THE

RURAL MUNICIPALITY OF

MORRIS

DEVELOPMENT PLAN

RURAL MUNICIPALITY OF MORRIS
BY-LAW No. 1580/04

Being a By-law of the Rural Municipality of Morris to adopt a Development Plan.

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

AND WHEREAS Subsection 27(1) of the said *Planning Act* provides authority for adoption of a development plan by by-law;

AND WHEREAS, pursuant to the provisions of Section 30 of said *Planning Act*, the Minister of Intergovernmental Affairs approved The Rural Municipality of Morris Development Plan on_____.

NOW THEREFORE, the Council of the Rural Municipality of Morris, in meeting duly assembled, enacts as follows:

1. That the development plan, attached hereto and marked Schedule "A", is hereby adopted and shall be known as: The Rural Municipality of Morris Development Plan;

2. The development plan shall take force and effect on the date of third reading of this by-law.

DONE AND PASSED THIS _____ DAY OF_____, 2004 A.D

_____
Reeve

_____
Chief Administrative Officer

READ A FIRST TIME THIS 12th DAY OF May, 2004 A.D.

READ A SECOND TIME THIS _____DAY OF _____, 2004 A.D.

READ A THIRD TIME THIS _____ DAY OF _____, 2004 A.D.

THE

RURAL MUNICIPALITY OF MORRIS

DEVELOPMENT PLAN

BEING SCHEDULE "A"

ATTACHED TO

BY-LAW NO. 1580/04

Of

The Rural Municipality of Morris

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PART 1: INTRODUCTION

1.1 AREA COVERED BY DEVELOPMENT PLAN

This development plan applies to all the lands within the limits of the Rural Municipality (RM) of Morris.

1.2 LEGAL AUTHORITY

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

Section 26 of *The Planning Act* provides that a council shall undertake periodic reviews of an adopted development plan.

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

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

1.3 PLANNING HISTORY

The RM of Morris first established land use controls in 1968 under The Morris Planning Scheme jointly with the Town of Morris. In 1997, the Town of Morris revised its portion of the planning scheme and since that time the RM of Morris has been independently administering The Morris Planning Scheme 1968.

Several amendments have been made to the RM of Morris portion of The Morris Planning Scheme 1968 but the document does not adequately address the present day land use issues. Existing pressure for intensive livestock operations, strong growth in and around certain villages, demand for rural residential development, and recent flood related issues make it necessary to review existing land use policies.

This development plan is intended to meet current land use needs and provide clear policies regarding future land use development for the RM of Morris.

1.4 PURPOSE OF DEVELOPMENT PLAN

Subsection 25 (1) of *The Planning Act* states the purposes of a development plan as follows:

(a) to serve as a framework whereby the planning district or the municipality and the community as a whole may be guided in formulating development policies and decisions;

(b) to identify the factors relevant to the use and development of land;

(c) to identify the critical problems and opportunities concerning the development of land and the social, environmental and economic effects thereof;

(d) to set forth the desired timing, patterns and characteristics of future development of land and to determine the probable social, environmental and economic consequences thereof;

(e) to establish and specify the programs and actions necessary for the implementation of the development plan;

(f) to outline the methods whereby the best use and development of land and other resources in adjacent municipalities, districts, or affected areas immediately abutting thereto, may be co-ordinated; and

(g) to identify those matters of government concern which affect the use and development of land and other resources within the district or the municipality.

1.5 KEY CHARACTERISTICS OF THE RM OF MORRIS

1.5.1 Development History

The RM of Morris is a prosperous and growing agricultural community in south central Manitoba. The majority of the municipality is located west of the Red River with a small area being located east of the Red. This agricultural community is noted for productive soils and a diversified agricultural base. Recent years have seen a steady growth in the livestock industry.

In addition to growth in the agricultural industry, the RM of Morris has encountered some non-agricultural development. The Town of Morris, the Local Urban District (LUD) of Rosenort and several small urban centres are located within the geographical area of the RM of Morris. The growth of these urban centres does not create the typical urban fringe problems due to the flood dykes but urban fringe and rural residential development pressure as well as transportation issues related to non-agricultural development will be addressed.

