

"Schedule A"



**Rural Municipality of Montcalm Development Plan  
By-law No. 789/18**

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# **PART 1: INTRODUCTION**

## **1.1 DEVELOPMENT PLAN BASIS**

Municipal land use planning in Manitoba has its basis in *The Planning Act*. *The Act* makes provision for the preparation and adoption of Development Plans and Zoning By-laws to guide and promote growth in a community. In general, a Development Plan is a statement of objectives and policies which are written and designed to promote the orderly physical, social, economic and environmental sustainability of a community.

The Rural Municipality (R.M.) of Montcalm Development Plan sets out policies that will guide the Municipality's growth and development over the next 20 years. The Development Plan is intended to be a strategic document to address sustainable land use and infrastructure, social and economic development, and environmental protection. The Development Plan is comprehensive and long-term in scope providing specific policies to guide decisions on development for the next ten years. To ensure these policies remain relevant, Council will undertake a review of this document after 10 years or earlier if deemed necessary.

The R.M. of Montcalm carried out a review of their 1994 Development Plan in the fall of 2016 through the summer of 2017. Important issues and concerns were raised by members of the local community and key stakeholders through a series of meetings, surveys and public open house with consultation with the Municipal Council. Through this community visioning process, key physical, social, economic and environmental attributes were identified and key land use issues and concerns were raised and prioritized.

The 2018 Development Plan (By-law No. 789/18) has the overall goal of co-ordinating the review of development proposals, ensuring that all relevant land use issues are examined. Once adopted, the policies contained in this document provide the framework for all municipal land use decisions and replace the Provincial Land Use Policies and the existing Development Plan By-Law No. 472/93.

## **1.2 DEVELOPMENT PLAN PURPOSE**

The requirements of a Development Plan are delineated in Section 42(1) of *The Planning Act* and are outlined as follows. A Development Plan must:

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

### 1.3 DEVELOPMENT PLAN FORMAT

This Development Plan is comprised of two major elements; the written text and the land use maps (see Appendices). The Development Plan is divided into five parts as follows and an Appendices:

**Part 1: Introduction** is an Introduction to the Plan providing some general background information, and guidance on how to interpret the land use plans as well as a statement of broad municipal objectives based on the major planning principles incorporated into the Development Plan.

**Part 2: General Policies** deals with general policies such as infrastructure issues pertaining to utilities, drainage, transportation and municipal services.

**Part 3: Rural Area Policies** deals with rural area concerns, objectives and policies regarding agriculture.

**Part 4: Settlement Centre Area Policies** deals with settlement centre concerns, objectives and policies regarding residential, commercial and industrial development.

**Part 5: Implementation** contains information on the administration and implementation of the Development Plan.

**Appendices: Appendix A** contains the land use maps which divide lands in the municipality into areas of permitted land uses, referred to as Policy Areas. **Appendix B** contains reference maps.

### 1.4 DEVELOPMENT PLAN INTERPRETATION

Development Plans in Manitoba are the main planning document used to guide development within a municipality. A Development Plan By-law falls within a framework of land use planning documents.

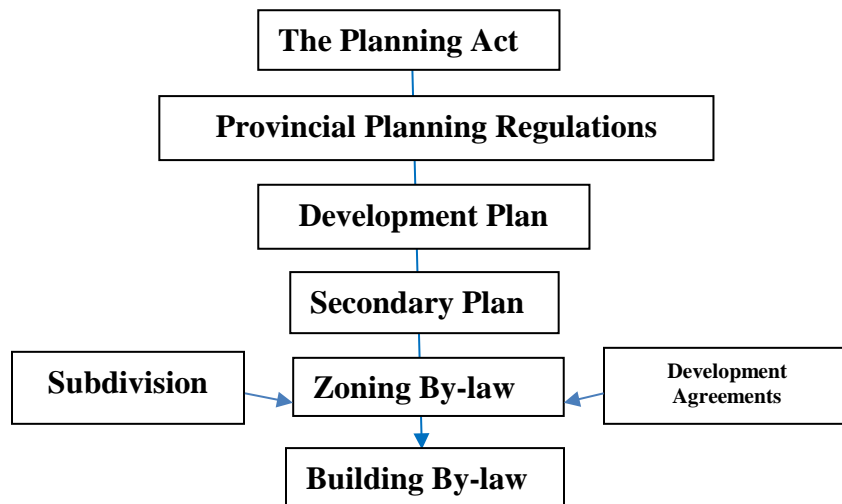


Figure 1: Planning decision-making hierarchy

The Provincial Planning Regulation, lays out provincial interests and related policies for land use planning in the province. Development Plans must be prepared in accordance with Part 4 of the Provincial Planning Regulation and be generally consistent with the Provincial Land Use Policies laid out in Part 3 of the Regulation.

The Land Use Maps in the Development Plan are instruments for illustrating the long term development strategy. The achievement of the land use goals will take place over a period of years as the existing land use pattern evolves. During this period the Zoning By-law will provide the means to effect the transition.

Designated Policy Areas in the land use maps attempt to maximize the inherent advantages of a land use activity in that location without creating any negative impacts on adjacent lands within the municipality. The boundaries of the land use designations shown on the Land Use Maps should not be construed as being exact but should be considered primarily for serving the purpose of providing a spatial relationship amongst the various land use districts.

## **1.5 PLANNING HISTORY**

The R.M. of Montcalm adopted a Development Plan in 1994 largely based on the data contained in a detailed Background Study that was prepared in 1993. This was the first comprehensive review of planning issues within the municipality. Although many of its policies are still relevant, the 1994 Development Plan does not fully address the provisions of the 2011 Provincial Planning Regulation, or current land use issues in the municipality. For example, ongoing flood-related issues in the municipality, are not adequately addressed in the 1994 Development Plan policies and Land Use Maps.

## **1.6 KEY CHARACTERISTICS**

### **1.6.1 Vision**

The members of council, community and key stakeholders of the R.M. of Montcalm envision a future with growing communities and a diverse economic base including more people, more jobs and more housing. This vision reflects a commitment to providing cost-effective services to the communities; promoting growth; and enhancing the quality of life for all residents.

### **1.6.2 Municipal Context**

The R.M. of Montcalm is a prosperous agricultural community in south central Manitoba. Most of the Municipality is located west of the Red River, with a small part to the east of the Red River. The Municipality is noted for productive soils and a diversified agricultural base. In addition to growth in the agricultural industry, the R.M. of Montcalm has experienced non-agricultural development. Settlement Centres St. Jean Baptiste, Letellier and St. Joseph are predominantly residential in character but also support commercial and industrial land uses. Planning policies emphasize development patterns that will keep these Settlement Centres vibrant with a minimum of restrictive regulations.

### **1.6.3 Demographics**

The population of the R.M. of Montcalm experienced an overall decline in population over the last five-year period from 2011 to 2016 from 1,309 to 1,260 (-3.7%) (Statistics Canada, 2016 Census). The population of St. Jean Baptiste increased by 2% with a population change from 553 to 563. While the population decline can be accounted for by slow immigration, an aging population and a reduction in the average size of families, there is also an overall trend of the population moving from the rural areas to the settlement centre areas.

## **1.7 MAJOR LAND ISSUES**

Major land use issues facing the R.M. of Montcalm are as follows:

### **1.7.1 Protection of Agriculture**

The agriculture sector is the primary economic base of the R.M. of Montcalm. The Municipality is located in a rich farming area of the Red River Valley. Soil and weather conditions are generally ideal for annual crops. Consistent with the Provincial Planning Regulation, Development Plan policies preserve areas with prime agricultural land for long-term, economically sustainable and environmentally sound agricultural use.

### **1.7.2 Designated Flood Area**

A significant portion (84%) of the R.M. of Montcalm is located within the Red River Valley Designated Flood Area (RRVDFA). Community ring dike upgrades have been put in place to protect development in Settlement Centres. The community dikes around St. Jean Baptiste and Letellier have been constructed to the 100-year flood level, however, the current minimum requirement for all community dikes and permanent structures within the RRVDFA is the 200-year flood level. The Municipality is currently working with the Province to meet this requirement.

### **1.7.3 Settlement Centre Development**

The Settlement Centres in the R.M. of Montcalm have sustained only modest growth in recent years. St. Jean Baptiste saw an overall increase in population (2%), while St. Joseph and Letellier significantly decreased (7.9%) between 2011 and 2016. Any future development in these Settlement Centres should take place in a planned manner that allows for the provision and expansion of public services as efficiently and economically as possible.

## **1.8 MUNICIPAL PRINCIPLES AND GOALS OVERVIEW**

The goals, objectives and policies in this document were informed by relevant reports and maps from the 1994 R.M. of Montcalm Development Plan, in addition to various meetings with the R.M. of Montcalm council and CAO, and a visioning process with key stakeholders and members of the community.

The R.M. of Montcalm is a dynamic and progressive municipality. To foster and promote further sustainable economic development within the municipality, the Council has taken a leadership role and prepared a comprehensive Development Plan. The Development Plan is a strategic planning document and will be a blueprint for accommodating future growth within the municipality and ensuring that both municipal and natural resources are prudently managed. The Development Plan is also a component of the overall municipal marketing strategy enabling Council to attract or respond to development opportunities by ensuring that appropriate lands are available for development.

The policies contained in this plan reflect a co-ordinated approach to addressing key issues and goals. These issues and goals can also be used by the municipality as a starting point for preparing a community vision statement or strategic plan. From both the Development Plan and a vision statement, opportunities may flow for a variety of public and private sector development initiatives.

The Development Plan update process had three major considerations:

- (1) To be proactive in anticipating the fullest extent of land uses and development activity within the Municipality and to provide a decision-making basis for maximizing the economic benefits to the community, and minimizing unnecessary expenditures.
- (2) To be consistent with the Provincial Land Use Policies included in Provincial Planning Regulation 81/2011.
- (3) To promote wise stewardship of the land base and the associated resources, incorporating the principles of sustainable development, including economic, social, cultural, environmental and governance aspects of sustainability.

## **1.9 MUNICIPAL GOALS**

The purpose of identifying goals is to describe a general development philosophy and to establish broad directions and attitudes by which growth in the Municipality will be guided. These goals are the basis upon which the rest of the plan is formulated. Whenever Council finds that the wording of any policy is unclear or ambiguous and in need of interpretation, these goals should be referenced in order to determine the intent of that policy.

- Goal 1: To support and strengthen agriculture as the primary land use of the municipality.
- Goal 2: To preserve the rural and agricultural character of the Municipality.
- Goal 3: To ensure that the benefits to the community which result from development, outweigh the costs in terms of services, utilities, taxes, public facilities and possible harmful effects on the environment and surrounding land uses.
- Goal 4: To direct development in Settlement Centres in a manner which will permit the economical provision and phasing of municipal services.

- Goal 5: To avoid unplanned expansion of Settlement Centres in a manner which prematurely requires the conversion of agricultural land.
- Goal 6: To direct the development of non-farm residences to established Settlement Centres or areas specifically designated for this use.
- Goal 7: To encourage the development of industrial and commercial uses, in appropriate locations, in order to diversify the economic base of the community.
- Goal 8: To protect people and property from damages which may result from flooding, erosion, soil instability and other natural hazards. To support this goal certain types of development will not be permitted in the floodplain area of the Red River and development will only be allowed if it can be adequately flood protected.
- Goal 9: To protect viable wildlife habitat areas and to preserve the delicate balance between man-made and natural environments.
- Goal 10: To develop services which protect the health, safety and convenience of residents.
- Goal 11: To promote the joint development of municipal services and recreation facilities for the use of all residents in the Municipality.
- Goal 12: To co-ordinate municipal and provincial road systems to provide for efficient and convenient movement throughout the municipality.
- Goal 13: To develop and pursue such policies, administrative methods and programs, including fiscal planning arrangements, that may be necessary to further the objectives and policies of this plan.
- Goal 14: To promote public and private investments in support of the goals, objectives and policies of this plan.

## **1.10 APPLICATION OF DEVELOPMENT PLAN**

The adoption of the updated R.M. of Montcalm Development Plan establishes goals and policies for land use and development within the R.M. of Montcalm. Although Council need not immediately implement programs and projects toward these goals and policies it cannot take any action that would be contrary to the Development Plan.

The Planning Act 62(1) states that Provincial Land Use Policies no longer apply to a municipality that has adopted a Development Plan by-law; however, an amendment to a Development Plan by-law, or replacement of a Development Plan must be generally consistent with Provincial Land Use Policies.



Following the adoption of the Development Plan, Council may, by by-law, adopt a secondary plan to deal with objectives and issues within its scope of authority in a part of the Municipality, including, without limitation, any matter:

- (a) dealt with in the Development Plan By-law;
- (b) dealing with subdivision, design, road patterns, building standards or other land use and development matters; or
- (c) respecting economic development or the enhancement or special protection of heritage resources or sensitive lands.

Following adoption of the Development Plan, Council must adopt a new Zoning By-Law that is generally consistent with the Development Plan By-law and any secondary plan By-law in effect in the Municipality. The Zoning By-Law is the principal means by which the policies of the Development Plan are translated into specific rules for development within the Municipality. Council has the authority to adopt and amend a Zoning By-Law provided the by-law remains consistent with the Development Plan.

## **PART 2: GENERAL POLICIES**

### **2.1 INTRODUCTION**

This section of the Development Plan outlines the general objections and policies respecting all land use planning and development in the R.M. of Montcalm. These objectives and policies apply throughout the Municipality to both the Rural Areas and Settlement Centres.

### **2.2 OBJECTIVES**

- 2.2.1 To provide well-planned areas for living, working, shopping and recreation, which are visually attractive, efficient of land and public services, with a minimum of incompatibility both within and between areas.
- 2.2.2 To ensure that development does not occur on lands which are not suitable for the proposed development, unless appropriate mitigation measures are taken to reduce any potential negative impacts and/or enhance the capacity of the land to support the proposed development.
- 2.2.3 To encourage the protection of a wide variety of outdoor recreation and scenic resources.
- 2.2.4 To minimize risks to people and property that are associated with natural hazards or human-made features.
- 2.2.5 To encourage use and development of land in a manner that is consistent with the principles and guidelines of sustainable development, pursuant to *The Sustainable Development Act*.
- 2.2.6 To preserve and manage the natural resources of the municipality, including water, wildlife, gravel, and natural treed areas in a way that provides the greatest benefit to present and future residents.
- 2.2.7 To protect natural areas and habitats from incompatible or potentially incompatible land use activity/development where rare or endangered flora and fauna have received designation and protection under Federal or Provincial legislation.
- 2.2.8 To minimize impacts of development on aquatic ecosystems, wetland environments and riparian areas.
- 2.2.9 To promote wise use of renewable and non-renewable resources including aggregates, minerals, forests, soils and water.
- 2.2.10 To preserve and enhance areas which have natural beauty, scenic value, recreational potential, or historic/cultural significance.
- 2.2.11 To work collaboratively with utility companies on all land development issues to ensure the sustainable provision of services with the R.M. of Montcalm

- 2.2.12 To provide and maintain an economical, safe and efficient municipal road system which is integrated with the Provincial highway system to provide the most effective service.
- 2.2.13 To identify, preserve and protect the heritage resources of the R.M. of Montcalm and to encourage public awareness and appreciation of these resources.
- 2.2.14 To protect past, present and future investments in public and private infrastructure, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.

## **2.3 POLICIES**

The policies outlined in this section address issues, which may arise throughout all land use designations of the Municipality.

