on the wildlife population will not be created.

2. Through public education programs, the Board will discourage any activity which could cause erosion, soil degradation, or detrimental environmental impact on wildlife or wildlife habitat. The Board may consider more stringent policies regarding the clearing of trees on environmentally sensitive areas as well as a practical method of administering appropriate regulations through incentive programs, the local zoning by-laws, and the Conservation District. In reviewing specific development proposals, the Board and Member Councils will be aware of the potential for environmental impacts and may consult with appropriate government departments to determine the extent of negative impacts, if any, on the environment.
3. Unless otherwise determined, the Board will require a general development setback of 328 feet from all identified endangered fisheries or wildlife waterways and water bodies' habitat to protect significant habitats and a setback of 150 feet from all other water bodies, to protect human health and safety, water supplies, and water quality.
4. Activities that discharge pollutants will be restricted in their location and it may be required that precautionary safeguards that mitigate the pollutant be incorporated into the development activity.
5. The retention of tree cover and woodlots will be encouraged as a means of maintaining the natural appeal of the countryside. Tree cover shall be encouraged on unused road allowances and on municipal lands having low agriculture capability.
6. The NAPD Board will encourage the establishment of Conservation Corridors on under-developed and undeveloped municipally administrated road allowances.
7. All proposed developments adjacent to waterways and water bodies or having the known potential to impact waterways and water bodies will be forwarded to the appropriate provincial department for review.
8. Natural areas and habitats should be protected from incompatible or potentially incompatible uses where:
 - i. Rare or endangered flora or fauna have received provincial designation and protection under either *The Endangered Species and Ecosystems Act*;
 - ii. Lands have been designated as protected under the Protected Areas Initiative;
 - iii. Lands have been identified as Wildlife Management Area(s);
 - iv. Other sensitive wildlife and fish habitats and other ecologically significant areas have been identified; or
 - v. Private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.

4.3 HERITAGE RESOURCES

The NAPD has several municipally and provincially designated heritage sites, as well as numerous sites with local heritage significance.

4.3.1 OBJECTIVES

- a) To identify sites and structures having historical, architectural, and archaeological significance.
- b) To protect historical, architectural, and archaeological sites and structures from uses or activities that would endanger them.

4.3.2 POLICIES

1. No commercial exploitation, development, land use, or demolition with the potential to endanger a site or structure of identified historical, architectural, or archeological significance will be permitted without review and approval.
2. As a condition of the approval of a subdivision, demolition permit, building permit, or the issuance of a development permit, the NAPD Board or Council may require the applicant to show that a historical, architectural, or archeological significant site or structure is not being endangered or demolished or that appropriate mitigation measures are being proposed and approved.
3. Any mitigation costs related to mitigation work at a site of historical or archaeological significance will be at the expense of the developer. All of the mitigation costs should be identified as part of the budget of the development work which will disturb the site and in no case should exceed one percent of the total cost of such projected development work. In addition, the mitigation work should be completed before the commencement of the proposed development.
4. Sites and grouping of sites with heritage potential will be considered for designation as municipal heritage sites under *The Historical Resources Act* and/or municipal heritage conservation zones in accordance with the PLUPs.
5. The NAPD will encourage the formation and operation of a Municipal Heritage Committee in order to identify, commemorate, and protect heritage resources and to provide a source of advice on heritage issues.
6. The NAPD may refer any proposed building, subdivision, change in land use, demolition, or similar activity which may affect an identified site to the Municipal Heritage Committee and the Manitoba Historic Resources Branch for review and comment.

5.0 TRANSPORTATION AND UTILITIES

5.1 TRANSPORTATION

This section outlines policies and provisions pertaining to transportation within and the NAPD.

5.1.1 OBJECTIVES

- a) To ensure the NAPD's transportation network operates in a safe and efficient manner.
- b) To work cooperatively with the Province to address concerns regarding highway facilities, safety, and efficiency.
- c) To restrict the number of access points onto the Provincial Highways that traverse throughout the NAPD.
- d) To ensure PTH 16 (the Yellowhead Highway) has the capacity to safely accommodate a continuously increasing volume of traffic, including truck traffic, as outlined in the Functional Design Study for PTH 16.

5.1.2 POLICIES

1. All development proposed adjacent to Provincial Trunk Highways and Provincial Roads must comply with the regulations and controls stipulated in *The Highways Protection Act* and *The Highways and Transportation Act* and other policies established by the responsible provincial department.
2. All future development will be strongly encouraged to occur only in locations served by existing improved municipal roads.
3. Where a proposed development may require improvement to an existing or undeveloped municipal road, or a new road, the Municipal Council and NAPD Board may give approval subject to specified conditions.
4. The location and construction of accesses to municipal roads shall be subject to approval by the Municipal Council and NAPD Board, based on traffic safety consideration.
5. Proposed developments that may have a detrimental impact on the operation, safety and function of the provincial highway system should not be permitted unless mitigative measures acceptable to Manitoba Infrastructure can be incorporated into the development. Strip development, including a row of lots that front onto and require direct connection to a provincial highway, shall not be allowed. An exception to this restriction may be considered where extensive existing development has already occurred along a regional provincial highway and it may not be possible to fully apply this policy. In order to maintain the efficiency and safety of the provincial highway network, any new development should include internal road systems or pursue the relocation and/or joint use of existing access connections to service new and/or existing development.
6. The kind of development that would generate traffic in an amount or of a type that would impair the present and potential capability of the adjoining highway to carry traffic safely and efficiently will not be permitted unless provincially approved mitigating measures are put in place to rectify any concerns.
7. The local road or street system associated with any type of proposed development shall be designed in accordance with both the existing and planned road systems of the neighboring areas.
8. All proposed developments that may be permitted adjacent to PTH 16 and PTH 5 must be developed in such a manner so as to minimize the amount of traffic directly accessing the highways. With the exception of designated **Highway Commercial** development (e.g. gas stations, restaurants or motels), frontage roads

paralleling a provincial highway or road will not be recommended for servicing new development; rather, the use of internal roads or rear access roads will be encouraged.

9. Proposed developments that lie within 1000 feet of the center line of a trade and major tourism route or within a 2625 foot radius of an intersection of a trade and major tourism route as defined in the Provincial Land Use Policies, should be reviewed by the appropriate Provincial authority prior to approval to determine whether and to what degree:
 - i. The development may have a detrimental impact on the safety and function of the highway;
 - ii. The highway may have a detrimental impact on the development;
 - iii. The development may lead to further problematic development; and
 - iv. What appropriate functional improvements and environmental mitigation measures may be incorporated into the development;

If a review determines that a proposed development should proceed, appropriate functional improvements and environmental mitigation measures should be incorporated into the development.