The RM of Morris has within its boundaries: the LUD of Rosenort, the unincorporated villages of Lowe Farm and Sperling; and the hamlets of Aubigny, Kane, Sewell, McTavish and Riverside. These urban centres are predominantly residential in character with the larger ones containing commercial and industrial uses. Planning policies will attempt to accommodate development that will keep these urban areas vibrant with a minimum of regulations.

In recent years demand for rural residential development and the subdivision of existing farmstead sites has resulted in some non-agricultural residential development in the agricultural area. When combined with the increase in the number of livestock operations the accommodation of both uses is becoming increasingly difficult. This development plan will address this issue so that both uses can exist with a minimum of conflict.

The Town of Morris, the LUD of Rosenort, Lowe Farm, Sperling and the smaller urban centres provide the much-needed services required by the agricultural industry. The protection of the Town of Morris, the LUD of Rosenort, Lowe Farm, Sperling and the smaller urban centres from livestock nuisances, control of fringe area development, and meeting the future growth needs of these urban centres will form part of this plan.

1.5.2 Demographics

According to Statistics Canada the population of the R M of Morris decreased between 1996 and 2001 by 3.3% to 2723. While the population did show a decrease, the rate of decrease from has slowed and it appears that the population may be stabilizing. During the same time period the urban population increased indicating the population drop occurred in the rural area.

The 2001 demographic statistics indicate that the population is reasonably young. In 2001 over 36% of the population was less than 19 years of age and another approximately 25% were between 25-44 years of age. The 65+ years of age group made up only 11% of the population. The median age of the RM of Morris population was 33, below the Manitoba median age of 36.8.

1.5.3 Transportation

The RM of Morris is located within 40 kilometers of the City of Winnipeg in the south central area of the Province. Three major highways –the north-south PTH #75, the east-west PTH #23, and a small portion of PTH #3 service the municipality. In addition, there are several provincial roads (205, 246, 330, 332, 336 and 422), which connect many of the urban centres and the rural area with adjacent municipalities. Because transportation is critical to the future of the municipality this plan includes policies to protect the viability of the highway system.

1.5.4 Land Use Issues

The intent of this development plan is to address the land use issues currently facing the RM of Morris. Some of the major land use issues are as follows:

a) Protection of Agriculture

Agriculture and the agro-business sector are the primary economic industries in the RM of Morris. The RM of Morris is located in a rich farming area of the Red River Valley. Soil and weather conditions are ideal for annual crops in most of the municipality. The agricultural industry contributes greatly to the tax base of the RM of Morris and the economic growth in the region and therefore it should be protected. Council will attempt to preserve the agricultural land for economically sustainable and environmentally sound agricultural use for the long term.

b) Designated Flood Area

A portion of the RM of Morris is located within the Red River Valley Designated Flood Area. Dyke upgrades or additional dykes have been put in place to protect areas containing urban type development. Council will encourage non-agricultural growth to occur within the dyke areas in order to reduce future flood damage. However, it is understood that certain agricultural related development must occur in the designated flood area. Council will provide policy direction regarding the location and type of development that will be considered in the designated flood area.

c) Fringe Development

The RM of Morris has two large urban centres, the Town of Morris and the LUD of Rosenort, and five smaller urban centres within its boundary. The existing or proposed flood dykes will help control fringe type development. Nevertheless, the RM of Morris will introduce policies to protect the urban centres from undesirable development and control non-agricultural development in the fringe areas of the urban centres.

d) Livestock Operations

Historically, the RM of Morris had a number of livestock operations but recent growth in the hog industry has increased the number of livestock operations. Many of the hog operations in the RM of Morris have been established within the last ten years. The challenge for Council is to determine the municipal capacity for livestock production and the best placement of these operations within the municipality. This plan will attempt to find a balance between the economic benefits of accommodating livestock operations and the growing concerns regarding the social and environmental impacts.