### Utilities

- 2.3.1 Essential activities of government and public and private utilities will be permitted in any land use designation subject to requirements in the Zoning By-law. Such uses should be located and developed in a manner, which will minimize any incompatibility with neighbouring land uses.
- 2.3.2 The municipality will cooperate with Manitoba Hydro, BellMTS, and other similar utilities to ensure the provision of their services is economical and efficient.
- 2.3.3 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses, which may threaten or adversely affect their operation.

### Hazardous Uses

- 2.3.4 Facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials, should be governed by the following:
  - (a) New facilities should be separated from incompatible uses such as lands or buildings used primarily for human occupation or directed to an appropriately zoned area in the applicable Zoning By-law.
  - (b) The proposed expansion of an existing or new facility shall require Municipal Council approval and meet minimum set back distances in the applicable Zoning By-law.
  - (c) Where new development of a potentially hazardous use is proposed, further analysis may be required relating to the adverse impacts of the use such as the nature of any potential discharges, the nature of outside storage, the compatibility of surrounding land uses, and plans for mitigating potential dangers and nuisances from adjacent uses and human activities. Any required environmental or engineering studies may be the responsibility of the applicant.

## Natural Resources

- 2.3.5 Natural areas and habitats shall be protected from incompatible or potentially incompatible uses and developments where:
- (a) Rare or endangered flora and fauna have received Provincial designation and protection under *The Endangered Species Act* or the Federal *Species at Risk Act*;
  - (b) Lands have received Provincial designation and protection under the Protected Area Initiative;
  - (c) Lands have been identified as Wildlife Management Areas, and
  - (d) Landowners have voluntarily protected private lands.
- 2.3.6 Council shall encourage the retention and protection of wildlife habitat and the preservation of native vegetation in the form of natural treed areas or un-cleared land along creeks, drains, unused road allowances or other areas that are not suitable for agriculture or which may create more benefit when left in a natural state.
- 2.3.7 Public access to natural areas and wildlife/fisheries habitat should be encouraged to foster appreciation for and enjoyment of nature but such access should not lead to levels of activity which will exceed the capability of the area to sustain the environment and ecosystem integrity.
- 2.3.8 Developments and the use of land adjacent to designated provincial parks, wildlife management areas or other protected areas will be referred to Manitoba Sustainable Development for review to ensure that future development or changes in land use will not adversely affect the sustainability of the area or the resident flora and fauna.
- 2.3.9 Quality wetland habitats; including riparian areas, shall be protected.

## Natural Hazard Lands, Flooding & Erosion

- 2.3.10 Development shall be directed away from Hazard Lands. Hazard Lands include the following:
- (a) Lands subject to flooding defined as all lands which would be flooded by the 200-year flood or by a recorded flood exceeding the 200-year flood. This includes all lands within the Red River Valley Designated Flood Area (RRVDFA) as defined by regulation 59/2002 *Designated Flood Area Regulation* (see Appendix Map B 1);
  - (b) Lands subject to water erosion, defined as all lands which would be eroded or become unstable due to the action of water contained in an adjacent waterway or water body during a 50-year flood event;
  - (c) Lands subject to other hazards such as landslides or subsidence, particularly those lands where actual effects of such hazards have occurred or have been predicted by an accredited source such as a Provincial or Federal government agency.

- 2.3.11 Land subject to flooding, erosion or bank instability should be left in its natural state or only developed for low intensity uses such as open space recreation, grazing, cropping, forestry and wildlife habitat.
- 2.3.12 Consistent with Policy 2.3.11. above, any development permitted on or near Natural Hazard Lands shall only be permitted if risks are eliminated or ways have been identified to ensure
- (a) property damage, and danger to public health and safety are eliminated;
  - (b) the natural capability of waterways to convey flood flows or store water during a flood event are maintained;
  - (c) the acceleration or promotion of environmental damage is prevented; and
  - (d) build at an elevation required by the Provincial department tasked with administering the RRVDFA or R.M. of Montcalm Council.
  - (e) public expenditures are minimized
- 2.3.13 The subdivision of land within the Red River Valley Designated Flood Area (RRVDFA) will be restricted to flood-protected Settlement Centres, agricultural operations and limited Commercial and Industrial uses demonstrating a need to be located in the RRVDFA and consistent with the policies here-in.
- 2.3.14 Any proposed building or structure on titles existing at the time of the adoption of this Development Plan By-law or any new titles approved must be in compliance with the flood-proofing requirements of the Municipality and the *Designated Flood Area Regulation*.
- 2.3.15 Council will refer development proposals in suspected flood prone areas to the Municipal Engineer and/or the Provincial department tasked with administering the RRVDFA for review and recommendation prior to approval.
- 2.3.16 Where more intensive development, including structures is proposed for Hazard Lands, Council may require the applicant to complete a professional environmental, geotechnical or hydrological studies, including recommendations regarding preventative and mitigation measures that eliminate the risk or reduce the risk to an acceptable level.
- 2.3.17 Minimum setback regulations shall be established in the Zoning By-law for developments in proximity to natural hazard lands, active waste disposal grounds, sewage treatment lagoons, natural gas and hydro transmission line right-of-ways and railway right-of-ways, as appropriate.

#### Waterways and Groundwater

- 2.3.18 Development will be encouraged in a manner that ensures that waterways and groundwater resources are sustained.

- 2.3.19 In the case of development proposals that require significant volumes of surface water and/or groundwater, the proponent may be required to obtain a Water Rights License. If a permit is required, development approval may be withheld until such time as a License is issued.
- 2.3.20 The RM of Montcalm will be prepared for future drought conditions by:
- (a) prepare Development Policies or By-laws to restrict water use during drought;
  - (b) review the Emergency Management Plan to ensure it addresses how the RM would respond during a water shortage, and to the other risks associated with drought (eg. Wildland fires, smoke and dust resulting in diminished air quality, etc.); and
  - (c) review Pembina Valley Water Co-op Drought Study and Plan for actions the RM can take which will help build Montcalm's drought resiliency from a community water supply standpoint.
- 2.3.21 Development proposals that may have a detrimental effect on water quality shall provide for safeguarding areas susceptible to surface and groundwater pollution. These include Livestock Operations, lagoons, solid waste disposal sites, septic systems, commercial and chemical fertilizer storage facilities, fuel tanks, and similar uses.
- 2.3.22 Any proposed development adjacent to fish habitats, spawning sites and fish nursery areas shall conform to the following development criteria:
- 1. Measure to limit nutrient and sediment inflow shall be implemented before, during and after development.
  - 2. The construction of dikes is preferred to channel deepening and straightening;
  - 3. Land shall not be cleared, cultivated or developed to the water's edge, and
  - 4. Organic loading, or siltation from agricultural run-off shall be mitigated.
- 2.3.23 Any approval requirements shall be obtained from applicable Provincial or Federal government departments.
- 2.3.24 Lands should not be cleared or developed to the ordinary high water mark of creeks, streams and lakes. In order to maintain wildlife habitat and protect aquatic ecosystems and species the following buffers shall be retained, or if applicable, restored:
- 1. For first and second order drains (stream tributaries) a 12.00m (49.21 ft) buffer or undisturbed native vegetation upslope from the high water mark;
  - 2. For third order drains or higher order drains (Provincial Waterways) natural waterways and natural waterbodies a 30.48m (100.00 ft) buffer of undisturbed native vegetation, upslope from the high water mark; and

3. Where indicator fish species (e.g. walleye, pike and suckers) are present or the water body provides spawning, nursery, feeding or migratory habitat, a 30.48 m (100.00 ft) buffer, upslope from the high water mark.
  4. Within said buffer areas, shoreline alteration (e.g. Pathways, docks and boat house) should cover less than twenty-five percent (25%) of the land area.
  5. Proposed major subdivisions and zoning amendments adjacent to waterways and water bodies shall be forwarded to the appropriate Provincial and Federal government departments for comment and review.
- 2.3.25 The preservation, enhancement and rehabilitation of native vegetation should be encouraged in sensitive environmental areas such as the riparian zones associated with the shorelines of all rivers, creeks and streams in order to stabilize banks, filter run-off and to promote surface water quality.

#### Transportation

- 2.3.26 All new development shall have legal access to an all-weather road of sufficient standard and capacity, unless the proponent makes an agreement with the municipality to upgrade an existing road, or develop new road access to a standard agreed upon by the municipality. The proponent may then be responsible for part or all of the costs of this roadway construction.
- 2.3.27 Permits are required from Manitoba Infrastructure or the Highway Traffic Board (or applicable provincial authority) for any structure, construction, or sign above, below or at ground level proposed within the control area adjacent to the provincial highway system, i.e. Provincial Roads (PRs) and Provincial Trunk Highways (PTHs), including a change in the use of land and structures when proposed within the control area adjacent to a Limited Access highway. Permits are also required from the applicable provincial authority for any new, modified or related access to a provincial highway (PTHs and PRs), this includes a change in use of an existing access to a provincial trunk highway.
- 2.3.28 Commercial uses that primarily serve the travelling public may be permitted to locate adjacent to a Provincial highway at planned locations, provided direct access to the Provincial highway system is minimized and the efficiency and safety of the adjoining highway is not jeopardized.
- 2.3.29 For development near a Provincial Trunk Highway (PTH) or a Provincial Road (PR) the following restrictions shall apply:
- (1) Strip development along a highway that requires direct connections to the highway for access, shall not be permitted;
  - (2) Development that, in the opinion of the provincial department responsible for highways, may have a detrimental impact on the safe operation of the Provincial highway system shall not be permitted;

- (3) Subdivision/development will not be permitted in areas designated for highway widening or expansion, unless provisions suitable to the Province are made to accommodate future widening or expansion;
  - (4) Developers may be responsible for the cost of any highway improvements deemed necessary by the Province to accommodate a proposed development;
  - (5) A permit is required from the Highway Traffic Board for any new, modified or relocated access to PTH 14, 23 and 75. A permit is also required for any construction/structure above, below or at ground level, or any change in use of land, structures and access within the control lines and control circles of these highways; and
  - (6) A permit is required from the Province for any new, modified or relocated access to all Provincial Roads in the R.M. of Montcalm with the exception of the section of the St. Jean Baptiste Provincial Access Road between third Avenue S.W. and Chemin du Park and the Letellier Provincial Access Road from PR 201 to Third Avenue E, where the R.M. of Montcalm is the traffic authority responsible for access and structure setbacks. A permit is also required for any construction/structure above, below, or at ground level within the control areas of these highways.
- 2.3.30 Satisfactory storm drainage must be provided to service any development adjacent to the Provincial Trunk Highways and Provincial Roads. Permission must be obtained from the provincial department responsible for highways to drain any water into the highway drainage system. Costs of any revisions to the existing drainage system, which are directly related to the development, will be the responsibility of the developer.
- 2.3.31 Where an area of development is bordered on one side by a major transportation corridor or facility, such as a highway or rail line, new development, particularly those of a residential nature, should, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
- 2.3.32 Land uses that generate significant amounts of regional vehicular traffic and/or significant truck traffic will be encouraged to locate in proximity to major roadways, including provincial roads and provincial highways. However, direct access to the provincial highway system will be discouraged. For these land uses access to the provincial highway system should be via the municipal road system or provincial access road.
- 2.3.33 Any development that is to occur within the control areas of Provincial Trunk Highways and Provincial Roads, under Provincial authority, will be subject to approval by Highway Traffic Board and the provincial department responsible for highways respectively.
- 2.3.34 In areas with existing or anticipated high volumes of truck traffic, the Municipality may designate certain municipal roads as Truck Routes, in order to limit deterioration of the local road system and to minimize safety problems and nuisance factors within settlement centres and rural areas. The designated Truck Routes should be identified as Truck Routes on a map and adopted as a Transportation By-law for the Municipality.



The bylaw will address provisions to ensure the appropriate load improvements for the road are incorporated into any plans for development.

- 2.3.35 The Truck Routes identified on the Rural Transportation Network map B8 are intended to complement the Provincial highway system as major traffic carriers and as such will be subject to the following considerations:
- (a) Truck Routes shall receive priority consideration for maintenance and snow removal; and
  - (b) Truck Routes shall be designed to carry heavy farm traffic, although restrictions may be placed on these roads at certain times of the year.
- 2.3.36 Private and public airstrips within the municipality should be protected from incompatible or potentially incompatible land uses that may adversely impact their operation and/or endanger public safety.
- 2.3.37 Development proposed within the vicinity of a railway should comply with the Guidelines for New Development in Proximity to Railway Operations.

#### Aggregate and Mineral Resources

- 2.3.38 In areas with known aggregate resources, or areas having high discovery potential for these resources, uses should be limited to non-intensive Agriculture (e.g., grazing, cropping and forestry), temporary uses or other uses that will permit direct access to the resource land.
- 2.3.39 Certain types of development, such as residential, commercial, institutional and recreational uses that could be sensitive to the characteristics of aggregate extraction, including noise, dust and heavy vehicle traffic, should be adequately separated and buffered from the deposits which are identified by the Provincial agency responsible for aggregate and mineral resources.
- 2.3.40 The exploration, development, production, and termination of all aggregate resources shall be undertaken in a manner that is environmentally safe, does not contaminate the groundwater, and is compatible with adjoining land uses.

#### Heritage Resources

- 2.3.42 Council shall encourage and facilitate the identification of Heritage Resources within the Municipality.
- 2.3.42 Existing Heritage Resources should be protected from incompatible or potentially incompatible land uses that may threaten their integrity or operation. Potential heritage resources have been identified in the SW ¼ 20-2-2EPM and the appropriate provincial authority should be contacted prior to any development.
- 2.3.43 Heritage Resources should be protected where:
- (a) Heritage buildings or landscapes have received Municipal, Provincial and/or Federal Heritage Designation

- (b) Buildings or landscapes are in the process of receiving or are being considered for municipal, provincial and/or federal heritage designation; and
  - (c) Buildings or landscapes have been developed and operate as heritage sites.
- 2.3.44 The designation, preservation and development, of Heritage Resources should be coordinated with other heritage and recreational resources in the region, both existing and proposed, in order to maximize interpretive and tourism potential.
- 2.3.45 Sites and groupings of sites with heritage potential should be considered for designation as Municipal Heritage Sites under *The Heritage Resources Act*, and/or Municipal Heritage Conservation Zones under *The Planning Act*.
- 2.3.46 As a condition for an approval of subdivision, demolition permit or the issuance of a development permit, Council may require the applicant to show that a significant Heritage Resource is not being adversely impacted or endangered.

#### Outdoor Recreation

- 2.3.47 Areas with high recreational capability, and/or interesting natural features should be protected for outdoor recreation and related uses. This includes riparian areas along the Red River.
- 2.3.48 Existing outdoor recreational uses and areas should be protected from incompatible or potentially incompatible land uses, which could threaten their integrity and/or operation.
- 2.3.49 Proposed recreational development should not create barriers to access and use of public resources such as ponds and streams.
- 2.3.50 Proposed recreational developments will be encouraged to carefully match the type and intensity of recreational activities to the capability of the land to sustain the use over an extended period of time.

## **PART 3: RURAL AREA POLICIES**

### **3.1 INTRODUCTION**

Agriculture is the dominant land use and the primary industry in the R.M. of Montcalm. Protection of the local agricultural industry is in the long-term interests of the Municipality and Manitoba. This means protecting both the quantity and quality of productive land, and the ability of farmers to expand, diversify or change farming operations in order to respond to evolving market demands. The policies in this part of the Development Plan are intended to protect agriculture, while recognizing the rights of existing and evolving non-agricultural uses.