10. The costs of any provincial highway improvements or traffic impact studies deemed necessary to accommodate a proposed development will be determined by the Province and shall be the responsibility of the developer.
11. Any new development proposed in the vicinity of PTH 16 in the Town of Neepawa must comply with the Functional Design Study for PTH 16 through the Neepawa area, as approved by the Province. Frontage roads or internal roads will be used where permitted, in accordance with the study, to minimize the number of access points onto the highway.
12. Subdivision/development will not be permitted in areas designated for highway widening or expansion unless suitable arrangements between the landowner and the Province can be made to accommodate future widening or expansion.
13. All buildings and structures, when located in close proximity to registered or certified air landing strips, whether on the same property or adjoining property, shall be governed by the Federal regulations for a certified airport.
14. Expansion of existing development that is bordered on one side of a transportation corridor, such as a provincial highway, should be kept to the developed side of the corridor.

5.2 UTILITIES AND SERVICES

This section outlines policies and provisions pertaining to utilities and services within and the NAPD.

5.2.1 OBJECTIVES

- a) To provide and maintain essential municipal services to continue to meet the needs of the existing and future land uses within the Town of Neepawa.
- b) To maintain sufficient capacity in the municipal servicing systems to readily accommodate new economic and community development.
- c) To maintain and improve the existing level of public works and transportation systems within the community.
- d) To establish a long-term program to avoid unnecessary expansion of development of new infrastructure to ensure that investments in existing infrastructure can be sustained.

- e) To ensure the safety and health of residents by provide quality drinking water at a high standard in services areas.
- f) To ensuring that wastewater is appropriately stored, treated and managed and does not deteriorate water quality in the Province.
- g) To promote and encourage water conservation.
- h) To optimize the benefits of street reconstruction through long-term scheduling and co-ordination with other public works projects.
- i) To minimize traffic hazards by ensuring the proper location of new driveways and roads.
- j) To ensure future development adjacent to PTH 16 in the Town of Neepawa complies with the provincially approved Functional Design Study for PTH 16.
- k) To plan for future development in the vicinity of a railway in a manner that recognizes the risks and nuisances inherent in railway operations in accordance with the FCM's *Guidelines for New Development in Proximity to Railway Operations*.
- l) To upgrade and improve the NAPD's drainage systems in cooperation with the Whitemud Watershed Conservation District.

5.2.2 POLICIES

1. When a concept plan for a new development area is prepared, the servicing systems required to serve the area will be determined and the costs established so that Council may evaluate the proposal in terms of the Town's Capital Expenditure Program. The availability of other existing serviced land and its suitability for the use will be reviewed, in order to determine priority of development.
2. New development will be encouraged on an infill basis in existing serviced areas.
3. Development in new areas should occur in a staged, sequential manner, wherever possible.
4. When services are extended into a non-serviced area, after a reasonable adaptation period as determined by Council and as required by Provincial regulation, all unserviced buildings will require individual water and sewer services.
5. No dwelling or habitable business building will be permitted within 1,000 feet of a sewage lagoon or within 1315 feet of an existing or abandoned sanitary landfill site, unless approved by the Provincial Authority. The development must meet all conditions of approval before or during construction, as required by the approving authority.
6. To ensure continued provisions and maintenance of the electrical system, it should be recognized that Manitoba Hydro facilities, including overhead and underground distribution lines, will of necessity, be located on streets, lanes and public reserves and on right-of-way across privately owned land. The installation of underground services will be encouraged, wherever possible.
7. New development should occur in a manner that minimizes hazards to traffic flow on the Town street system.
8. New development in the vicinity of a railway shall be of a type which is reasonably compatible with railway operations.
9. A maintenance and upgrade program should be established and implemented for care of the public works and road system.
10. Where Municipal water and sewer services do not exist, and development is approved, all on-site water and sewer systems must be provincially approved, as required.

6.0 LAKE IRWIN RESERVOIR DESIGNATED AREA

6.1 LAKE IRWIN RESERVOIR DEVELOPMENT STRATEGY

No new development should be allowed in this designated area in Neepawa. This reservoir supplies the Town and the rural pipeline water supply and so the natural quality of this water resource must be protected both for health reasons and to maintain the effectiveness and economy of the existing Neepawa water treatment plant.

6.1.1 *POLICIES*

1. Within the area designated as the **Lake Irwin Designated Reservoir** on **Map 2 – Town of Neepawa Land Use Plan**, all new development shall be prohibited.
2. Ways and means of maintaining or enhancing the existing water quality and quantity shall be supported by the Neepawa and Area Planning District.
3. Livestock operations shall not be allowed within this land use designation as this is a special designation surrounding an environmentally sensitive area.

7.0 IMPLEMENTATION OF THE DEVELOPMENT PLAN

7.1 ADOPTION OF THE PLAN

Sections 45 to 55 of *The Planning Act* (C.C.S.M., C. P80) outline the procedures involved in adopting a District Development Plan. The adoption process requires consultation with the Councils of the member Municipalities, public inspection of the Plan and a public hearing to discuss the proposals, provision for appeal where there are objections, Ministerial review and approval.

Once approval has been received from the Minister, the Development Plan By-law can be given third reading by the District Board. Once the Plan is formally adopted, a proposed development or change in land use will be evaluated against the Plan. No development or change in land use may proceed which is inconsistent with the objectives or policies outlined in the Plan.

7.2 REVIEW

Section 59 (1) and 59 (2) of *The Planning Act* outlines the legislative requirements for review of a District Development Plan. Essentially a plan must be reviewed:

- On or before the deadline set out in this Development Plan; or
- When the Minister considers it necessary.

The Neepawa and Area Planning Board shall initiate a review of this Development Plan eight (8) years hence from the date of adoption of this Development Plan.

7.3 LAND USE CONTROLS

The adoption of a Development Plan does not require the Board to specifically undertake any of the proposals contained in the plan. It does, however, ensure that no development is undertaken that will be inconsistent for land use development. The land use designations on the Development Plan's maps are approximate and shall be defined in more detail in the Zoning By-laws.

Regulatory requirements will be exercised through one or all of the following mechanisms:

- Zoning By-law;
- Subdivision Control;
- Development Permit;
- Building By-laws;
- Development Agreements;
- Capital Budgets – Municipal Investments; and
- Municipal Policy and Programs.