e) Agro-Related Development

Certain agro-related commercial/industrial developments require a rural location due to the site area requirements or to mitigate the adverse effects they may have on adjacent uses. This may include commercial operations that directly serve farming activities or industrial operations that process or store agricultural products. These developments are generally accommodated in the rural area on a single-lot basis and do not require urban services. Agro-related development should be adequately separated from rural residential, recreational uses and environmentally sensitive areas. The RM of Morris will provide for agro-related commercial and industrial areas in the development plan to provide nodes of growth rather than have such development dispersed throughout the municipality.

f) Rural Residential Development

The RM of Morris has encountered some rural residential development in recent years. This rural residential development is more the result of the subdivision of existing farmstead sites than from the establishment of multi-lot residential subdivisions. While the impact on agriculture may be less than multi-lot development, this form of rural residential development is very dispersed and may result in a greater impact on future agricultural practices. While rural residential development is an appropriate land use in the rural area it must be planned so that it does not create land use conflict with the agricultural industry or lead to the unplanned request for Municipal services. This plan will provide policies for future rural residential development that will provide separation distances from livestock operations, eliminate future flood damage and address future servicing issues.

g) Urban Centre Development

With the exception of the LUD of Rosenort, the urban centres in the RM of Morris have encountered modest growth in recent years. Regardless of the rate of growth, future growth of these small urban centres should take place in a planned manner that allows for the provision and expansion of public services as efficiently and economically as possible. Policies for the future growth of the urban centres (villages) will be part of this plan.

PART 2: PRINCIPLES AND GOALS

2.1 INTRODUCTION

This document is "The Rural Municipality of Morris Development Plan". The goals, objectives, and policies of this document were derived from the background study to the development plan and a review of other relevant studies and reports. Historical subdivision and land use activities, the village committees, council, and public information meetings were used to produce the content of this plan.

This development plan document takes into account three major considerations:

(1) To be proactive in anticipating, to the fullest practical extent, land use and development activity within the municipality and to provide a decision-making basis for maximizing the economic benefits to the community, minimizing unnecessary expenditures and to promote wise stewardship of the land base and the associated resources.

(2) The current *Provincial Land Use Policies* (PLUPs) were used as a guide in the preparation of this development plan. In certain cases the provincial policies have been refined to suit local needs, but generally, the *Provincial Land Use Policies*, as set out in the regulation to *The Planning Act* will apply in the municipality.

(3) The concept of sustainable development has become an integral part of the decision-making environment. This development plan has been prepared with a view to incorporate the principles of sustainable development to the fullest practical extent.

2.2 PLANNING PRINCIPLES

Development in the RM of Morris will be guided by the following planning principles:

(1) Agriculture is the dominant land use within the municipality. Agricultural production and the rural lifestyle will be preserved and strengthened. The intensive livestock industry will be allowed to continue within the capacity of the municipality, in accordance with the provincial regulations and within such limits as council may determine appropriate.

(2) The urban centres (villages) provide an essential residential and service function in the municipality, support agricultural production and otherwise contribute to the prosperity and well being of the municipality and will therefore be preserved and strengthened.

(3) Non-farm rural residential and other rural non-agricultural uses are land uses that should only be considered where they would not be in conflict with the primary agricultural use and urban interests of the municipality.

(4) Non-farm rural residences, agricultural operations, agri-commercial/industrial developments will be accommodated in a manner and in locations that will not create land use conflicts in the fringe of urban centres. These developments will be sited and serviced in a fashion that reflects their rural nature and will not unrealistically impede or restrict the ability of the Town of Morris or the villages to plan for long-term growth.

(5) A portion of the RM of Morris is located within the Red River Valley Designated Flood Area. The plan will encourage development to occur outside the floodplain or within the flood protection dykes. A strategy for flood protection will be provided for any development that must occur within the floodplain.

(6) The aggregate and natural resources of the community will be protected and managed so that they provide the greatest benefit to present and future residents of the municipality.