The agricultural profile in the R.M. of Montcalm has changed greatly in the past two decades. Similar to trends experienced throughout the province, average farm sizes are increasing while the number of farms are decreasing. In the municipality, the average farm size has increased from 1996 to 2016 (+54.7%) while the total number of farms has decreased in the same time period (- 49%). As of 2016, the RM contained 76 farms with an average of 1450 acres.

As the municipality is situated entirely on prime agricultural soil, it has very high agricultural capability, and therefore higher agricultural land values compared with the provincial average. Agricultural land values per acre have soared in recent years, increasing by 96.4% in the 5-year period from 2006 to 2011, and another 97.8% from 2011 to 2016.

#### **3.1.1 Flood-Protection Considerations**

A significant portion of the R.M. of Montcalm is affected by flooding of the Red River. Based on the extent of the 1997 Flood in Manitoba, approximately 84% of the R.M. of Montcalm is now within the Red River Valley Designated Flood Area (RRVDFA) along the Red River. The Settlement Centres of St. Jean Baptiste and Letellier are situated within the RRVDFA along the Red River. Both are protected by extensive community ring dikes. Agricultural and resource-related uses that must be accommodated in the RRVDFA are required to be in compliance with the DFA regulation as well as Municipal Flood-proofing Guidelines.

#### **3.1.2 Wind Energy Generation Systems (WEGS)**

The R. M. of Montcalm has a world-class wind energy resource. Pattern Energy Group commissioned the \$345 million St. Joseph Windfarm in March of 2011. The project has been distributed over an area of over 30,000 acres (125 square kilometres) of privately owned agricultural land. The 138 megawatt (MW) project consists of 60, Siemens Wind Energy Generation Systems (WEGS), 55 of which are situated in the R.M. of Montcalm. The WEGS are set on 80 metre (263 ft.) high towers. Each has a nameplate capacity of 2.3 MW and can generate enough power to serve the needs of 50,000 homes.

### 3.1.3 Hazardous Waste Facility

The Manitoba Hazardous Waste Management Corporation (MHWMC) is a provincial Crown corporation located in the RM of Montcalm in the NE ¼ 2-3-1EPM, west of Provincial Trunk Highway (PTH) 14, approximately 2 kilometres west of the junction with Provincial Trunk Highway (PTH) 75 and approximately 7 kilometres from Settlement Centres, St. Jean-Baptiste, Letellier and St. Joseph. It comprises of 157 acres of which half is initially developed with the facility and associated landscaping. The rest remains in current agricultural use until is deemed to be required.

The MHWMC has undertaken extensive studies and consultations to ensure that the site selection process optimized a broad range of technical, environmental, and social land use criteria. The RM of Montcalm will continue to work closely with the MHWMC on all planning and development issues that have a potential impact on the design, construction and operation of the existing facility and any incremental expansions to the central facility.

## 3.2 OBJECTIVES FOR RURAL POLICY AREAS

- 3.2.1 To protect agricultural land in rural areas for current and future production and to foster the growth and development of the agricultural industry.
- 3.2.2 To minimize potential conflicts between agricultural uses and non-farm resource uses, especially regarding livestock operations.
- 3.2.3 To promote the growth and diversification of the agricultural industry by encouraging the retention of large agricultural land parcels.
- 3.2.4 To encourage Livestock Operations to establish and grow in a manner that minimizes nuisance to existing rural and urban residences and mitigates environmental concerns. Livestock Operations within the RRVDFA shall be in compliance with existing Municipal and provincial flood-proofing guidelines and Livestock Operations Policies.
- 3.2.5 To allow for farm related subdivision when they are deemed necessary for the ongoing maintenance and operation of a farm.
- 3.2.6 To allow for non-farm residential subdivision where land is isolated, cannot be farmed and can be properly flood-proofed.
- 3.2.7 To support the development of agri-related commercial and industrial activities, particularly those that complement the agricultural economy and the evolving needs of the residents and businesses in a manner that is compatible with Municipal servicing capabilities.
- 3.2.8 To support existing non agri-related commercial and industrial activities, including Wind Energy Generating Systems and the hazardous waste facility but not to the detriment of agricultural operations and environmental protection.

### **3.3 POLICIES**

#### **Agriculture**

3.3.1 Since agriculture is the dominant land use in the R.M. of Montcalm, preservation of prime agricultural land, and other lands on which agriculture activities are dominant, and the fostering of the agricultural industry, will be given a high priority. All development proposals shall be evaluated for consistency with this policy.

3.3.2. The R.M. of Montcalm will have two principal agricultural policy area designations:

- (a) General Agriculture: All lands so designated shall be utilized or preserved for the widest range of economically sustainable and environmentally sound agricultural activities or development, including livestock operations.

General Agriculture Policy Areas have fewer restrictions than the Restricted Agriculture Areas. Uses which are not agricultural in nature, such as rural residential and recreational, and processes leading to land fragmentation should be kept to a minimum in the General Agriculture Areas.

- (b) Restricted Agriculture: Agricultural activities shall remain the dominant land use in Restricted Agriculture Areas, but livestock operations and other uses not compatible with Settlement Centres will be restricted in order to limit potential land use conflicts with non-agricultural development.

3.3.3 Except as provided for elsewhere in this Development Plan, land designated as General Agriculture and Restricted Agriculture should be retained in large parcels to provide maximum protection and flexibility for agricultural activities. The minimum parcel size for each designation shall be stipulated in the Zoning By-Law, but should generally be maintained in 80 acre parcels to reflect the agricultural characteristics and capabilities of each area.

3.3.4 Wind Energy Generation System (WEG) related subdivision in the General Agriculture Area and Restricted Agriculture Area are generally not permitted below the minimum parcel size established in the Zoning By-Law. Agricultural parcels should not be fragmented for the establishment of WEG's. This allows land to be retained in larger parcels for the maximum protection and flexibility of agricultural activities. Wind turbine generating towers should be set back sufficiently from the provincial highway right-of-way so that turbine operations or structure failure will not impact the highway right-of-way.

#### **Livestock Operations**

3.3.5 For the purpose of this By-Law a livestock operation means a permanent or semi-permanent facility or non-grazing area where at least ten (10) Animal Units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities.

3.3.6 Proponents, owners and operators of livestock operations must develop facilities and conduct their operations in a manner which minimizes the production of offensive odours and minimizes the potential for pollution of soils, groundwater and surface water.

3.3.7 Livestock operations must be located where they will be compatible with surrounding land use and where they will not pose a pollution risk to soils, groundwater or surface water.

3.3.8 The R.M. of Montcalm will be divided into the following areas for the purposes of accommodating and evaluating livestock operations:

(1) **General Agriculture:** New or expanding livestock operations will be allowed within the General Agriculture Area. In general, new or expanding livestock operations must be sited so as to minimize conflict with existing or planned recreational or residential development. All proposed new or expanding livestock operations involving 140 or more Animal Units must be processed as a conditional use. Any operation above 299 Animal Units will require a Technical Review.

(2) **Restricted Agriculture:** New or expanding livestock operations above 200 Animal Units are not permitted within the Restricted Agriculture Area. In general, new or expanding livestock operations must be sited so as to minimize conflict with Settlement Centres and existing or planned recreational developments. All proposed new or expanding livestock operations must be processed as a conditional use. Existing livestock operations within the designated Restricted Agriculture areas may continue operations and any existing operations above 200 Animal Units may be allowed for expansion as a conditional use, subject to separation distance requirements in the Zoning By-law.

(3) **Settlement Centre:** New or expanding livestock operations will not be allowed within the Settlement Centre Areas of St. Jean Baptiste, Letellier and St. Joseph. The Settlement Centre Areas are intended to accommodate urban type developments not generally compatible with livestock operations and will apply to the following areas:

	10 – 139 AU	140-200 AU	201 – 300 AU	More than 300 AU
Restricted Agriculture Area	Conditional Use	Conditional Use	Not Permitted	Not Permitted
General Agriculture Area	Permitted	Conditional Use	Conditional Use	Conditional Use and Technical Review

**Table 1. Livestock Animal Use thresholds**

3.3.9 All applications for the establishment or expansion of a livestock operation must be made to Council, by the owner of the operation or by a person authorized by the owner, in a form and accompanied by any material and any fee established by Council.

- 3.3.10 All applications for the establishment or expansion of livestock operations must meet the siting and setback requirements consistent with Provincial Land Use Policies and demonstrate that the siting and management of the operation will not create an unacceptable risk to health, safety or the environment and that any risk can be mitigated through the use of appropriate measures, practices and safeguards.
- 3.3.11 The establishment or expansion of livestock operations under 140 AU in the General Agriculture Area are permitted uses provided they meet the requirements provided in Policy 3.3.10. Proponents may be required to provide any information Council deems necessary to determine if these requirements have been met.
- 3.3.12 No person shall develop or expand a livestock operation over 140 AU in the General Agriculture Area unless Council has approved a conditional use order for its establishment or expansion. Proponents may be required to provide any information Council deems necessary to make this decision.
- 3.3.13 No person shall develop or expand a livestock operation in the Restricted Agriculture Area unless Council has approved a conditional use order for its establishment or expansion. Proponents may be required to provide any information Council deems necessary to make this decision.
- 3.3.14 Within the General Agriculture Area or the Restricted Agriculture Area, the replacement including modernization or fire replacement of livestock operations, established prior to the adoption of this by-law, at the same size and location may be permitted and the expansion of existing livestock operation will be considered based on the size and separation distances established in the Zoning By-Law.
- 3.3.15 In accordance with Section 92 (1) (b) of *The Planning Act*, Council is unable to approve a variance to increase the number of Animal Units in a livestock operation if it is an existing non-conforming use.
- 3.3.16 A mutual separation distance will be maintained between livestock operations and residences not accessory to the operation. These mutual separation distances will be established in the Zoning By-Law and will be equal to Provincial minimum requirements.
- 3.3.17 All livestock operations must be generally consistent with the siting and setback requirements from property lines, designated development areas, watercourses and wells as outlined in the Provincial Land Use Policies and the *Environment Act*.
- 3.3.18 All new and expanding livestock operations involving more than 140 Animal Units shall only be established and operated on lands with agricultural capability rating of Class 1 through Class 5 based on detailed soil survey information.

New and expanding livestock operations shall be prohibited on lands with agricultural capability rating of Class 6 and 7 based on detailed soil survey. These lands may be used for grazing and/or haying and agricultural and shall be consistent with the lands' carrying capacity.

3.3.19 Council shall refer all applications involving 300 or more Animal Units in the General Agriculture Area to the Minister responsible for *The Planning Act* and request that a Technical Review Committee be appointed to review the proposed application. Once the Technical Review Report has been received, a hearing date shall be set consistent with the provisions contained in *The Planning Act*. After the hearing, the Council may approve the application with or without conditions, only if:

- (1) The Technical Review Committee has determined, based on the available information, that the proposed operation or expansion will not create a risk to health, safety or the environment, or that any risk can be mitigated through the use of appropriate practices, measures and safeguards;
- (2) That the land that the proposed livestock operation or expansion is being located on has a soil suitability for agricultural rating of Class 1 through 5 based on detail soil survey information;
- (3) That Council is satisfied that:
  - (a) The proposed operation or expansion will be compatible with the general nature of the surrounding area;
  - (b) The proposed operation or expansion conforms with the Development Plan, including the Livestock Operations Policies; and
  - (c) The proposed operation or expansion conforms with the applicable provisions contained in the Municipality's Zoning By-Law;

3.3.20 Where any livestock operations larger than 300 Animal Units are proposed within the vicinity of a provincial highway, a copy of the proposal should undergo a review by the provincial department responsible for highways.

3.3.21 On sites where the Technical Review Committee or the Province has identified a potential risk of pollution of soils, groundwater and/or surface water, proposed livestock operations should be required to incorporate measures that will lower the risk to acceptable levels.

3.3.22 In addition to the provisions contained in the Livestock Operation Policies, when evaluating the establishment, expansion or subdivision of livestock operations, the following factors shall be taken into consideration:

- (1) The subdivided parcels can be maintained a minimum site area of 80 acres;
- (2) The Provincial Land Use Policy separation setback distances necessary to minimize potential conflicts with non-agricultural land uses will apply;
- (3) The amount and type of soil conditions and classification, the water source and water quality, the direction of prevailing winds, surrounding natural landscape features, and neighboring land uses;



- (4) The potential for groundwater pollution and the means by which ground and surface water will be protected from possible contamination;
- (5) The necessary mutual separation distances between the livestock facility / manure storage facility and single residences and designated residential / recreational areas. These should be consistent with the recommendations in the Provincial Land Use Policy, and shall be applied to new and expanding livestock production operations;
- (6) Non-agricultural development shall be sufficiently separated from existing agricultural operations to ensure they will not cause conflicts. The Zoning By-Law will establish separation distances consistent with those specified in the Provincial Land Use Planning Regulation;
- (7) Provincial Land Use Policies;
- (8) Technical Reports of the Technical Review Committee, when applicable;
- (9) Environmental requirements must be met as per the Province's Livestock Manure and Mortalities Management Regulation of the *Environment Act* (MR 42/98).

3.3.23 As part of the conditions of approval of a livestock operation or expansion application, Council may impose the following:

- (a) Measures to ensure conformity with the applicable provisions of the Development Plan and Zoning By-Law of the Municipality;
- (b) Measures to implement recommendations made by the Technical Review Committee such as obtaining all necessary approvals from the appropriate authorities;
- (c) Measures intended to reduce odours from livestock operations which could involve requiring covers on manure storage facilities, and / or requiring that shelter belts be established; and
- (d) Requiring the applicant to enter into a Development Agreement which may deal with one or more of the following matters:
  - i. The timing of construction of any proposed building or structure;
  - ii. The control of traffic;
  - iii. The construction and maintenance of roads, fencing, landscaping, shelter belts and covers on manure storage facilities or site drainage works by or at the expense of the owner or applicant;
  - iv. The payment of a sum of money to Council to be used by Council to construct anything mentioned in clause (iii);

- v. As part of any Development Agreement, Council may require that no development takes place until all approvals and conditions have been met.

3.3.24 The establishment of livestock production operations on sites created by farmstead subdivisions shall not be permitted.

### **Farm and Non-Farm Residential**

3.3.25 The subdivision of land in the General Agriculture Area and the Restricted Agriculture Area for farm residential purposes may be permitted in accordance with the following criteria:

- (a) A retiring farmer who has been actively farming for a substantial time period wishes to retain his farm residence for retirement purposes;
- (b) A bona fide farmstead, that is, a farmstead that has existed for the past five or more consecutive years, has been rendered surplus due to the amalgamation of farm operations or similar circumstances and the continued existence of the farmstead will not have a negative impact on the adjacent agricultural operations. The farmstead must contain a liveable residence and, preferably, be located in a defined shelterbelt;
- (c) Where a farm is incorporated and it is necessary to establish a separate residential site from the farm corporation;
- (d) Where a residence is required for an individual who is actively involved in the farming operation as a source of income. Actively involved means that there is a significant and ongoing association or involvement in the farming operation. An individual who provides assistance from time to time or on a casual basis is not considered to be actively involved;

3.3.26 Land subdivided under policy 3.3.25 above is subject to the following:

- (a) The land shall not be subject to flooding or shall be safely flood-proofed under the provincial Water Management, Planning and Standards criteria;
- (b) Land division for the creation of a new farm residence should take place along existing all weather roads where access and/or service improvements are not required;
- (c) Minimum lot sizes for farmstead subdivisions shall be two acres. Farmstead subdivisions should not include cultivated land, should be confined to an existing shelterbelt, be efficiently and effectively serviced to a rural standard and include those buildings and facilities normally associated with a farming operation;
- (d) Only one subdivision per 80-acre title may be permitted for the circumstances described in policy 3.3.25.