7.3.1 ZONING BY-LAWS

Each municipality within the NAPD has adopted a zoning by-law, Zoning by-laws shall be reviewed and amended wherever necessary to provide general consistency with the objectives, policies and maps of this Development Plan. Areas which are not expected to be developed within the next five years may be zoned as special development hold areas to signify the long-term development intentions for these areas, and to prevent the intrusion of uses which may jeopardize long-term development prospects.

Should the use of these lands be changed it must be in conformity with the Development Plan. For example, areas designated Commercial Hold may remain under residential use for another ten to fifteen years; therefore, the Zoning By-law may allow the land to be zoned residential. If and when the land is to be re-developed, it must only be for commercial purposes and re-zoned accordingly.

7.3.2 SUBDIVISION REGULATION

The Planning Act contains detailed provisions and regulations governing the form and approval of subdivision applications. Section 121(1) of The Planning Act indicates that a subdivision of land shall not be approved unless the Council of the municipality in which the land proposed for subdivision is located, has by resolution given its approval, with or without conditions. The NAPD Council should only approve a subdivision application if and when the application is in compliance with the objectives and policies of the Development Plan, as well as all other applicable laws and by-laws.

7.3.3 SECONDARY PLANS

In accordance with The Planning Act, a planning district Board or Council may adopt a secondary plan to deal with any issues or objectives identified in the Development Plan. A Secondary Plan may, for example, include such things as dealing with road patterns, subdivision design, or building standards and/or other development matters. The Secondary Plan must be generally consistent with the Development Plan.

7.3.4 BUILDING AND OTHER BY-LAWS

The Manitoba Building Code applies to the whole province of Manitoba with respect to certain types of buildings and structures. The municipalities within the NAPD each have adopted a set of by-laws. The Code and these by-laws should be followed and all construction shall comply to the Code and these by-laws wherever applicable. Land development and land use proposals for individual building projects are also subject to the provisions of other municipal by-laws, such as building by-laws, lot grading by-laws, building safety and property standards by-laws, licensing by-laws, and the Manitoba Building Code.

7.3.5 DEVELOPMENT AGREEMENT

A fifth implementation mechanism is for the NAPD to consider are development agreements with landowners who propose to develop their lands. The development agreement outlines all obligations for both the NADP and developer that are required to properly construct the new area. A Standard Development Agreement is used for residential areas as well as non-residential areas and specifies development standards and any cost sharing involved.

7.3.6 CAPITAL BUDGETS

A capital program is valuable in that it enables a Municipal Council to set priorities for future development. While the proposals and policies of the Development Plan are by necessity fairly generalized, the contents of a proposed capital budget are quite detailed and specific. For this reason it is suggested that a detailed cost analysis of developing parcels of land for long range time commitments be prepared at the time a concept plan is developed. Costs could then be programmed into the Municipality's capital budget at that time.

7.3.7 REGIONAL STRATEGIES

The Boards or Councils of two or more planning districts or municipalities may develop a regional strategy for the area under their jurisdiction, in accordance with The Planning Act. The intent of a regional strategy would be to coordinate land use, address development issues, recreation master planning, economic development, or identify infrastructure opportunities in the region and promote cooperation between planning districts and municipalities.

7.3.8 TAX SHARING AGREEMENTS

Tax and revenue sharing agreements may be entered into between or among NAPD member municipalities in order to provide services and infrastructure to areas outside the Town of Neepawa where the applicable municipalities deem it necessary or advantageous. Such agreements will be negotiated between the municipalities.

7.3.9 DESIGN STANDARDS AND GUIDELINES

The development and administration of design standards and guidelines should be pursued, particularly for the Town of Neepawa. These guidelines include areas such as building and site design and appearance, lighting, signage, building orientation, and pedestrian amenity.

7.3.10 LANDSCAPING DESIGN STANDARDS

Landscape design standards that apply to multi-family residential and commercial development within the Town of Neepawa or the NAPD are recommended in order to promote a high standard of development and to enhance the appearance of buildings and sites.

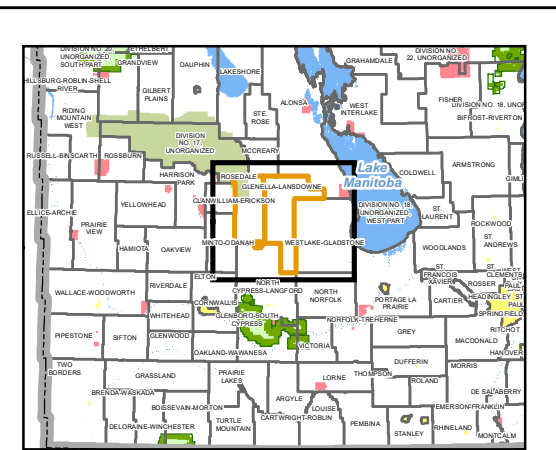
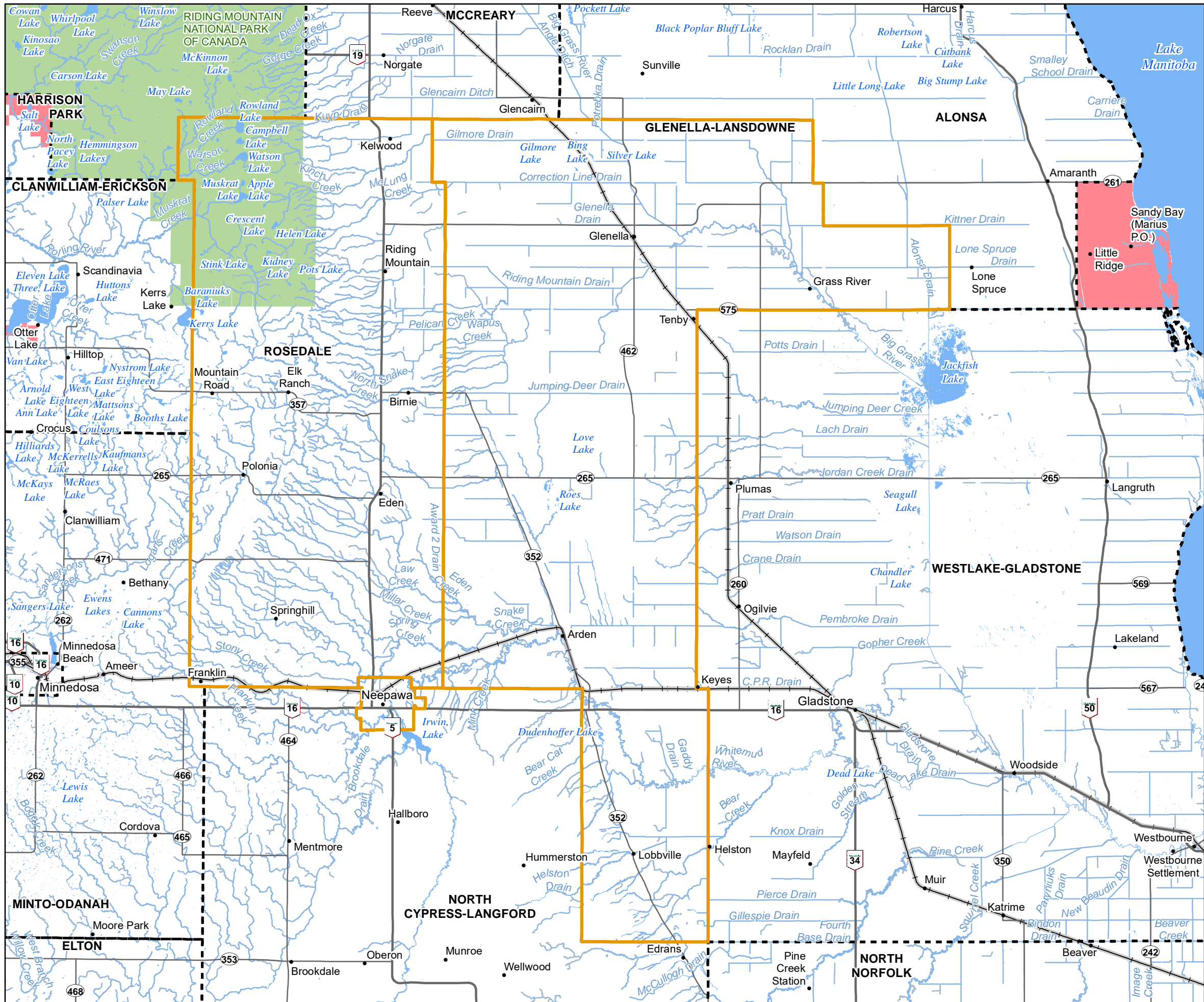
7.3.11 POLICIES AND PROGRAMS