2.3 MUNICIPAL GOALS

The following municipal goals have been identified to provide a broad strategic overview necessary to maintain a clear vision of the intended long-term growth and development. These goals are the foundation upon which the rest of the plan is formulated and should be referred to as necessary to clarify policy intent or interpretation.

Goal 1: Preserve Agricultural Land Base

To preserve prime agricultural land and the rural character of the municipality by directing non-agricultural development to areas where it will have minimal impact on agriculture.

Goal 2: Promote Agriculture

To maintain and enhance the agricultural capability of the municipality and protect the agricultural industry. In areas where agriculture is the dominant land use, the widest possible range of agricultural activities will be promoted consistent with appropriate land management practices. However, where agricultural practices may conflict with other existing or planned development, it is recognized that the widest range of agricultural activities may be restricted.

Goal 3: Urban Centres

To direct urban development to the existing urban centres and ensure that growth and development of the urban centres takes place in a planned manner that allows for the efficient and economical provision of public services.

Goal 4: Rural Residential Development

To require that any rural residential development occur in a planned setting and at a location that can be adequately flood protected and will not conflict with normal agricultural practices.

Goal 5: Municipal Services Strategies

To work co-operatively with all affected interests to provide and maintain appropriate municipal services in a manner that is safe, efficient and meets the identified needs of the residents, businesses and the municipality.

Goal 6: Growth Management in the Urban Fringe

To work co-operatively with the Town of Morris and the urban centres of the RM of Morris on fringe area land use issues. Every effort will be made to control agricultural or other land use activities that may restrict or impact on the future growth of these urban centres.

Goal 7: Sustainable Development

To establish policies to ensure that development within the municipality conforms to the principles of sustainable development.

Goal 8: Partnership and Co-operation

To support and encourage inter-governmental co-operation and partnerships with the Town of Morris, neighbouring municipalities, conservation districts, public utilities and other relevant interests regarding regional development issues.

Goal 9: Flood Hazard Lands and Restricted Development Areas

To protect people and property from damages that could result from flooding, erosion, soil instability and other natural hazards. Certain types of development will not be allowed in the floodplain areas of the Red and Morris Rivers and essential development will be allowed only if it can be adequately flood protected.

Goal 10: Promote Economic Diversification

To promote and encourage the development of agro-related industrial and commercial uses in appropriate locations in order to diversify the economic base of the municipality. This may include the joint-venture development of planned industrial/commercial parks with neighbouring municipalities.

Goal 11: Livestock Operations

To support the existing livestock industry in a manner that is compatible with adjacent land use and the environment. The establishment of clear and reasonable separation distances between livestock operations and non-compatible uses. Strict compliance with provincial environmental regulations will be a priority.

Goal 12: Existing Residential Development

To encourage the retention and continued occupation of existing farmstead dwellings and to protect these residences from unnecessary disturbance or nuisance resulting from livestock operations.

Goal 13: Municipal Services

To provide a range of recreational, educational, cultural, and municipal services that meets the needs of the residents of the municipality.

Goal 14: Aggregate and Mineral Resources

To protect mineral deposits for future exploration, development and extraction opportunities.

Goal 15: Implementation

To develop and implement the necessary by-laws, administrative programs and fiscal planning arrangements that support the implementation of the development plan goals and policies.

2.4 EFFECT OF A DEVELOPMENT PLAN

The adoption of the development plan establishes goals and policies for growth and 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 Plan. Subsection 32(1) of *The Planning Act* states as follows:

> *"32(1) The adoption of a development plan does not require a board or council to undertake any proposal therein suggested or outlined; but no undertaking or development within the area affected by the development plan shall be carried out that is inconsistent or at variance with the proposals or policies set out in the development plan."*

The most immediate effect of adopting this plan is that, in keeping with Subsection 32(2) of *The Planning Act*, the council must adopt a zoning by-law within twelve months of the date on which the development plan comes into effect. 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. The council has the authority to adopt and amend a zoning by-law provided the by-law is not contrary to the development plan.