3.3.27 Generally, non-farm residential (rural residential) shall be directed to Settlement Centres. The subdivision of land in the General Agriculture Area and the Restricted Agriculture Area for non-farm residential (rural residential) purposes may be permitted where a parcel of land is isolated by way of a creek, drain, road or natural land feature and is of a size or shape that makes farming difficult. Land subdivided under this policy must not be subject to flooding or may be safely flood-proofed under the Manitoba Infrastructure - Water Management, Planning and Standards criteria and should take place along existing all weather roads where access and/or service improvements are not required.

### **Agri-Commercial, Agri-Industrial and Other Uses**

3.3.28 Agri-commercial/industrial uses may be located in the General Agriculture Area and Restricted Agriculture Area in the following circumstances:

- (a) They will not conflict with agriculture or the Provincial highway system;
- (b) They cannot locate elsewhere due to their requirement for larger parcels of land;
- (c) The hazardous nature of or potential nuisance created by the operation; and
- (d) The potential danger to public safety or nuisance from materials associated with the operation.

3.3.29 Specialized agricultural operations such as market gardens, tree nurseries, apiaries and similar uses may be allowed on parcels of land that are less than the minimum area specified in the zoning by-law for general agricultural activities, provided it is supported by a business plan or arrangements acceptable to Council.

3.3.30 Subdivision for the readjustment of farm boundaries around rivers, streams, highways, large drains and other such features may be permitted if it is deemed necessary for agricultural purposes provided that no additional lots are created.

## **PART 4: BUSINESS POLICY AREAS**

### **4.1 INTRODUCTION**

The RM of Montcalm is dissected north to south by PTH 75 and the Canadian National Railway and east west by PTH 14. These inter-regional transportation networks provide an economic opportunity for businesses and industries that distribute goods produced within the region or provide services to transport industries and the travelling public. While agriculture remains the economic focus of the region, expanding on agriculturally focused activities will build economic diversity, meet local business needs and create stable job opportunities.

Business Policy Areas provide employment and opportunities for economic development at key rural locations and in areas adjacent to settlement centres in the R.M. of Montcalm. This section outlines policies that accommodate general commercial and industrial as well as agri-commercial/industrial, highway commercial and related land uses in appropriate settings. This flexibility of compatible uses will allow adjustments to economic demands over time while ensuring integration of settlement, agricultural and transportation planning activities.

### **4.2 OBJECTIVES**

- 4.2.1 To provide future employment opportunities in the R.M. of Montcalm.
- 4.2.2 To build economic diversity and stability within the Municipality.
- 4.2.3 To provide opportunity for long range business/industry planning in the Municipality.
- 4.2.4 To prevent incompatible land use conflicts with adjacent land uses.
- 4.2.5 To ensure that proposed developments can be serviced to an appropriate rural standard and in a cost-effective manner with respect to road access, water supply and wastewater disposal.
- 4.2.6 To ensure that proposed developments will not negatively impact the environment or adjacent land uses.

### **4.3 POLICIES**

- 4.3.1 The following land uses may be accommodated in the Business Policy Areas:
  - (a) Highway commercial developments that provide services to the travelling public such as service stations, restaurants and cafes as well as hotels and motels;
  - (b) Agri-commercial or agri-industrial uses such as farm equipment and machinery repair shops, feed and fertilizer supply operations, commercial seed cleaning plants, agricultural implement sales and service establishments and aerial spraying

companies;

(c) General industrial uses, such as general contractor services, warehousing and distribution, transportation industries, equipment or implement sales or rentals that accommodate a mix of manufacturing, assembly, distribution and services with outdoor operational storage characteristics; and

(d) Existing land uses as of the date of the adoption of this Development Plan.

4.3.2 Business and commercial uses should locate within the Settlement Centre Policy Areas. However, such uses may locate outside the boundaries of the Settlement Centre Policy Areas in Business Policy Areas in cases where:

(a) They will not conflict with agriculture or the Provincial highway system; and

(b) They are not easily accommodated within the Settlement Centre Policy Areas due to their requirement for larger parcels of land; incompatibility with residential uses; need to provide essential services to highway users or access to controlled access points along regional highway or rail networks.

4.3.3 The Municipal Council shall use the following criteria when considering proposed developments:

(a) The compatibility with surrounding development in terms of land use function, operational emissions and scale of development;

(b) The relationship to municipal land; rights-of-way or easement regulations;

(c) The effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area;

(d) The use is not wasteful of higher class agricultural land and is located, wherever possible, on lower class land;

(e) The site meets the requirement of the applicable Zoning By-law and has adequate acreage to meet the needs of the use intended;

(f) If located within the Designated Flood Area, flood protection for all permanent structures is reasonably achievable;

(g) Highway access is achieved via existing access points where possible;

(h) Where the development is proposed in the vicinity of a Provincial highway, a copy of the proposal has been circulated to the applicable Provincial authority for review and comment;

(i) Water, drainage, sanitary disposal, hydro, telephone and road access can be economically provided; and

- (j) The storage, treatment and discharge of all effluent and emissions and disposal of all waste can meet the approval of the applicable Provincial authority and Municipal Council.

4.3.4 For multi-lot developments within the Business Policy Areas, the applicant shall provide a concept plan demonstrating:

- (a) the general layout of the lots, parking and road circulation within the proposed development;
- (b) the interaction/relationship with adjacent developments and with the Provincial or municipal transportation networks; and
- (c) the drainage and if applicable flood protection systems proposed.

## **PART 5: SETTLEMENT CENTRE POLICIES**

### **5.1 INTRODUCTION**

This section outlines objectives and policies for the Settlement Centres within the RM of Montcalm. The Settlement Centres are St. Jean Baptiste, Letellier and St. Joseph. These Settlement Centres represent a concentration of population within the municipality that function as service centres for both urban and rural residents. Settlement Centres are differentiated from Rural Areas by having a higher level of development, smaller lot sizes, and municipal services. Settlement Centres offer a range of commercial/industrial and public services and facilities (e.g. retail stores, businesses, schools, government offices, and recreation facilities). Settlement Centres also offer a greater variety of housing types than the Rural Areas, such as single-family, multi-family, senior and special needs housing. It is the best interest of the Municipality to encourage effective, sustainable future growth patterns within and adjacent to Settlement centres and to ensure that the important role the Settlement Centres play within the Municipality is maintained.

#### **5.1.1 Objectives**

- (1) To foster future residential development that is of high quality and in keeping with the existing character of the Settlement Centres and to promote safe, functional and pleasant residential environments.
- (2) To ensure that a sufficient supply of residential land is designated to meet present and future needs in each Settlement Centre.
- (3) To ensure that the supply of residential land provides options regarding locational choice between the three Settlement Centres.
- (4) To encourage a suitable mix of housing types to meet the needs of the community.
- (5) To encourage the maintenance and upgrading of the housing stock.
- (6) To ensure that the provision of municipal services such as sewer and water, can be implemented in a cost effective fashion.
- (7) To direct residential development shall be directed to the flood protected Settlement Centres.
- (8) To ensure that institutional uses such as schools and medical facilities are properly sited within each Settlement Centre.
- (9) To promote the development, maintenance and rehabilitation of commercial properties so as to enhance the economic and social viability of each Settlement Centre.
- (10) To promote infill commercial development in each Settlement Centre

- (11) To provide an opportunity for the orderly conversion of suitable property where land may be required for commercial expansion.

## **5.2 RESIDENTIAL**

### **5.2.1 Policies**

- (1) New residential development will only be permitted in Settlement Centre Policy Areas. Sufficient lands shall be designated in the plan to provide an adequate supply of serviced lots and locational choice.
- (2) Infill of existing residential areas shall be prioritized over the expansion of undeveloped land in the Settlement Centres.
- (3) To support the infill of existing residential areas, development of a variety of housing types should be encouraged (e.g.: single-family and two-family, multiple-family, seniors housing and special needs housing).
- (4) Home occupations will be accommodated, subject to compliance with the standards set forth in the applicable Zoning By-law, provided they are compatible with the adjacent uses and the residential character of the property is maintained.
- (5) Secondary suites shall be encouraged as a way of increasing residential density, affordable housing, and extending family living options.
- (6) Residential growth and development within Settlement Centre Policy Areas should occur in a planned and contiguous manner.
- (7) Expansion of lands designated for residential development should only be considered when the supply and locational choice of vacant lots cannot, in the opinion of Council, reasonably meet short term demand (5 years) for housing lots. This will ensure that each Settlement Centre is maximizing its return on investment for existing services and infrastructure.
- (8) Future residential developments should ensure that adjacent land use conflicts are minimized and that new areas are flood protected and can be efficiently serviced.
- (9) Residential development in the Settlement Centres may require the developer to prepare a detailed concept plan illustrating lot structure, street systems, and associated community infrastructure such as parks and playgrounds.
- (10) Institutional uses which are, in the opinion of Council, compatible with residential development shall be considered on the basis of Policies contained in Section 4.4 of this Plan. Specific uses shall be stated in the Zoning By-law.
- (11) Council has determined that while home occupations 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 that reason, the Zoning By-law shall



specify maximum square footage, standards of operations, signage, etc., to ensure that the integrity of the residential area is maintained. Additionally, distinction between rural and urban home occupations will be stipulated in the Zoning By-law regarding such criteria as employment, traffic, storage and displays.

## **5.3 COMMERCIAL AND INDUSTRIAL**

### **5.3.1 Policies**

- (1) The development of a broad range of commercial and industrial uses will be encouraged within the Settlement Centre Policy Areas in order to support and strengthen the viability of the rural municipality.
- (2) New commercial and industrial developments shall be encouraged to locate on existing lots of record. Where such development is not feasible on existing lots, new commercial and industrial lots can be established through the subdivision process.
- (3) Commercial uses which are intended to serve the travelling public shall generally be encouraged to locate in areas adjacent to highways in appropriate areas and in areas identified in the applicable Zoning By-law. Proposed development must comply with the Transportation policies of this plan and proposed developments adjacent to a provincial highway, in particular, PTH 75, should be serviced by an internal road system and not rely on the highway for direct access.
- (4) Commercial and industrial uses which have the potential to generate activities that pose safety, health or nuisance hazards, may require large tracts of land or require reduced levels of service shall be encouraged to locate in areas that are compatible with the adjacent uses.
- (5) Commercial and industrial development shall occur in such a manner as to minimize conflicts with adjacent land uses. Where commercial and industrial uses are adjacent to residential developments, adequate buffering and screening will be required as specified in the applicable Zoning By-law.
- (6) Multi-lot subdivisions and large scale commercial or industrial developments shall be required to prepare a concept plan.

## **5.4 INSTITUTIONAL**

### **5.4.1 Policies**

- (1) Each settlement centre may be required to accommodate a variety of institutional uses in the Settlement Centre Policy Area. In keeping with this direction, various institutional uses are identified in the residential, commercial and industrial zones as established in the appropriate Zoning By-law.
- (2) Council shall use the following to guide the location and development of future institutional uses:

- (a) social and cultural institutions serving a settlement centre or the municipality shall be encouraged to locate in facilities that are easily accessible to the entire community and minimize any negative impacts on residential areas;
- (b) neighbourhood institutional uses which are more appropriately located in residential areas should give due consideration to minimizing any adverse impact on the surrounding residential environment;
- (c) major institutional facilities requiring large tracts of land or major service extensions shall be required to undertake site location studies; and
- (d) the design of institutional buildings should be in keeping with the character of the area.

## **PART 6: IMPLEMENTATION**

### **6.1 BASIC IMPLEMENTATION MEASURES**

The policies outlined in this Development Plan will be implemented by the following measures and methods pursuant to *The Planning Act*.

#### **6.1.1 Adoption of this Development Plan**

Council will adopt this Development Plan by By-law. Once adopted, no development or land use change may be carried out within the municipality that is inconsistent or at variance with the policies or directions set out in the Development Plan. Adoption of the Development Plan does not require Council to undertake any proposal suggested or outlined in the plan.

- The DP may be amended at any time when considered appropriate or necessary by the municipality.
- The DP will be reviewed within 10 years.

#### **6.1.2 Adoption of a Secondary Plan**

Council may require preparation of and adopt by by-law a secondary plan document and/or maps for any part of the Municipality. Secondary plans deal with objectives and issues:

- (a) affecting any matter dealt with in the Development Plan By-law;
- (b) dealing with the subdivision, design, road patterns, or other land use and development matters; or
- (c) respecting economic development or the enhancement or special protection of heritage resources and sensitive lands.

#### **6.1.3 Adoption of Zoning By-Law**

Following adoption of the Development Plan, the municipality is required to enact a Zoning By-law that will set out specific regulations for land use and development. Zoning by-laws designate areas for certain types of development. Permitted and Conditional Uses and development standards are prescribed for each zone.

The Zoning By-law must generally conform to the Development Plan. The objectives and policies in the Development Plan provide guidance to Council when preparing the Zoning By-law or considering an amendment to the Zoning By-law.

#### **6.1.4 Conditional Use Approvals**

Within the Zoning By-law, there will be provisions for the approval of various types of development as a Conditional Use in each zone. This will provide Council with the flexibility to review specific development proposals, to receive public input from nearby

landowners, and to make decisions either approving or denying the proposals. In addition, this process provides Council with the opportunity to establish conditions of approval appropriate for each proposal. In utilizing the Conditional Use process, Council will have an opportunity to influence the location of some types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community. The Development Plan principles, objectives and policies provide guidance for the Conditional Use approval process.

### **6.1.5 Variation Orders**

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

### **6.1.6 Development Permits**

New development generally requires a Development Permit issued by Council. Before a permit is issued, proposals should be reviewed to determine compliance with *The Rural Municipality of Montcalm Development Plan* and *The Rural Municipality of Montcalm Zoning By-law*.

### **6.1.7 Development Officer**

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

### **6.1.8 Subdivision Approvals**

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review and approval process involving Council, utility companies and certain Provincial government departments (*The Planning Act*). This process provides an opportunity for development proposals to be evaluated in accordance with the provisions of the Development Plan. A subdivision proposal cannot proceed without the approval of Council and the Provincial approving authority. Council and/or the Provincial approving authority may attach conditions to approval of a Subdivision Application in accordance with *The Planning Act*.

### **6.1.9 Development Agreements**

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

## **6.2 ADDITIONAL MEASURES**

In addition to the measures outlined above, the municipality may also utilize the following additional tools for implementing the principles, objectives, policies and actions described in the Development Plan:

### **6.2.1 Acquisition & Disposal of Land**

The Municipality or a community development corporation may acquire an interest in land, or sell, lease or otherwise dispose of land for the purpose of implementing the Development Plan. This could be applied, for example to the protection of riparian areas.

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

The Municipality has the capability to adopt and administer other by-laws concerning the use, development and maintenance of land. This can include measures such as the adoption of a Building By-law, Property Maintenance By-law, Access Approval By-law, Drainage By-law and other types of by-laws affecting the use of land.