Capital works programs that are developed as a result of the policies of this Development Plan shall be contained within the five year Capital Expenditure Programs of the Town of Neepawa, the Rural Municipality of Rosedale, and the Municipality of Glenella-Lansdowne, prepared in accordance with The Municipal Act.

APPENDIX

A

LAND USE POLICY MAPS



- Legend**
- Neepawa and Area Planning District Boundary
 - Provincial Boundary
 - Municipal Boundary
 - First Nation
 - National Park
 - Waterbody
 - Watercourse
- Road Type**
- Provincial Trunk Highway
 - Provincial Road
 - Place Name

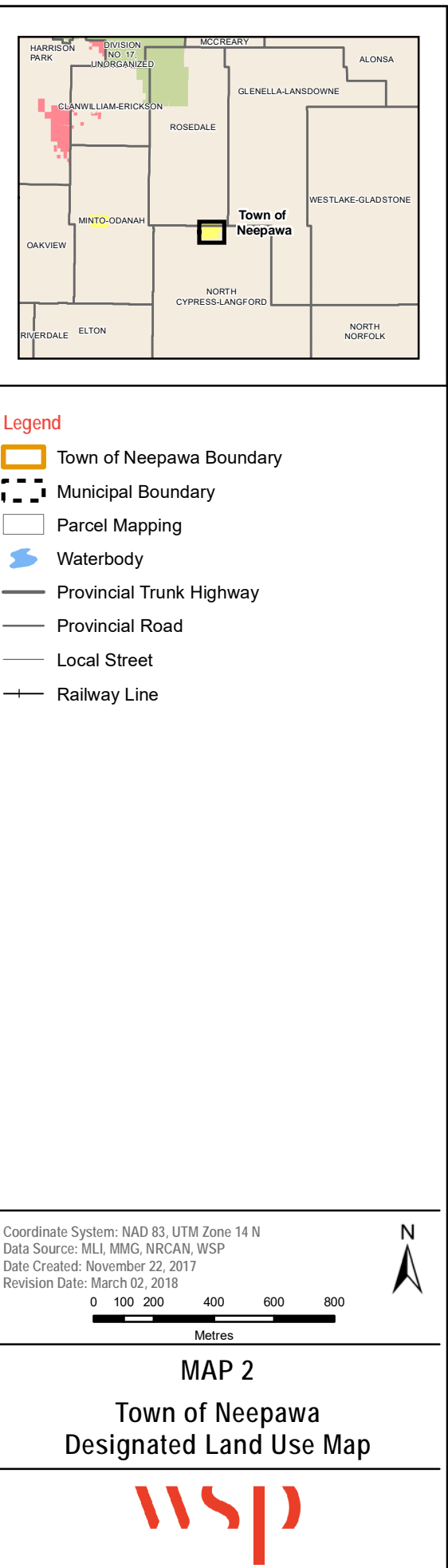
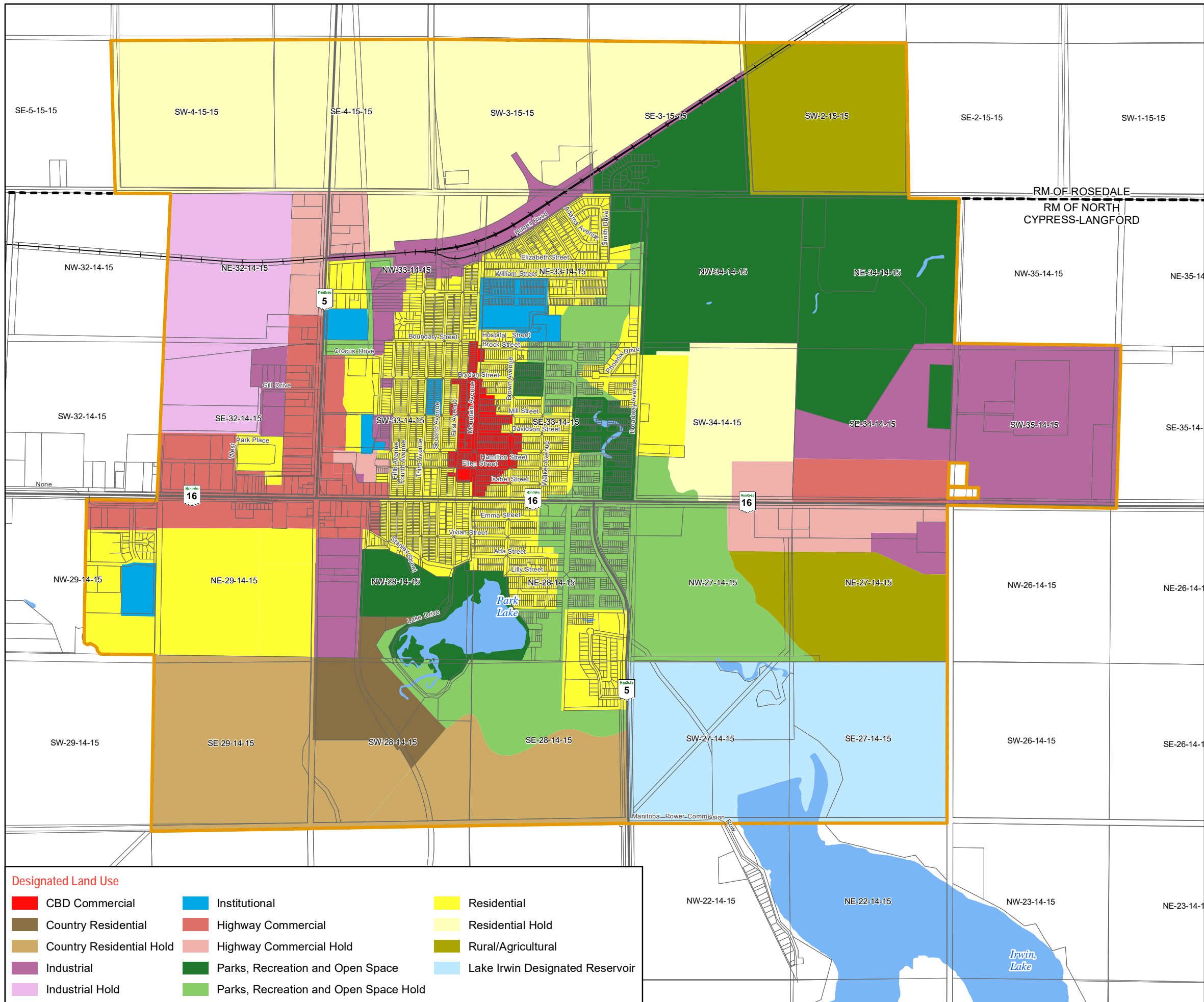
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Revision Date: March 14, 2018