PART 3: RURAL AREAS

3.1 INTRODUCTION

Agriculture is the principal land use and the primary industry in the RM of Morris. It is in the long-term interests of the municipality and the province to protect this agricultural industry. This means protecting not only the quality and the quantity of productive land, but protecting the ability of farmers to expand, diversify or change their operations in response to market demands. The policies in this part of the development plan are intended to provide protection for agriculture while recognizing the rights of existing non-agricultural uses and the constraints created by existing rural residential development and growing towns and villages.

A portion of the RM of Morris is affected by the spring flooding of the Red River. The Rural Municipality of Morris was one of the most seriously affected by the 1997 Red River Flood. The International Joint Commission and the Manitoba Water Commission recommend the need for better land use controls in the floodplain. The council, while understanding the concerns related to the flood issue, does not want to stifle development in the municipality. The policies in this plan will, for the most part, direct new and non-essential development away from the Red River Valley Designated Flood Area. Agricultural and resource related uses that must be accommodated in the designated flood area would be in compliance with existing flood-proofing requirements.

The existence of large-scale intensive livestock operations throughout the municipality raise potential environmental concerns regarding manure management and disposal and odour concerns from nearby farm and non-farm residences, recreation areas and urban settlement centres. Livestock operations should be restricted, separated, and buffered from recreational, residential and urban centres. Conversely, existing livestock operations require protection from the encroachment of non-compatible land uses, particularly residences.

A number of the urban centres within the RM of Morris have been included in the Community Dyking Program. These protected areas will provide for the long-term urban growth of the municipality. Growth and development of these urban centres should take place in a planned manner so that public services can be provided as economically and efficiently as possible and to make the highest use of the flood-protected areas.

There are certain areas and uses within the municipality, which because of natural hazards, jurisdiction issues, or some special circumstance, that require protection from the encroachment by non-compatible uses. These uses include domestic lagoons, solid waste management sites, environmentally sensitive areas, and mineral resources extraction sites.

3.2 OBJECTIVES

3.2.1 To protect agricultural land for present and future production and to foster growth and development in the agricultural industry.

3.2.2 To encourage economic development, growth, and diversification in rural areas in an orderly, efficient manner that will maintain and protect the dominant role of agriculture and resource-related activities in the rural area.

3.2.3 To provide for controlled expansion of livestock operations in a manner that ensures future expansion is directed to areas of the municipality where the nuisance to existing rural residences and urban centres and negative environmental impact will be minimized.

3.2.4 To support the development of agro-related industrial and commercial activities, particularly those that complement the agricultural economy, in a manner that is compatible with municipal servicing capabilities, sensitive to the environment and protective of the function of the provincial highway system. When possible industrial and commercial developments will be directed to designated industrial/commercial areas.

3.3 POLICIES

Agriculture

3.3.1 Agriculture is the dominant land use in the RM of Morris. The preservation of prime agricultural land, or lower class land on which agriculture activities are dominant, and the fostering of the agricultural industry will be given the highest priority and all development proposals shall be evaluated in light of this policy.

3.3.2 The RM of Morris, as shown on Map 1, will have two agricultural designations:

a) **General Agricultural Areas:** All lands designated as **General Agricultural Area** shall be preserved or utilized for the widest range of economically sustainable and environmentally sound agricultural activity and development, including livestock operations, with fewer restrictions than the restricted agricultural areas. Uses that are not agricultural in nature, such as rural residential and recreational development, and land fragmentation will be kept to a minimum in the **General Agricultural Area**.

b) **Restricted Agricultural Areas:** All lands designated as **Restricted Agricultural Area** either have mixed uses, may be subject to environmental impact, or both. Agricultural activities shall remain the dominant land use in the **Restricted Agricultural Area** but livestock operations will be restricted in an effort to limit the potential land use conflict with non-agricultural developments and prevent negative environmental impacts.