### **6.2.3 Special Studies**

Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering or other professional studies may be required for development proposed for lands affected by flooding hazards, endangered species, potential for groundwater/surface water pollution, and general risk to health and the environment. Developers/proponents may also be required to conduct traffic studies to support their development proposal. Flood-related studies should include development setback distances, flood mitigation recommendations, and whether flood protection can be provided without negatively affecting riverbank stability.

### **6.2.4 Public Works**

The Capital Works Program and public improvements of the Municipality should conform to the policies set out in this Development Plan and the *R.M. of Montcalm Wastewater Management Plan*. These are important implementation tools since a municipality may influence the rate and direction of growth through the provision of municipal services.

### **6.2.5 Capital Expenditure Program**

Council should consult the Development Plan and related strategies when revising the municipalities annual (5) Five Year Capital Expenditure Program.

### **6.2.6 Strategic Plans for Economic Development**

As outlined in *The Municipal Act*, the R.M. of Montcalm may adopt a Strategic Plan for Economic Development. As part of a strategy for long-term economic sustainability, and to ensure consistent objectives, policies and programs, the Strategic Plan should be consistent with the goals, objectives and policies set out in the Development Plan and build

upon a Community Vision statement and action plans prepared as part of a community round table process.

### **6.3 INTERPRETATION**

- (1) General land use classifications shown on the Development Plan Maps illustrate the R.M.'s long-term development strategy with respect to land uses and define land use boundaries.
- (2) It is assumed that the achievement of the land use objectives will occur over a period of years as the existing land use pattern evolves, subject to the periodic review of this Development Plan.
- (3) The land use boundaries shown on the Development Plan Maps should be considered as defining general spatial relationships between different land use areas and are not defined by lot lines
- (4) Any lot size, distance and area requirements mentioned throughout the Development Plan are meant to serve as guidelines only. Certain situations may demand flexibility in the application of these standards.
- (5) Individual Policies should not be considered or interpreted in isolation, but rather in the context of the general spirit and intent of all other Objectives and Policies of the Development Plan.
- (6) Words and expressions used in this Development Plan have the meanings ascribed to them in *Manitoba Planning Regulation*, unless the context requires otherwise.
  - “Council” shall mean the Rural Municipality of Montcalm Reeve and Councilors.
  - “Municipality” typically applies to the Rural Municipality of Montcalm.
  - “Development Plan” shall mean the R.M. of Montcalm Development Plan.
  - “Zoning By-law” shall mean the R.M. of Montcalm Zoning By-law.

# Appendices

## **APPENDIX A-DEVELOPMENT PLAN MAPS**

MAP 1 RURAL MUNICIPALITY OF MONTCALM

MAP 2 ST. JEAN BAPTISTE

MAP 3 LETELLIER

MAP 4 ST. JOSEPH

## **APPENDIX B-REFERENCE MAPS**

MAP B1 DESIGNATED FLOOD AREA

MAP B2 FLOOD PROTECTION –DIKES & PADS

MAP B3 DRAINAGE 1997 FLOOD EXTENT

MAP B4 DRAINAGE 2009 FLOOD EXTENT

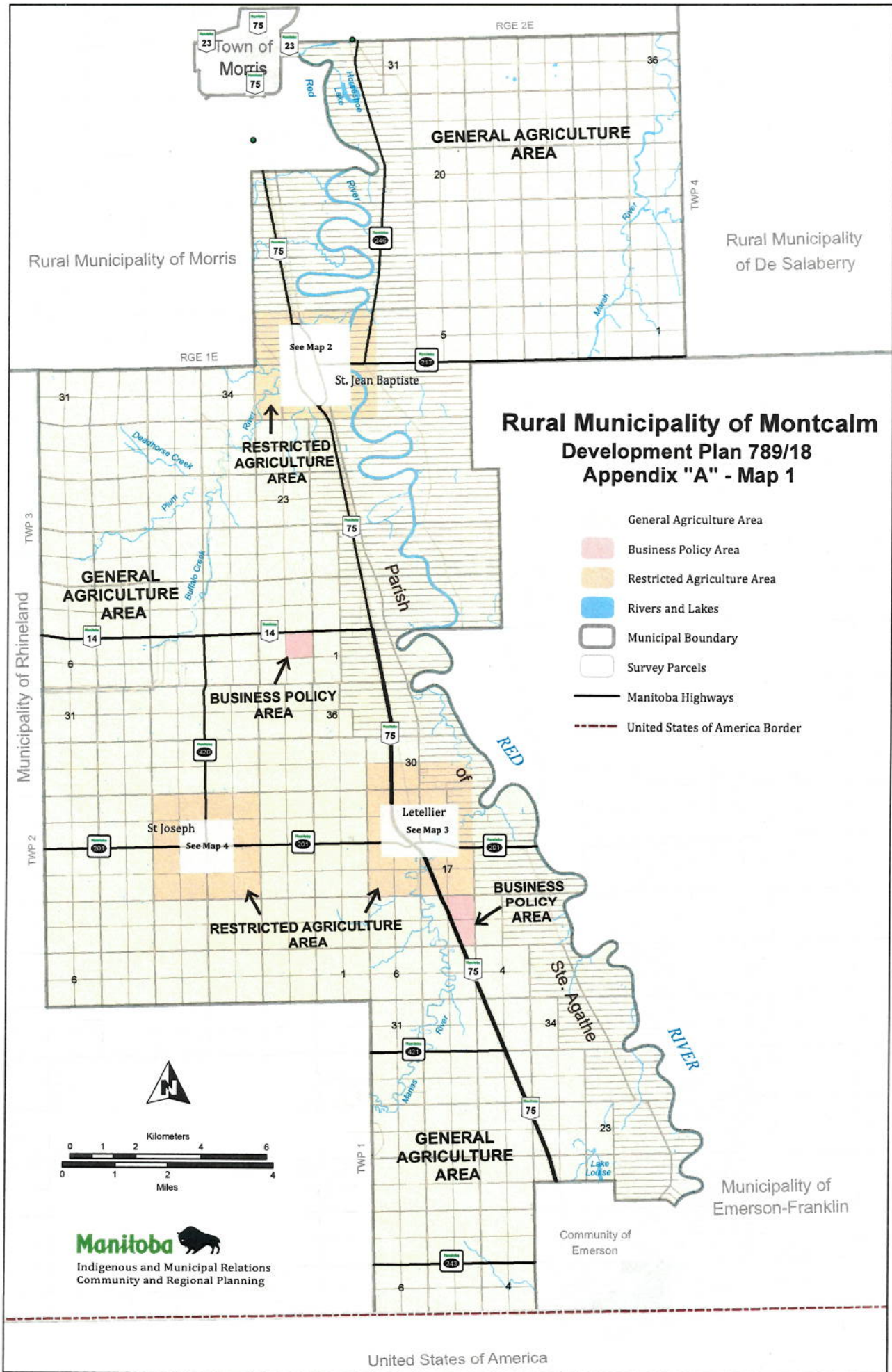
MAP B5 DRAINAGE 2011 FLOOD EXTENT

MAP B6 AGRICULTURAL CAPABILITY

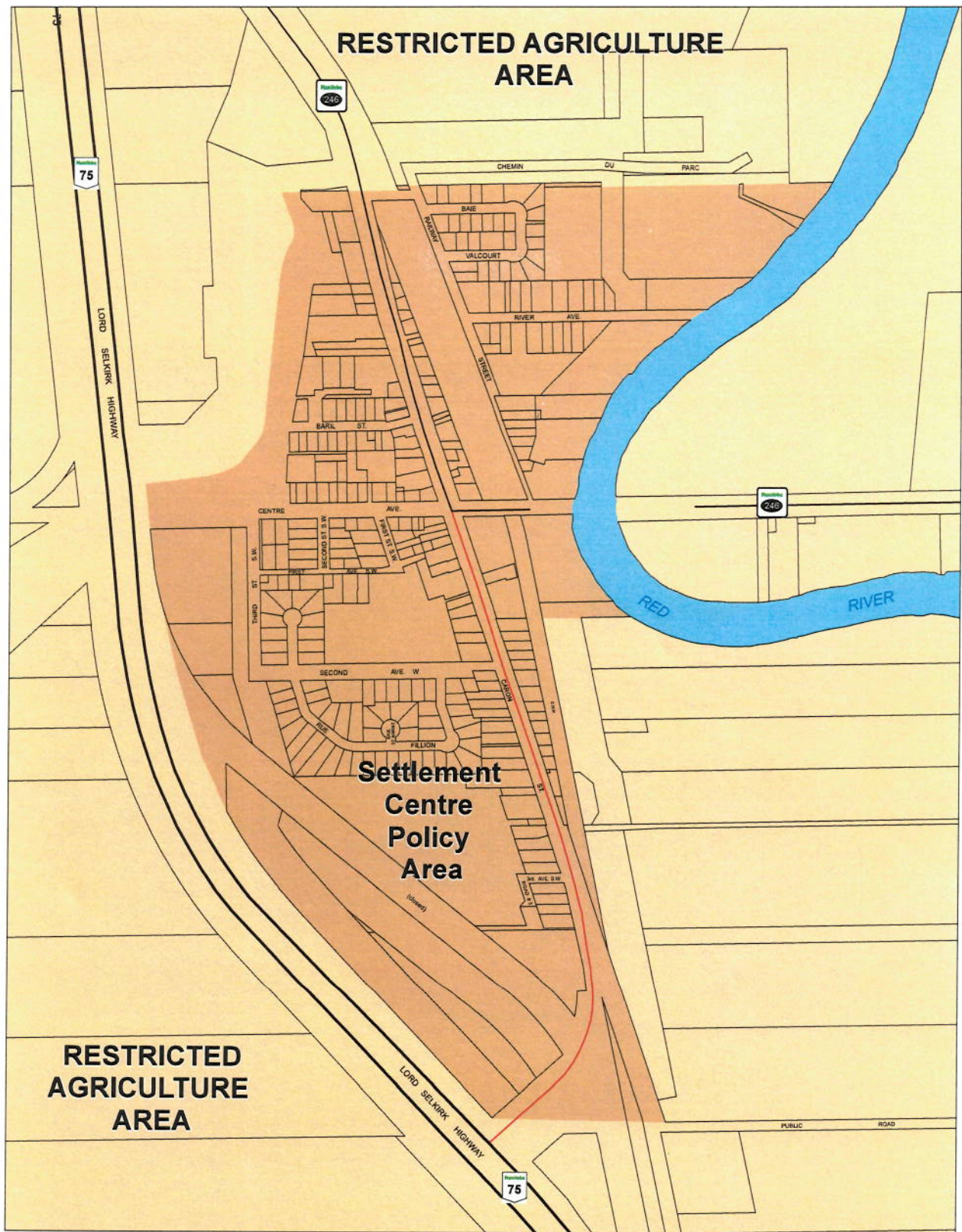
MAP B7 ANNUAL CROP INVENTORY 2015

MAP B8 RURAL TRANSPORTATION NETWORK

MAP B9 REGIONAL CONTEXT MAP



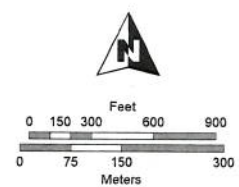




**RM of Montcalm  
Development Plan  
By-Law 789/18**

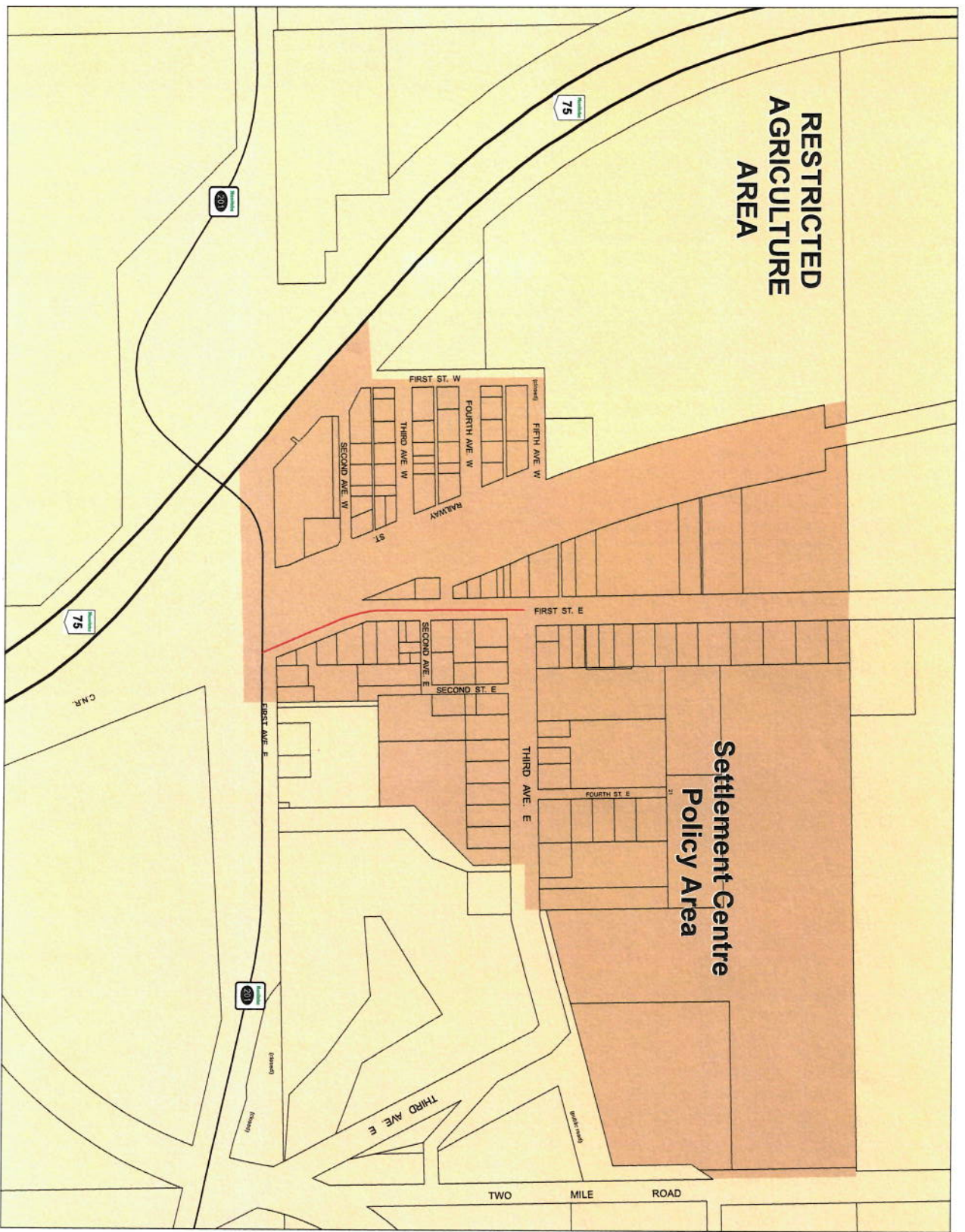
Appendix "A"  
Map 2: St. Jean Baptiste

-  Access Road
-  Provincial Road
-  Provincial Trunk Highway
-  Settlement Centre Policy Area
-  Restricted Agriculture Area