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Kilometres

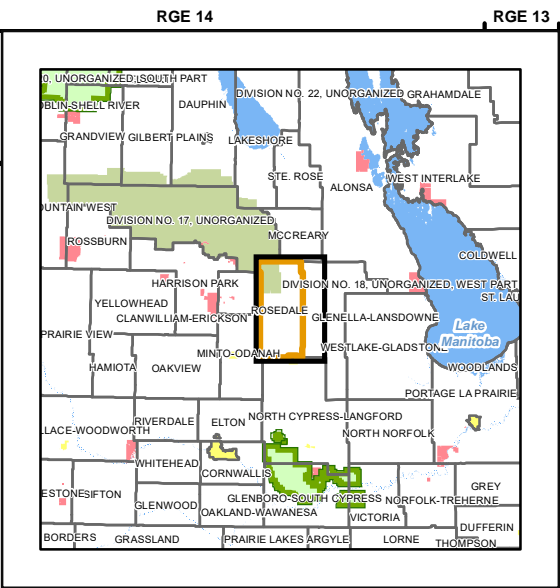
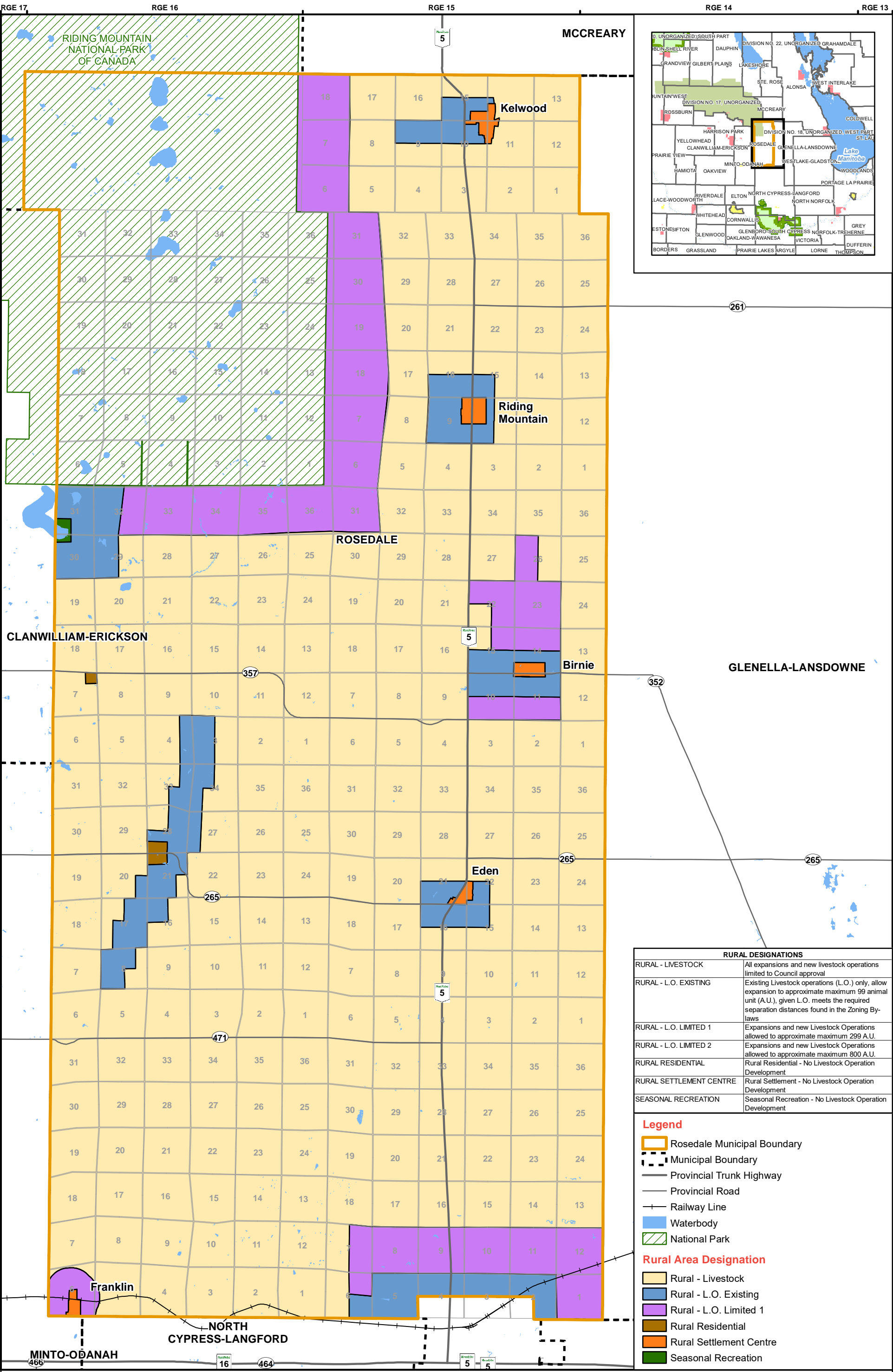
MAP 1