3.3.3 Except as provided for elsewhere in this by-law, land designated as **General Agricultural Area** and **Restricted Agricultural Area** will be retained in large parcels to provide maximum protection and flexibility for agricultural activities. The minimum parcel size for each designation will be stipulated in the zoning by-law, but generally will reflect the agricultural characteristics and capabilities of each area.

Livestock Operations

3.3.4 For the purposes of this by-law a livestock operation generally means a barn or other enclosed facility, feedlot, coral (other than a pasture) where animals are or will be fed, maintained or stabled for a total of 45 consecutive days or more.

3.3.5 The RM of Morris cannot sustain unlimited growth in livestock production. The exact capacity depends on variables such as: soil type, crop type, environmental conditions, and changing livestock regulations. Council will regulate livestock growth in the following manner:

a) in the interest of preserving investments made in the existing livestock operations, preference may be given to the expansion of existing livestock operations over the establishment of new livestock operations;

b) with the intent to strengthen the municipal economy through growth in the livestock industry while minimizing conflict and nuisances related to livestock a maximum size for any single livestock operations will be established, and

c) in keeping with other provincial regulations, standards for the size and location of livestock operations and for the storage and disposal of manure will be established in the zoning by-law.

Council will monitor the livestock industry in the RM of Morris by undertaking periodic reviews of the existing livestock operations, the available land base, land use conflict issues and areas, and changes in technology and environmental regulations. If necessary, the livestock policies will be revised based on the updated information.

3.3.6 In the General Agricultural Area, the establishment of new livestock operations (LO) and the expansion of existing livestock operations will be considered. In general, new or expanding livestock operations must be sited so as to minimize conflict with existing or planned urban, recreational developments and existing residences. The zoning by-law will outline (provincial and municipal) setbacks and siting requirements for livestock operations within the **General Agricultural Area.**

3.3.7 New or expanding livestock operations in the **General Agricultural Area** will not be allowed to exceed a maximum size of 1200 animal units (au). The intents being to minimize the issues sometimes associated with very large operations and to maximize the economic benefits.

3.3.8 The **Restricted Agricultural Area** is intended to protect existing urban centres, existing rural residential development, and environmentally sensitive areas from the impact of livestock operations. The **Restricted Agricultural Areas**, as shown on Map 1, are established as follows:

a) To protect the future of the few remaining urban centres in the RM of Morris and to make them a desirable place to live, a two (2) mile restricted agricultural area is being established around the major urban centres;
b) To protect the smaller hamlets and existing rural residential areas from the encroachment of livestock operations, a one (1) mile restricted agricultural area is being established around the designated rural residential areas; and
c) To protect the major waterways (major source of potable water) from environmental pollution from livestock operations a one (1) mile restricted agricultural area is being established on both sides of the major waterways (Red and Morris Rivers) within the municipality.

3.3.9 In the Restricted Agricultural Area the establishment of new livestock operations will not be allowed. However, the replacement of existing LO (modernization or fire replacement) at the same size and location may be permitted and the expansion of existing livestock operations will be considered based on the size and separation distances established in the zoning by-law.

3.3.10 Proposals for new and expanding livestock operations in both agricultural areas must take into consideration the following provincial and municipal guidelines:

a) proponents, owners and operators of livestock operations must develop facilities and conduct their operations in a manner that controls the production of offensive odours and the pollution of soils, groundwater and surface water;

b) livestock operations must be located in accordance with the siting and setback requirements established under provincial regulation and the zoning by-law, where they will be compatible with surrounding land uses and where they will not pose a pollution risk to soils, groundwater or surface water;

c) a mutual separation distance between livestock operations and residences not accessory to the operation will be required;

d) *The Farm Practices Guidelines* shall be taken into consideration when siting livestock operations and the *Manure Management and Mortalities Regulation* of *The Environment Act* must be adhered to, and

e) All new livestock barns and storage facilities within the 100-year flood plain must be able to provide satisfactory flood protection in accordance with the *Manure Management and Mortalities Regulation.*

3.3.11 When evaluating the establishment of a new livestock operations or the expansion of existing livestock operations, the following will be taken into consideration by the provincial authorities and/or council:

a) type and size of operation;
b) compliance with provincial regulations and the requirements of this by-law;
c) available land base and proximity to environmentally sensitive areas;
d) for expansion proposals, past performance record (e.g. nuisance complaints, and environmental concerns);
e) manure management plan;
f) Technical Review Committee report, when required or requested;
g) manure disposal system and the confirmed manure disposal sites (size and location);
h) proximity to municipal road system, particularly designated truck routes;
i) traffic generation; and
j) nature of surroundings and neighbouring land uses.