**RESTRICTED AGRICULTURE AREA**

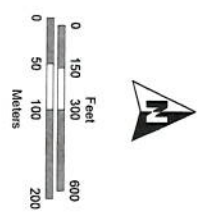
**Settlement Centre Policy Area**

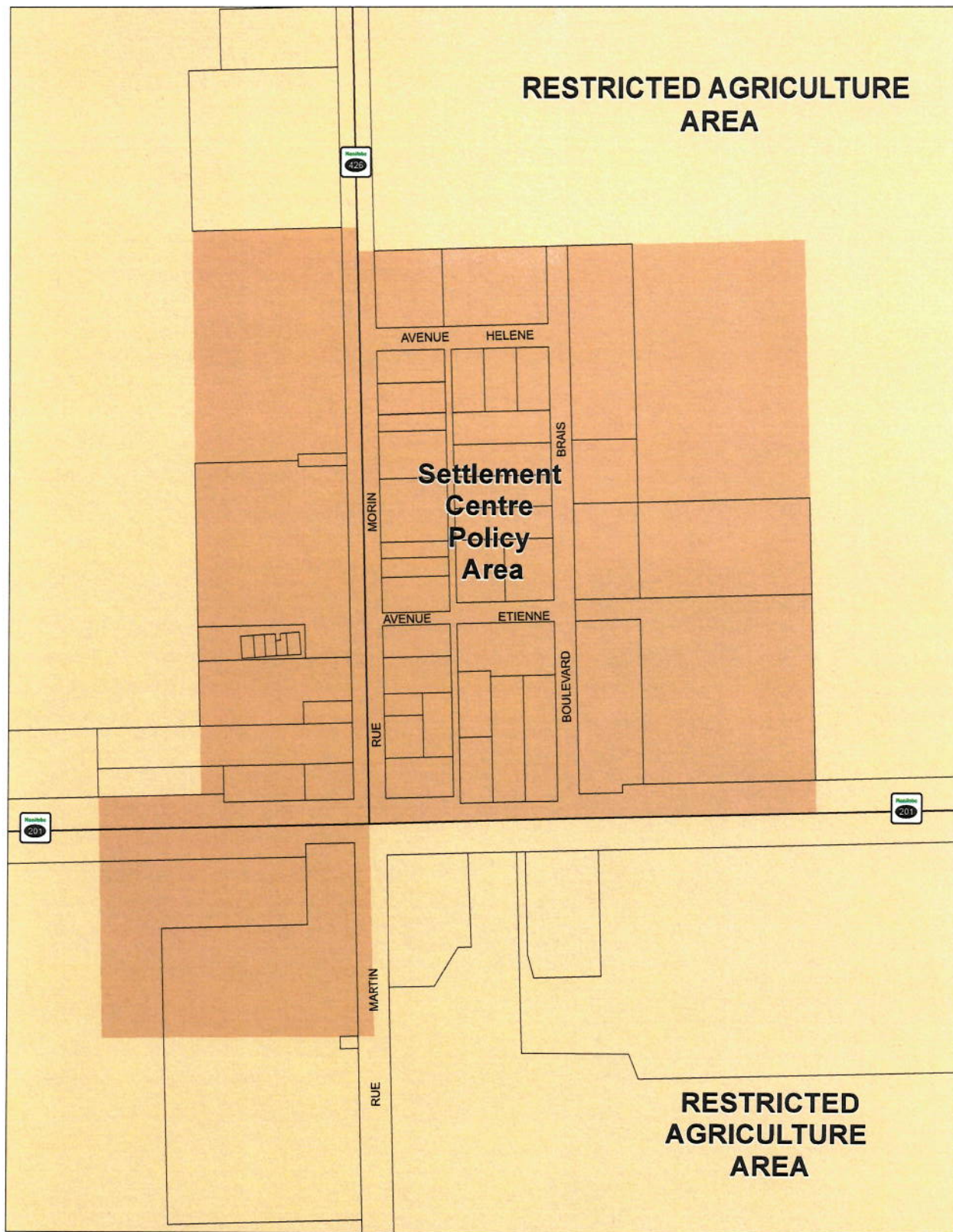


**RM of Montcalm  
Development Plan  
By-Law 789/18**

Appendix "A"  
Map 3: Letellier

- Settlement Centre Policy Area
- Restricted Agriculture Area
- Access Road
- Provincial Road
- Provincial Trunk Highway



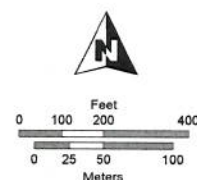


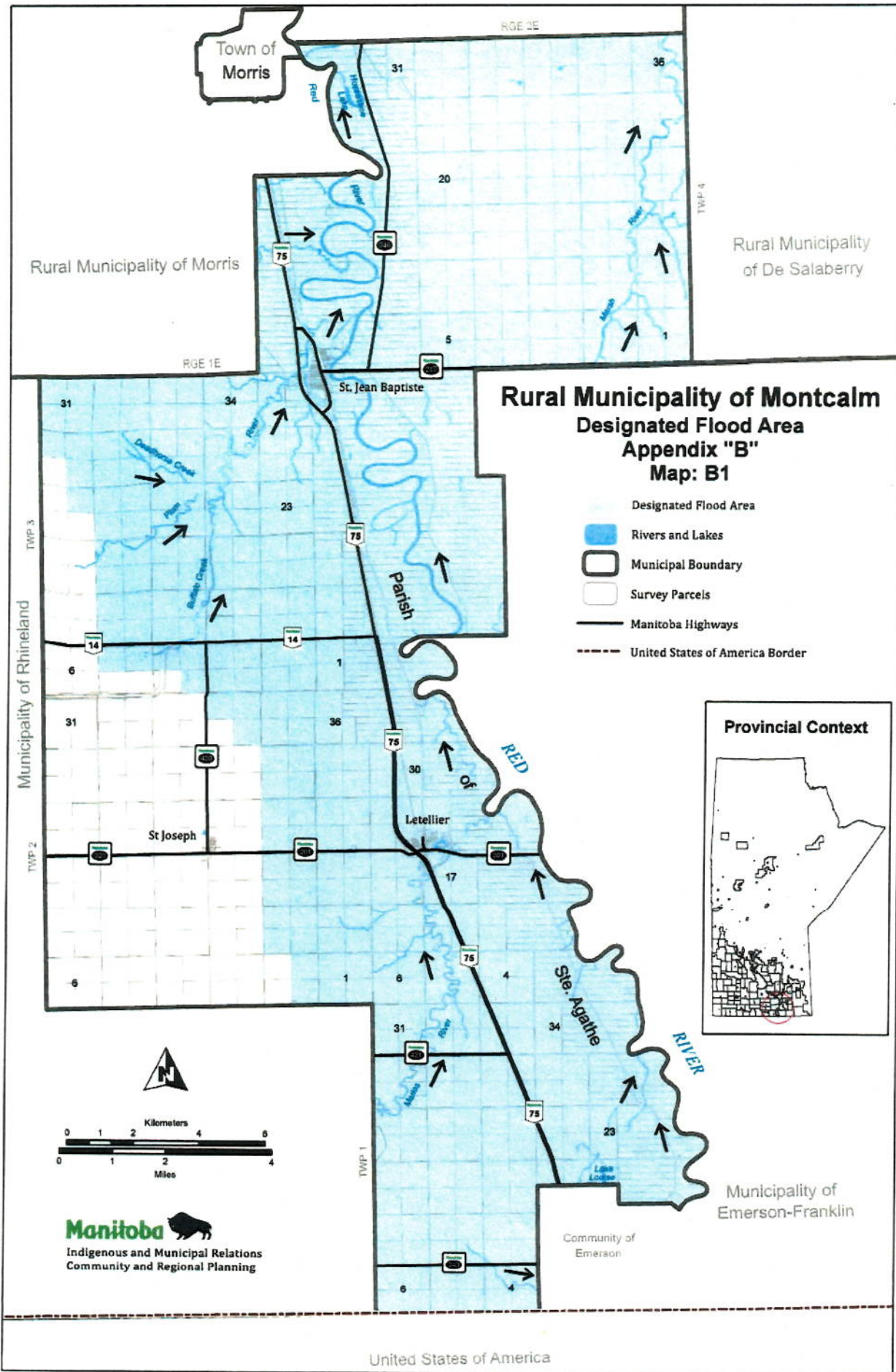
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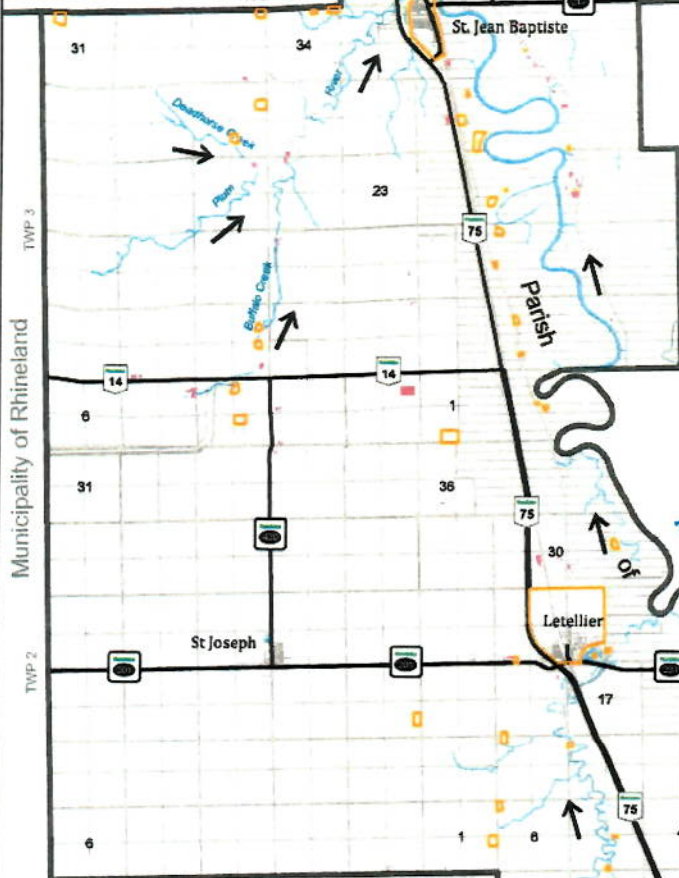
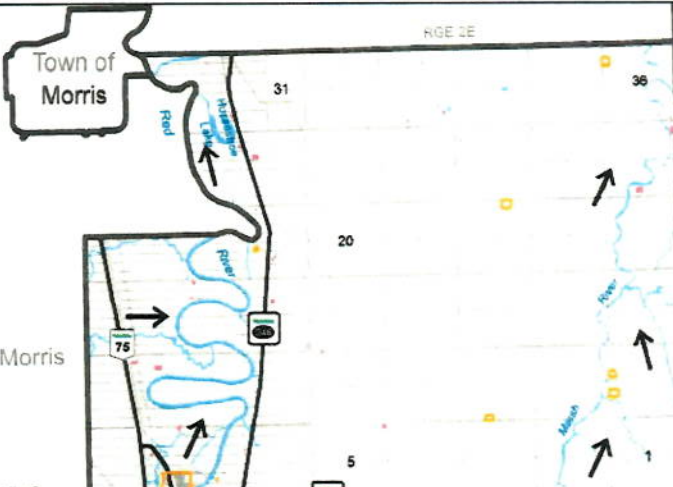
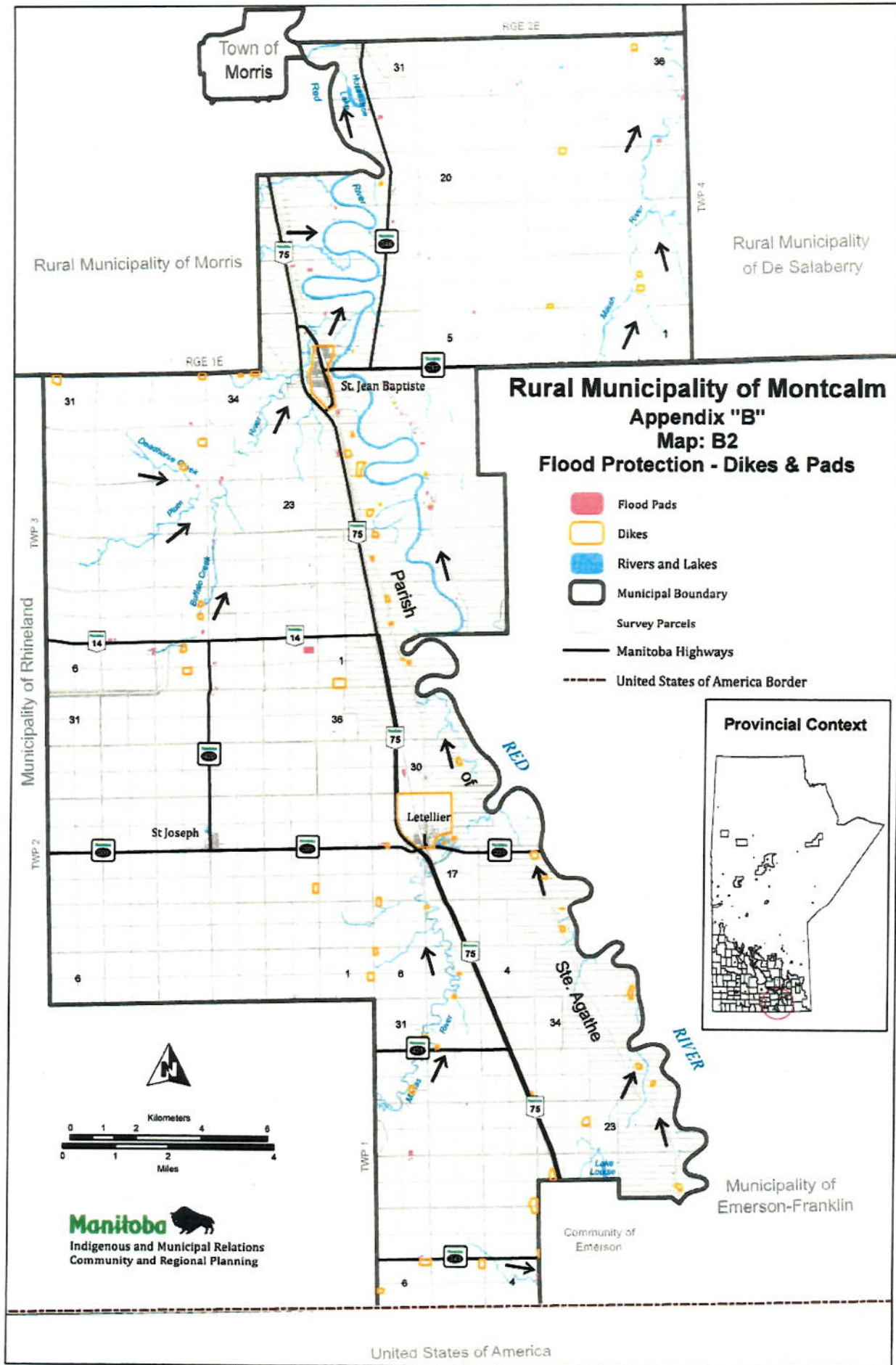
Development Plan  
By-Law 789/18

Appendix "A"  
Map 4: St. Joseph

-  Access Road
-  Provincial Road
-  Provincial Trunk Highway
-  Settlement Centre Policy Area
-  Restricted Agriculture Area