Study Area





Path: U:\Projects\5516033_NeepawaPlanningReview_WSP\MXD\LandUse_2018\Current\Rosedale_RLU_20180215.mxd



RURAL DESIGNATIONS	
RURAL - LIVESTOCK	All expansions and new livestock operations limited to Council approval
RURAL - L.O. EXISTING	Existing Livestock operations (L.O.) only, allow expansion to approximate maximum 99 animal unit (A.U.), given L.O. meets the required separation distances found in the Zoning By-laws
RURAL - L.O. LIMITED 1	Expansions and new Livestock Operations allowed to approximate maximum 299 A.U.
RURAL - L.O. LIMITED 2	Expansions and new Livestock Operations allowed to approximate maximum 800 A.U.
RURAL RESIDENTIAL	Rural Residential - No Livestock Operation Development
RURAL SETTLEMENT CENTRE	Rural Settlement - No Livestock Operation Development
SEASONAL RECREATION	Seasonal Recreation - No Livestock Operation Development

Legend

Rosedale Municipal Boundary

Municipal Boundary

Provincial Trunk Highway

Provincial Road

Railway Line

Waterbody

National Park

Rural Area Designation

Rural - Livestock

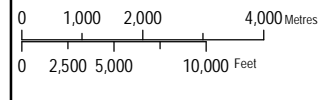
Rural - L.O. Existing

Rural - L.O. Limited 1

Rural Residential

Rural Settlement Centre

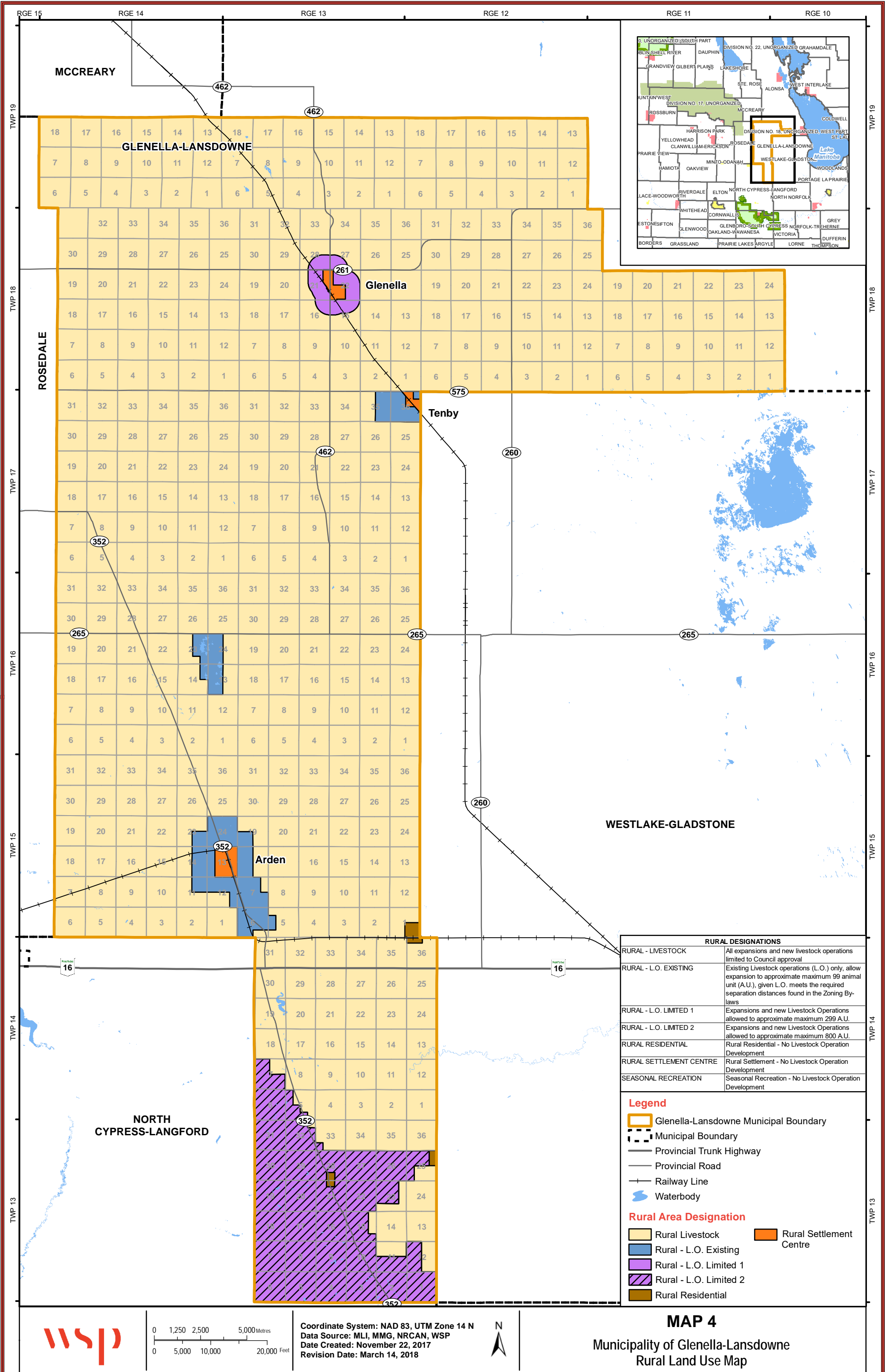
Seasonal Recreation



Coordinate System: NAD 83, UTM Zone 14 N
Data Source: MLI, MMG, NRCAN, WSP
Date Created: November 22, 2017
Revision Date: March 02, 2018



MAP 3
Municipality of Rosedale
Rural Land Use Map



APPENDIX

B

REFERENCE MAPS

FLOOD RISK MAP NEEPAWA AREA

CARTE DU RISQUE D'INONDATION RÉGION DE NEEPAWA MANITOBA

UNDER THE CANADA-MANITOBA FLOOD DAMAGE REDUCTION AGREEMENT, THE FLOOD RISK AREA AND FLOODWAY DEPICTED ON THIS MAP HAVE BEEN DESIGNATED BY THE MINISTER OF THE ENVIRONMENT FOR CANADA AND THE MINISTER OF NATURAL RESOURCES FOR MANITOBA ON MARCH 26, 1993.