Farm and Non-Farm Residential

3.3.12 New residences in the **General Agricultural Area** and **Restricted Agricultural Area** shall be restricted to residences that are accessory to the farm operation. Farm residences shall be adequately separated from developments that could represent a nuisance or hazard to future occupants, such as livestock operations, wastewater treatment lagoons and waste disposal sites. Exceptions to this separation may be made for the residences that are directly associated with the development.

3.3.13 Where additional housing, including mobile homes, is ancillary to the farm operation, such accommodation should be provided within or adjacent to the existing farmyard, thereby avoiding any subdivision of land. The use of mobile homes is encouraged to facilitate the easy removal of the dwelling when it is no longer required as part of the farm operation.

3.3.14 A site for a new farm residence should have legal access to a public road. Direct access to a provincial highway is discouraged. Access should be via an all-weather municipal road where service improvements and/or extensions are minimized. A site should not be subject to flooding or can be safely flood proofed in accordance with the *Designated Flood Area Regulation* criteria under the Water Resources Administration Act.

3.3.15 The subdivision of existing farmstead dwellings may be considered in the **General Agricultural Area** and **Restricted Agricultural Area** for the following purposes:

a) a retiring farmer who wishes to retain the farm residence for retirement purposes;

b) a bona fide farmstead site that contains a farm residence that has been rendered surplus due to the amalgamation of farm operations for purposes of farm enlargement, subject to consolidation where possible; or

c) where a farm is incorporated and it is necessary to separate the residence from the farm corporation.

3.3.16 The subdivision of existing farmstead dwellings provided for in Policy 3.3.15 may be considered and approved, provided it conforms to the following conditions:

a) a proposed subdivision of an existing farmyard must contain the following features:

(i) a habitable farm dwelling, and
(ii) a shelter belt or tree bluff;

b) the farmstead dwelling has been flood proofed in accordance with municipal and *Designated Flood Area Regulation* criteria;

c) in cases where the yard site is protected by a dyke, that dyke should be included in the farmyard lot. If the dyke remains with the agricultural land, a dyke maintenance agreement should be completed between the two land owners;

d) the farmstead dwelling must have existed for a minimum of 10 years prior to subdivision;

e) a farmstead site should be in the 2-10 acre range and should take into consideration existing shelterbelts, fence lines, and any physical or natural features. The farmstead site can include those buildings and facilities normally associated with a farming operation but should not include cultivated land. The minimum lot size for a farmstead subdivisions shall be provided in the zoning by-law; and

f) the residual parcel must comply with the minimum site area recommended under Policy 3.3.3 and established in the zoning by-law.

Commercial/Industrial

3.3.17 In general, commercial and industrial developments should locate in the agricultural areas only when no suitable urban location exists or where their activities or nature makes it essential to have a rural location. Commercial and industrial development proposals that require a small land base, urban services, or are non-agricultural oriented will not be permitted in the rural area. The following uses, and others that may be identified from time to time by council, will be allowed in the General Agricultural Area and the Restricted Agricultural Area and shall be listed as either permitted or conditional uses in the zoning by-law:

a) uses, such as fertilizer storage, implement sales and services, or produce handling and storage, that directly serve the agricultural industry and can provide this service most effectively from a rural location;

b) uses, such as auto wrecker yards, that may be unsightly, wasteful of serviced village land or otherwise unsuitable in an urban centre;

c) resource based uses such as sand and gravel operations; and

d) uses such as solid waste management sites, sewage treatment lagoons, cemeteries, communications installations, and other public utilities.