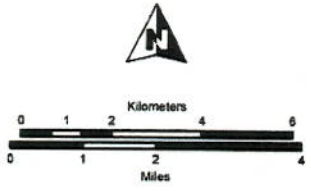
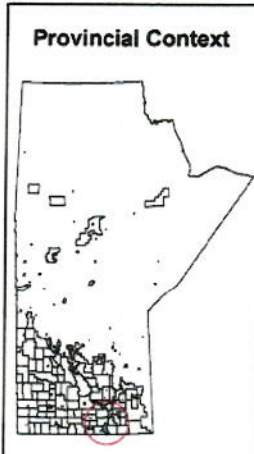




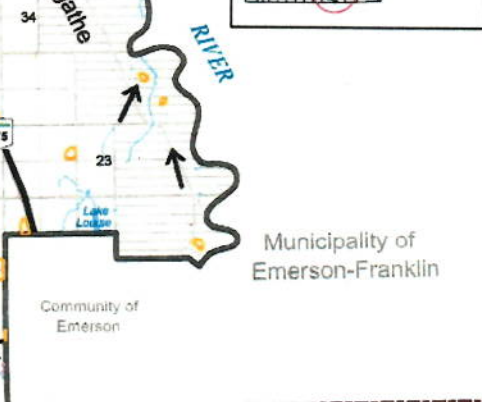


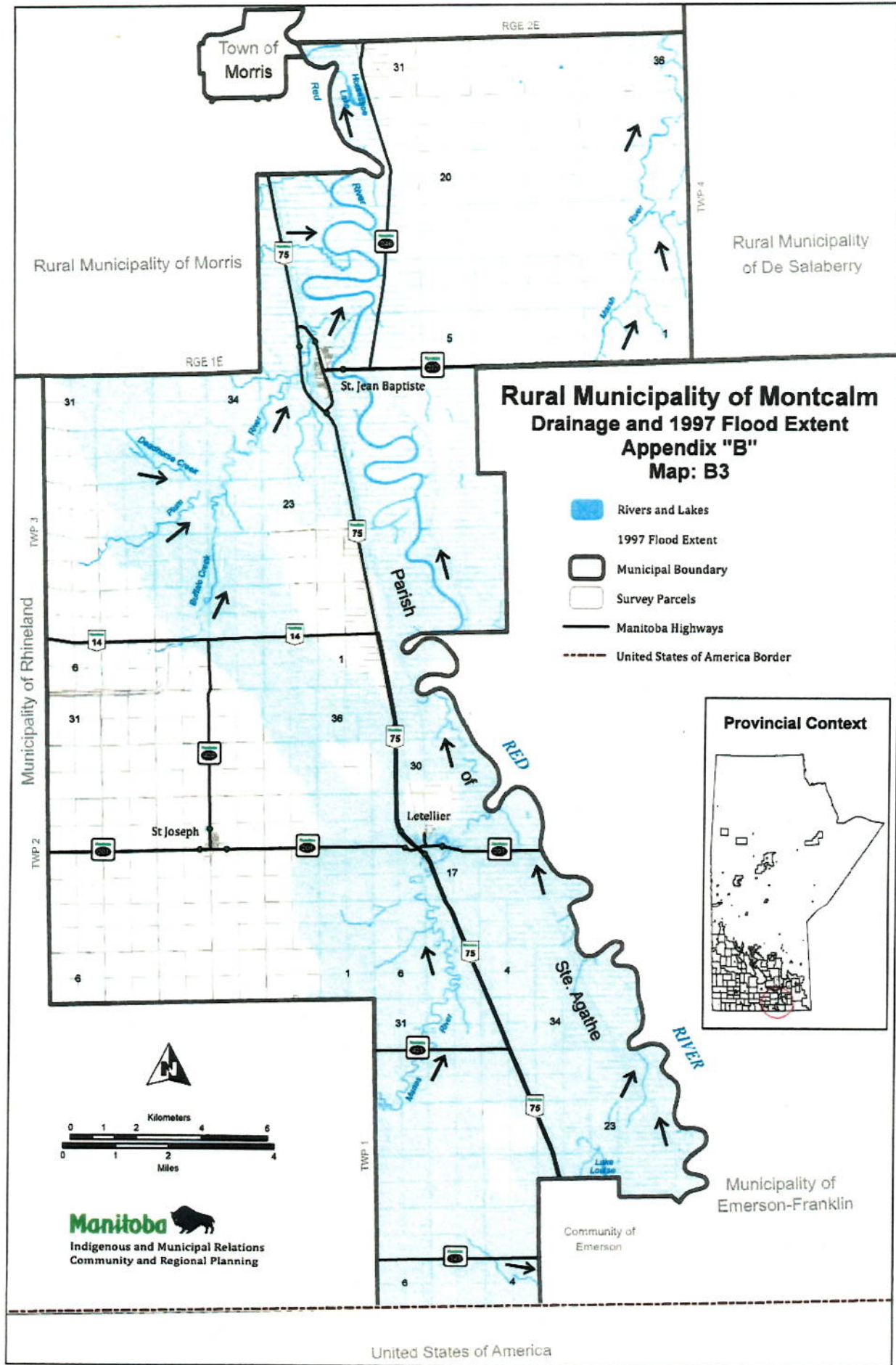
**Rural Municipality of Montcalm**  
**Appendix "B"**  
**Map: B2**  
**Flood Protection - Dikes & Pads**

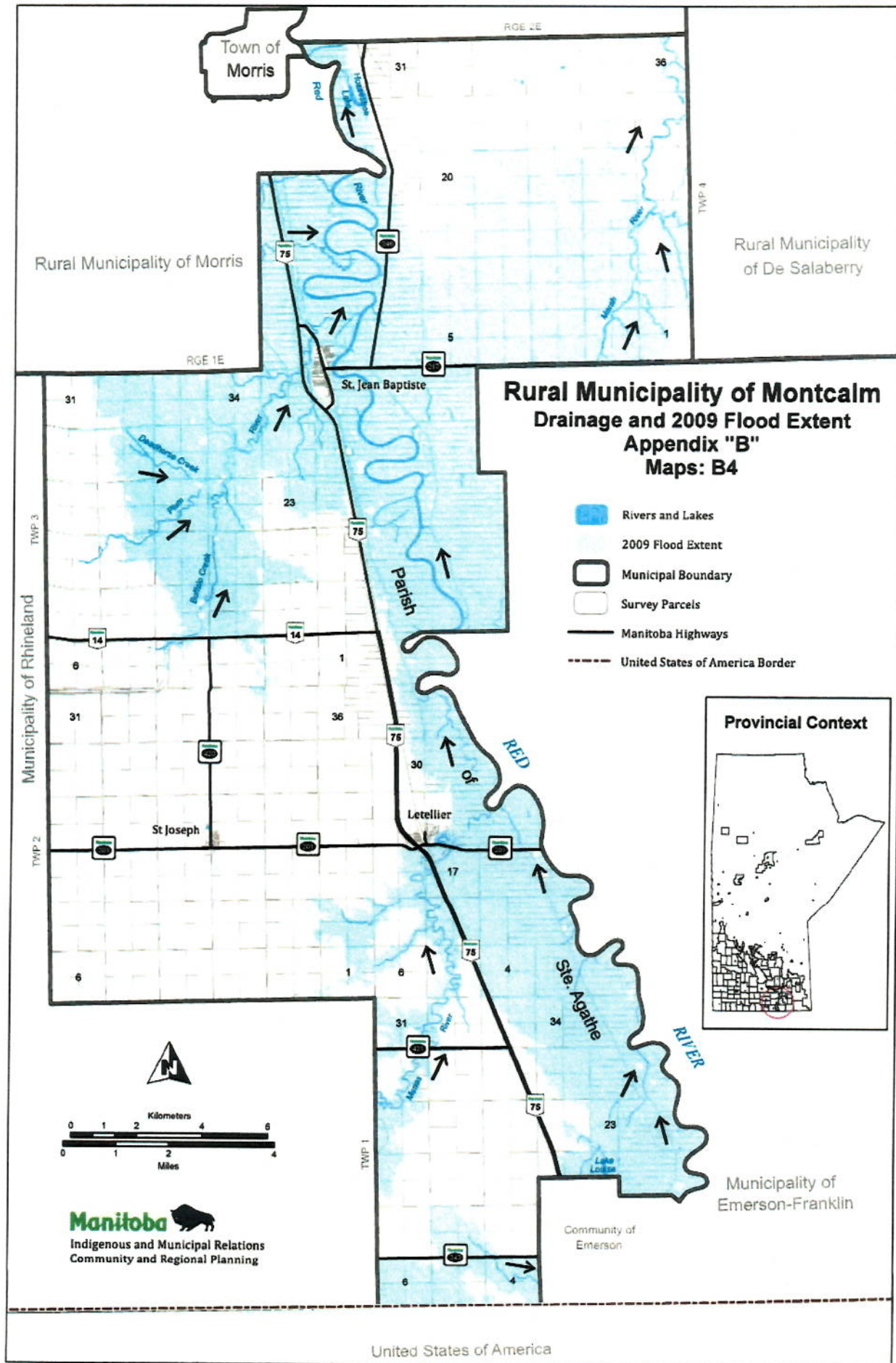
- Flood Pads
- Dikes
- Rivers and Lakes
- Municipal Boundary
- Survey Parcels
- Manitoba Highways
- United States of America Border

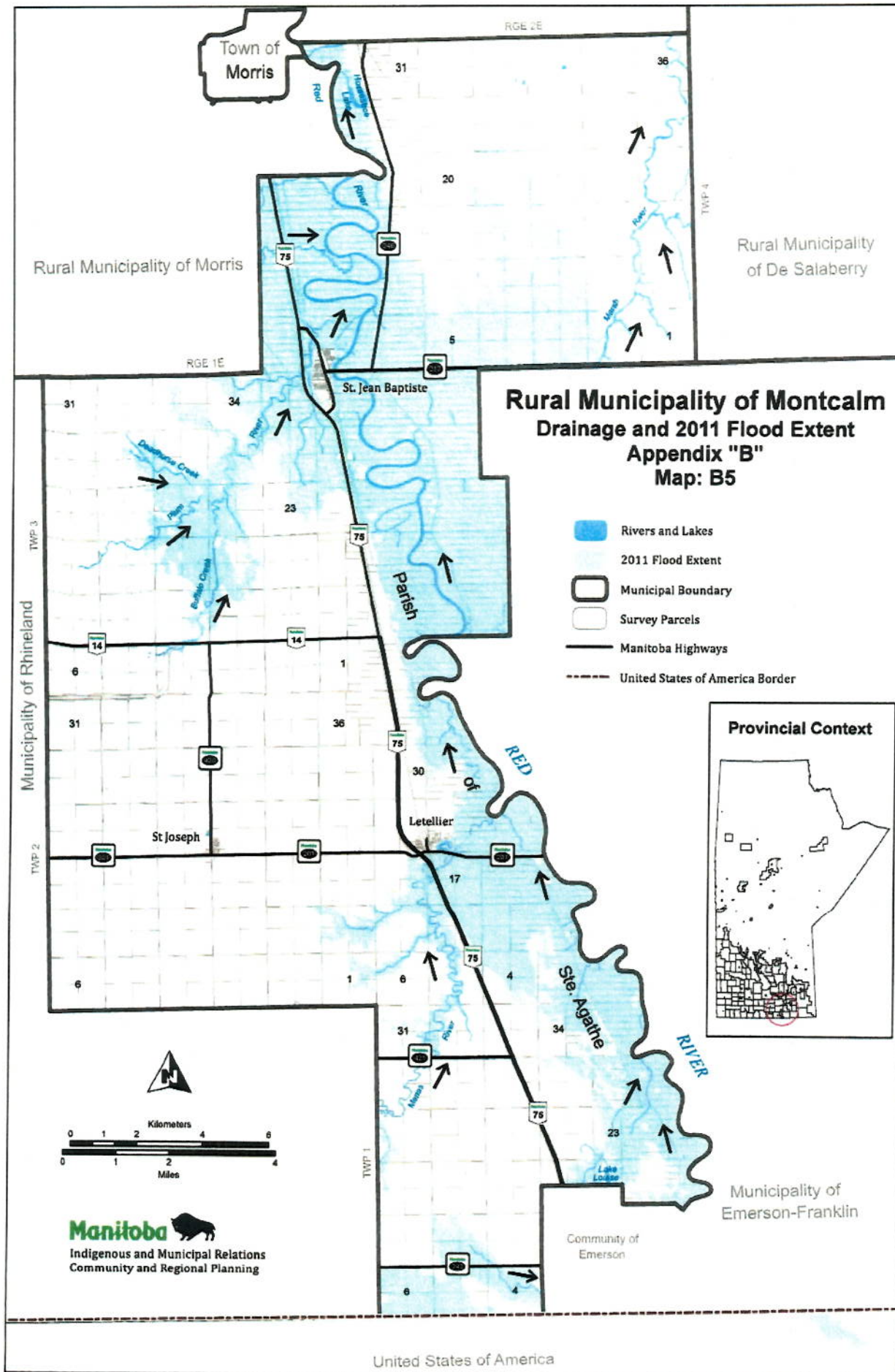


**Manitoba**  
 Indigenous and Municipal Relations  
 Community and Regional Planning











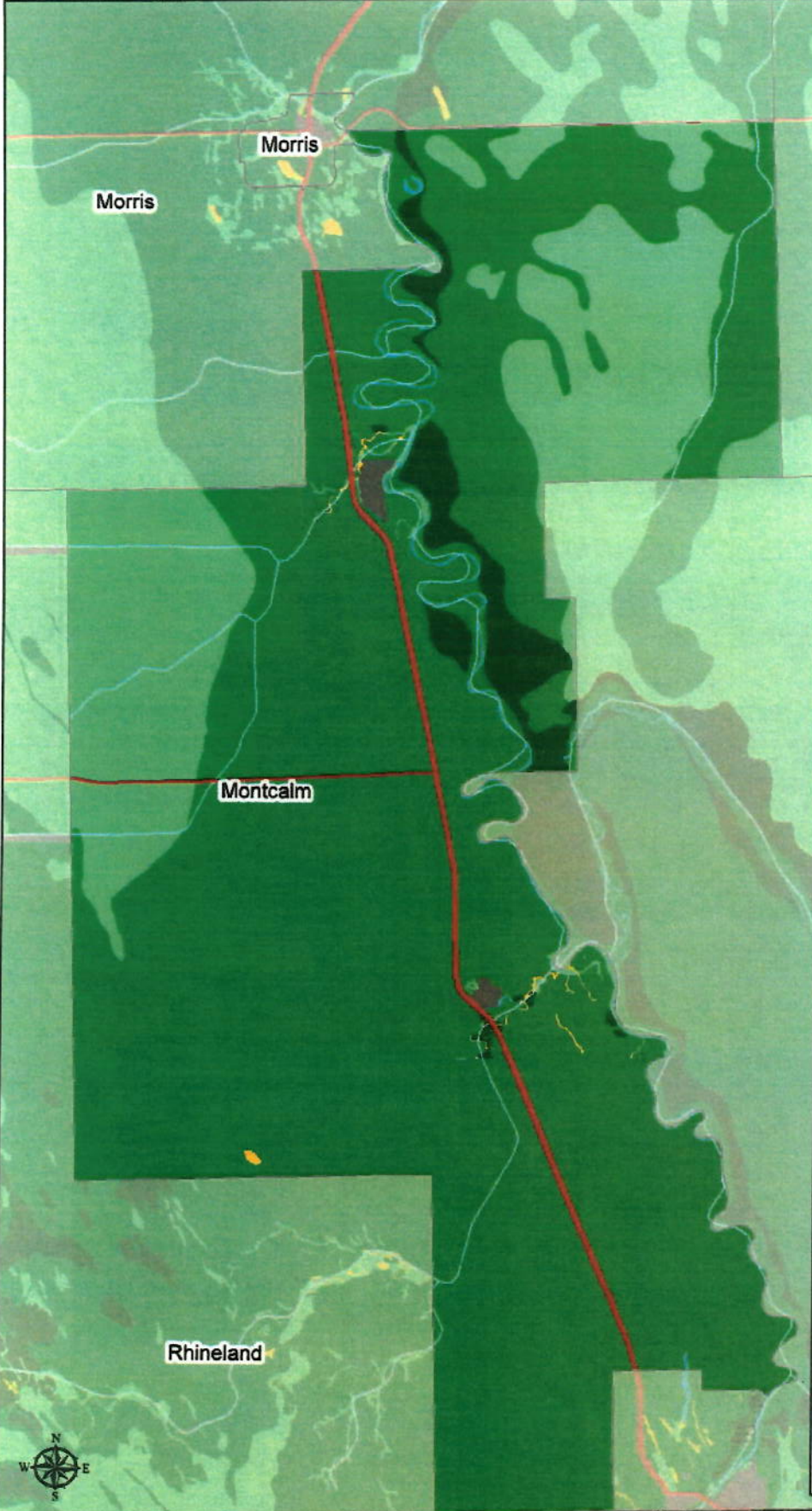
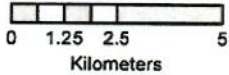
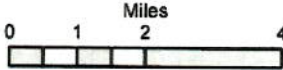
# Rural Municipality of Montcalm