EN VERTU DE L'ACCORD CANADA-MANITOBA CONCERNANT LA RÉDUCTION DES DOMMAGES DUS AUX INONDATIONS, LA ZONE DE RISQUE D'INONDATION ET LE CANAL DE CRUE REPRÉSENTÉS SUR CETTE CARTE ONT ÉTÉ DÉSIGNÉS PAR LE MINISTRE DE L'ENVIRONNEMENT DU CANADA ET LE MINISTRE DES RESSOURCES NATURELLES DU MANITOBA LE 26 MARS, 1993.

FLOODING MAY STILL OCCUR OUTSIDE OF THE DESIGNATED FLOOD RISK AREA. THE MINISTERS DO NOT ASSUME ANY LIABILITY BY REASON OF THE DESIGNATION OR FAILURE TO DESIGNATE AREAS ON THIS MAP.

IL SE PEUT QUE DES ZONES EN DEHORS DE CELLES QUI ONT ÉTÉ DÉSIGNÉES SOIENT INONDÉES. LES MINISTRES N'ASSUMENT AUCUNE RESPONSABILITÉ POUR AVOIR DÉSIGNÉ CERTAINES ZONES SUR CETTE CARTE OU POUR AVOIR OMIS D'EN DÉSIGNER.

Jean Charest

THE HONOURABLE L'HONORABLE JEAN CHAREST, CANADA

Harry Enns

THE HONOURABLE L'HONORABLE HARRY ENNS, MANITOBA

This map is for "GENERAL INFORMATION" only and has been derived from 1:2 000 scale flood risk maps, and from land use maps produced by Manitoba Rural Development (dated November 1987). For detailed information please consult the 1:2 000 scale flood risk maps available at the following locations:

La présente carte, dressée à titre documentaire seulement, provient de cartes de risques d'inondation à l'échelle de 1/2 000 et des cartes d'utilisation des terres produites par Développement rural Manitoba, (datée du Novembre 1987.) Des renseignements détaillés figurent sur les cartes de risques d'inondation à l'échelle de 1/2 000 disponibles à l'endroit suivant:

Town of Neepawa
Town Hall

Manitoba Natural Resources
Water Resources

Ville de Neepawa
Bureau de greffier

Ressources naturelles Manitoba
Ressources hydrauliques

Produced by:
Computer Graphics Support Services
Desktop Graphics Unit
Manitoba Natural Resources

Établie par:
Services de soutien à l'infographie
Unité de l'infographie sur ordinateur de bureau
Ressources Naturelles Manitoba

Copies may be obtained from:
Manitoba Natural Resources, Winnipeg
Water Resources

Des exemplaires peuvent être obtenus du:
Ressources naturelles Manitoba, Winnipeg
Ressources hydrauliques

FIRST EDITION 1993

PREMIÈRE ÉDITION 1993

LEGEND - LÉGENDE

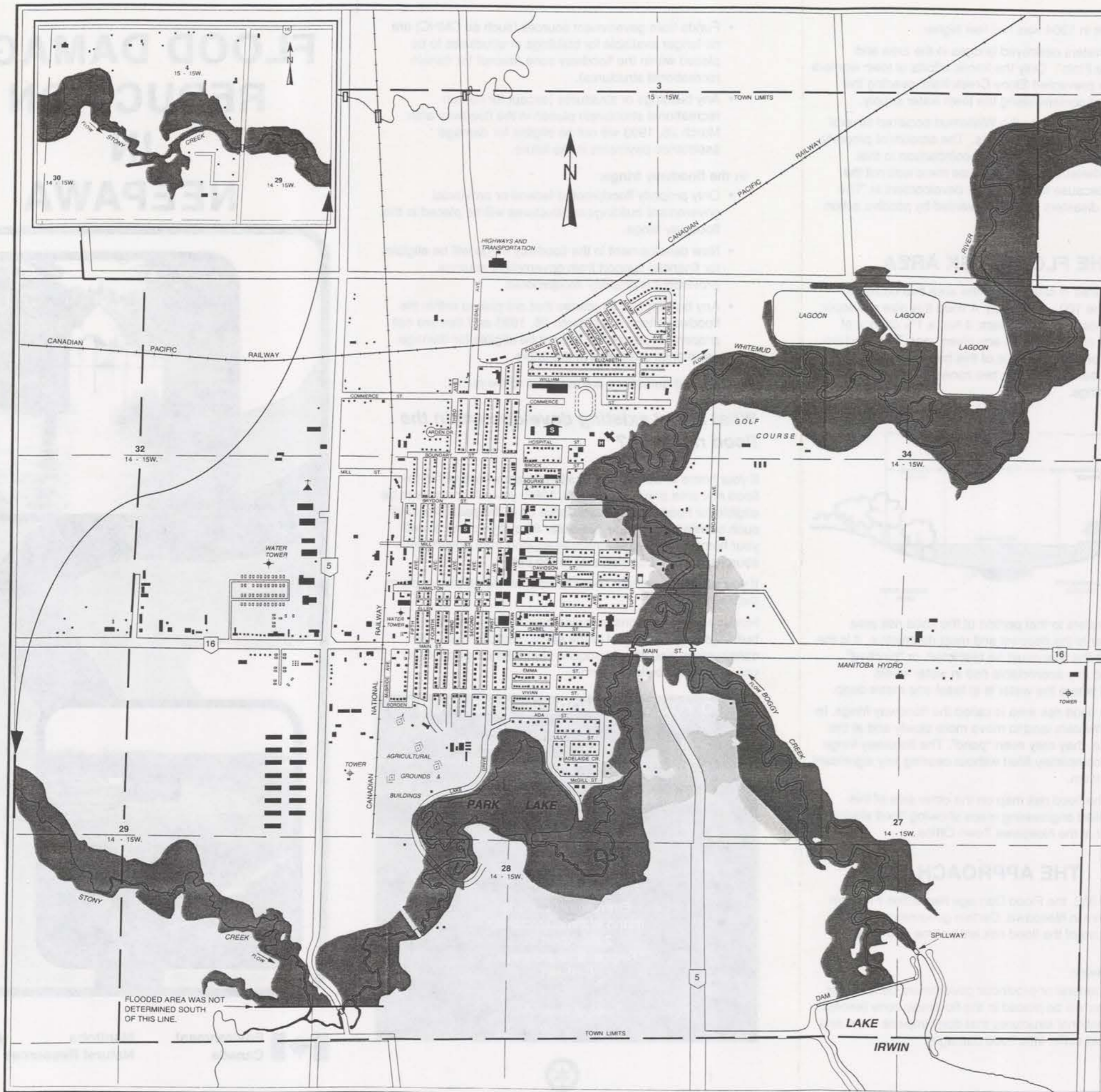
Flood risk area	Floodway fringe	Floodway	Floodway fringe	Les abords du canal de crue	Canal de crue	Les abords du canal de crue	Zone de risque d'inondation