Appendix "B"  
Map: B6

## Agricultural Capability

-  Class 1
-  Class 2
-  Class 3
-  Class 4
-  Class 5
-  Class 6
-  Class 7
-  Unclassified
-  Water
-  Organic

Agricultural Capability for the  
dominant soil based on  
reconnaissance level soil  
survey information.  
(1:126,720, Report No. 5)



Morris

Morris

Montcalm

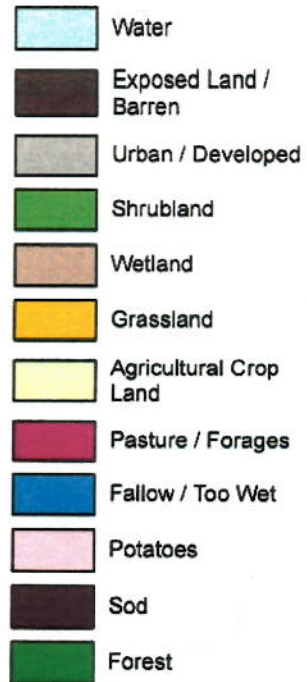
Rhineland



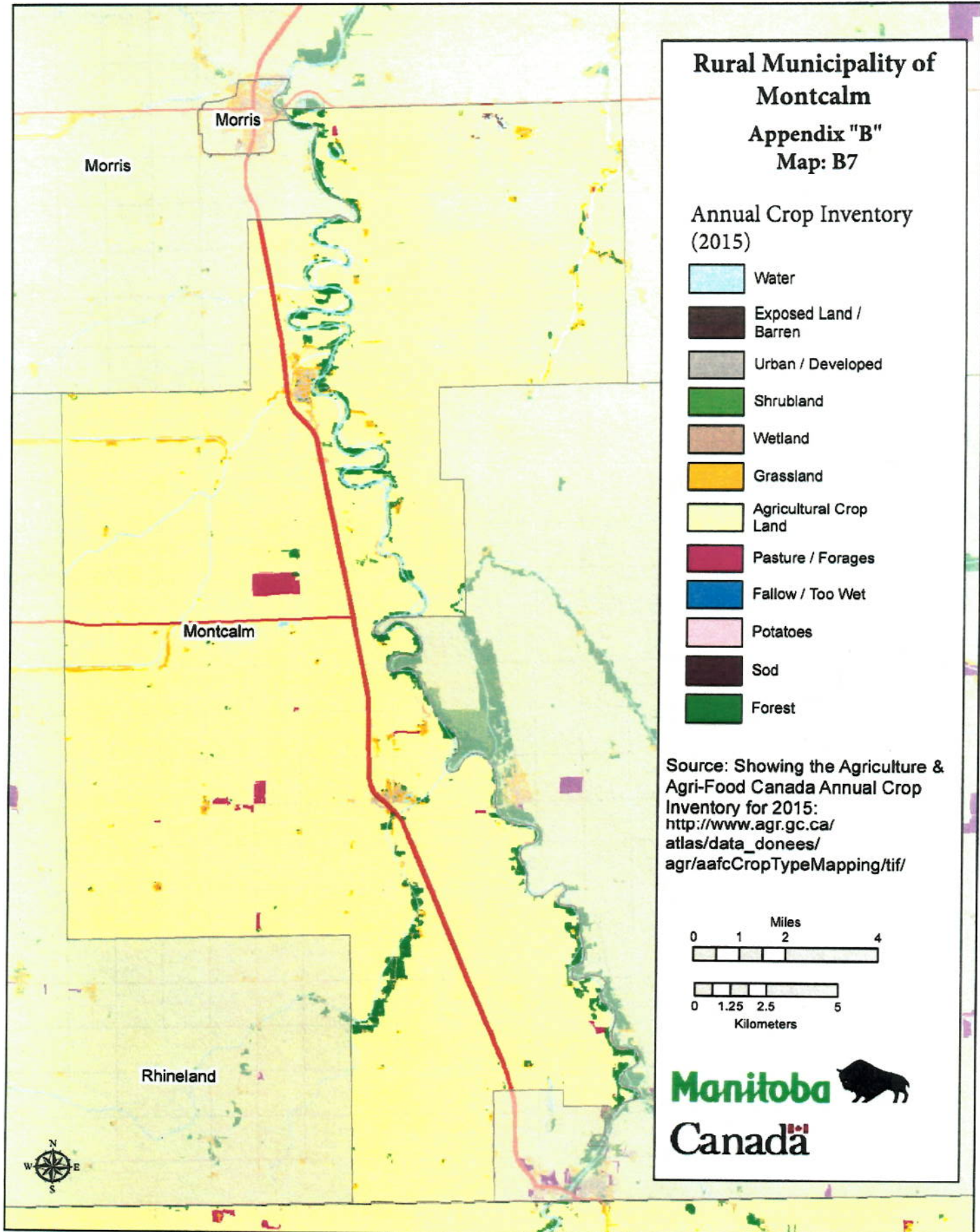
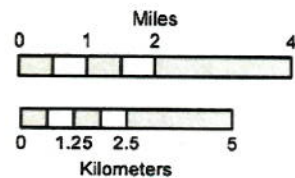
# Rural Municipality of Montcalm

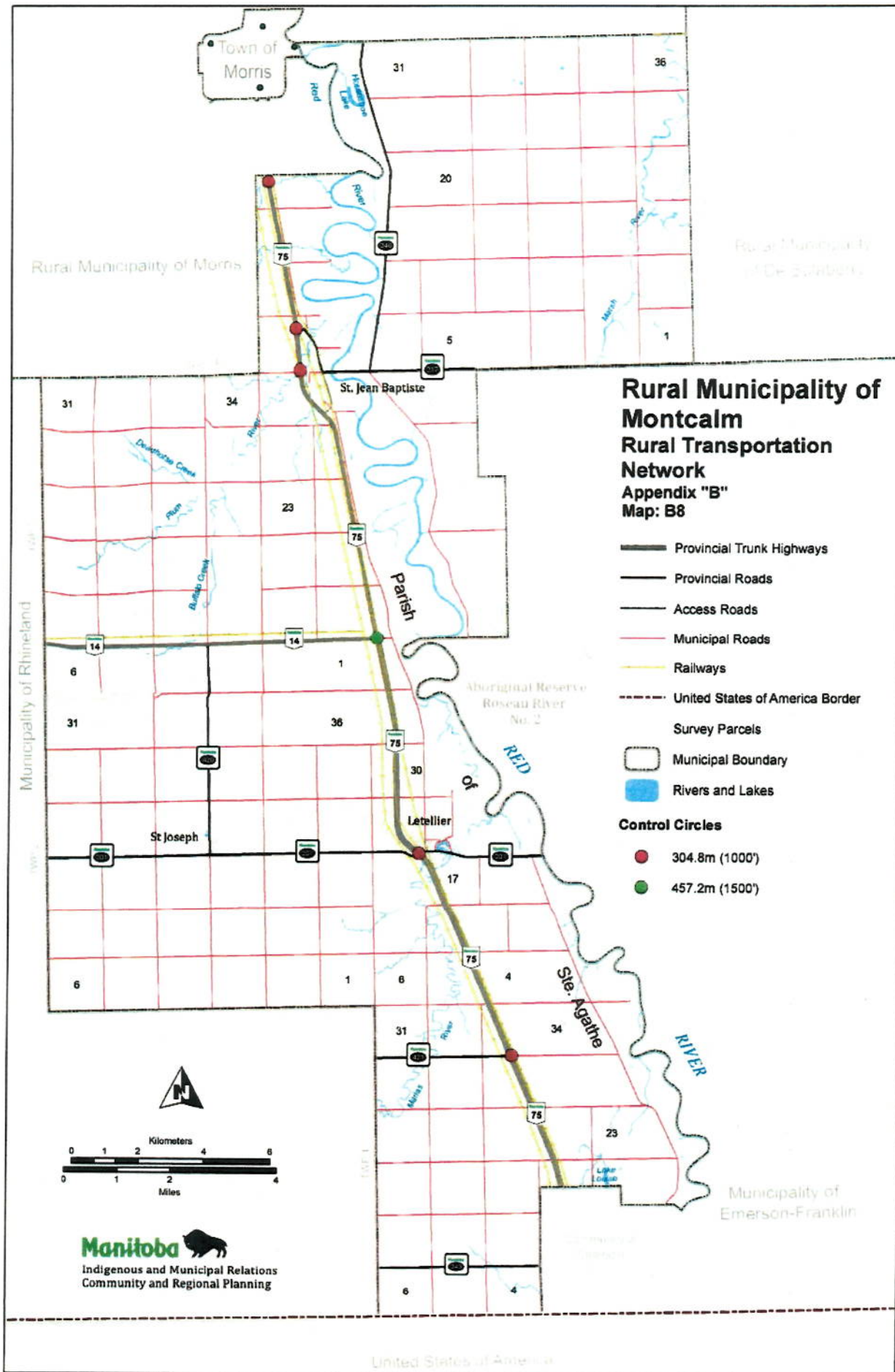
## Appendix "B" Map: B7

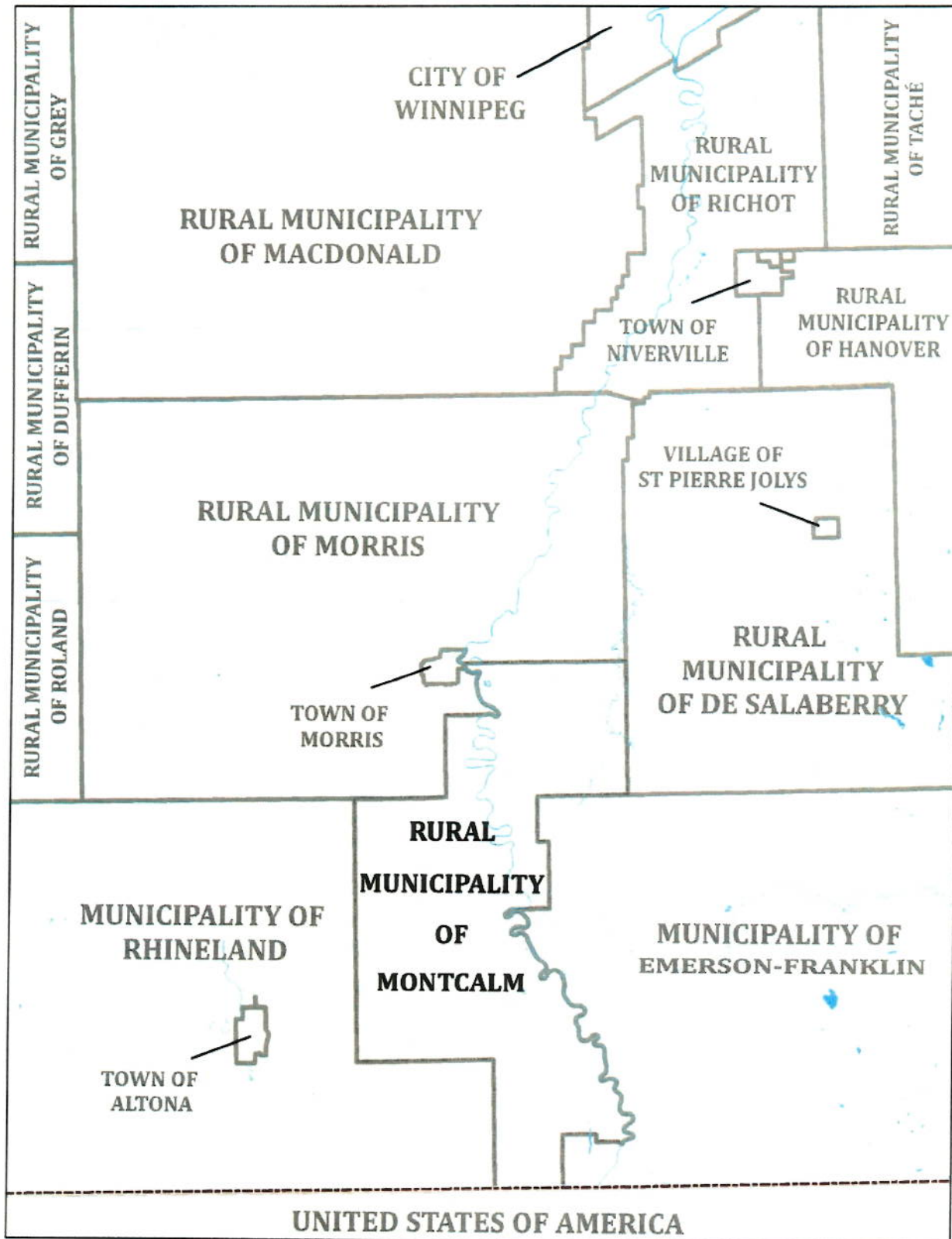
### Annual Crop Inventory (2015)



Source: Showing the Agriculture & Agri-Food Canada Annual Crop Inventory for 2015:  
[http://www.agr.gc.ca/atlas/data\\_donnees/agr/aaafcCropTypeMapping/tif/](http://www.agr.gc.ca/atlas/data_donnees/agr/aaafcCropTypeMapping/tif/)








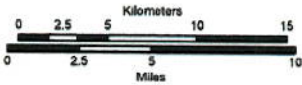





**Rural Municipality of Montcalm**  
**Regional Context**  
**Appendix "B"**  
**Map: B9**

**Boundaries and Symbols**

-  Rural Municipality of Montcalm
-  Municipal Boundaries
-  Rivers and Lakes
-  United States of America Border

**Manitoba** 

Indigenous and Municipal Relations  
 Community and Regional Planning