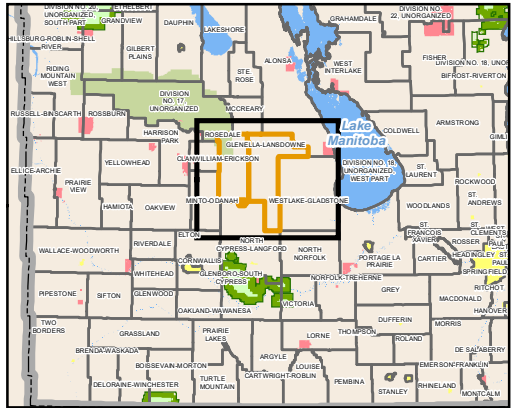
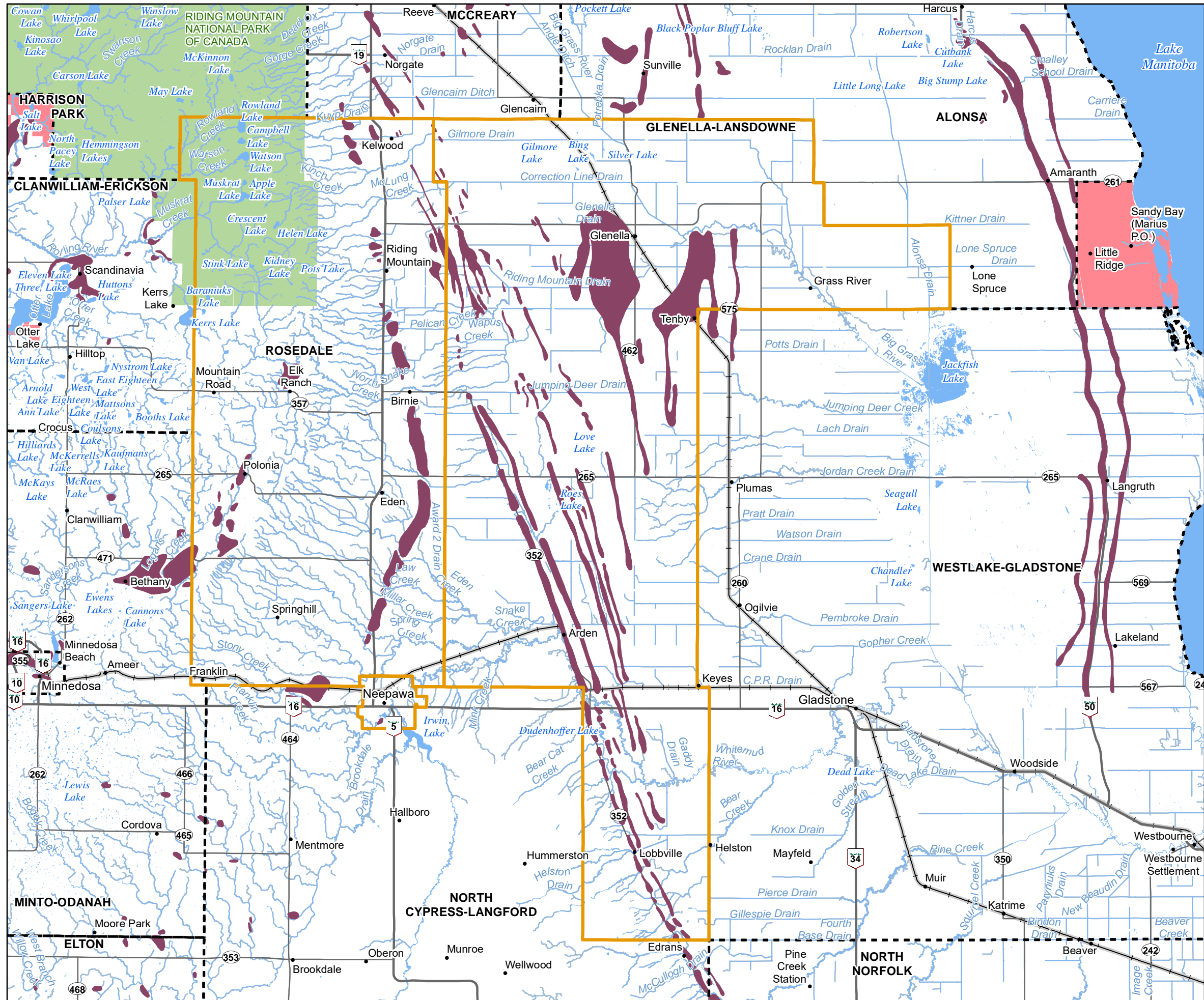
Environment Canada
Inland Waters

Environnement Canada
Eaux Intérieures

Manitoba Natural Resources
Water Resources

Ressources Naturelles Manitoba
Ressources Hydrauliques



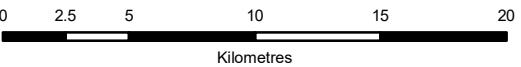


Legend

- Aggregate
- Neepawa and Area Planning District Boundary
- Provincial Boundary
- Rural Municipality
- First Nation
- National Park
- Waterbody
- Watercourse
- Road Type
 - Provincial Trunk Highway
 - Provincial Road
 - Place Name

DRAFT: For Discussion Purposes Only

Coordinate System: NAD 83, UTM Zone 14 N
Data Source: MLI, NRCAN, WSP Group
Date Created: April 19, 2016
Revision Date: March 14, 2018



Aggregate Areas