3.3.18 Council will encourage and investigate municipal and/or inter-municipal proposals for establishing an agro-related commercial/industrial park with suitable transportation, water, and waste disposal services to attract a wide range of industries. The intent of the agro-related commercial/industrial park is to accommodate and concentrate the establishment of agro-related or resource based businesses generally associated with a rural setting. The park should be sited so as to avoid potential flood damage, minimize conflict with adjacent land uses and make provision for buffering, screening, and mitigate against potential noise, dust, and visual conflicts with adjacent uses. The existing and future sites will be identified as **Agro-Commercial/Industrial Development Area (industrial park)** on Map 1 of this development plan and the zoning by-law will specify which industries and/or commercial uses will be considered.

3.3.19 The subdivision of land for agro-commercial/industrial related developments outside the Agro-Commercial/Industrial Development Area may be allowed within the General Agricultural Area and the Restricted Agricultural Area provided conflict with adjacent land uses is not created. Uses that directly serve the agricultural industry (farm machinery sales and service or seed plants) or that are hazardous in an urban centre (bulk fuel or crop protection warehouses) may be considered under this policy. Land division for this purpose should be directed away from areas that are subject to flooding and the urban centres.

3.3.20 Certain specialized or small-scale agricultural activities such as nurseries, horticulture, and beekeeping will be considered in the General Agricultural Area and the Restricted Agricultural Area provided that they are compatible with surrounding agricultural activities. These agricultural activities are generally secondary to the primary residential or the agricultural use and are modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. The subdivision of land for specialized agricultural use will be considered if Council determines that the agricultural activity is specialized and viable. For sites that are subject to flooding the applicant must demonstrate a compelling need to be located there.

3.3.21 Home occupations may occur generally in the General Agricultural Area and the Restricted Agricultural Area. Council has determined that while home occupations are a viable and important part of the community, their size and method of operation must be modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring land uses. Home occupations are subject to the criteria outlined in the zoning by-law.

Rural Residential

3.3.22 Rural residential development will generally occur in a cluster pattern and shall only be allowed in areas designated as **Rural Residential** on Map 1 of this Development Plan. Any area identified for rural residential development, shall be designed to:

a) provide a parcel size that will preserve the rural character of the area and meet the intended use but not be wasteful of agricultural land;

b) protect natural features such as trees and creeks; and

c) provide for adequate surface drainage.

3.3.23 Future rural residential development areas will require a development plan change and provincial approval prior to development. All proposals for new rural residential development must prepare a proposal and conceptual plan for development. The proposal and conceptual plan will be evaluated on the basis of the following criteria:

a) rural residential development must be directed towards sites with low potential for agriculture due to adverse topography, poor soil conditions, other physical constraint or where existing fragmentation of land encumbers farm operations;

b) rural residential development should not interfere with or restrict nearby agricultural production, including livestock operations. The developer must demonstrate that the rural residential use will be compatible with existing and prospective uses in the vicinity and comply with the use separation distances established in the zoning by-law;

c) rural residential development will not be allowed to locate in close proximity to aggregate operations/quarries or restrict the extraction of aggregate resources;

d) rural residential development approvals will be based on supply and demand. Council will ensure that a reasonable supply of vacant lots exist in terms of both location and ownership;

e) rural residential development should be planned so that it does not impede the orderly expansion of urban centres and does not require the extension of urban services;

f) if rural residential development is considered appropriate, the development pattern should use land, infrastructure and services efficiently;

g) the development shall provide for a safe and adequate potable water supply and for the safe disposal of domestic waste;

h) when new rural residential developments propose private sewage disposal systems, the location and size of building lots should reflect the capability of local soils to adequately support an approved on-site wastewater disposal system;

i) rural residential developments must not be located where potential for groundwater contamination exists;

j) new rural residential development will not be considered in areas that are subject to flooding or in areas that are prone to erosion or other hazards; and

k) the in-fill of existing rural residential areas should take priority over the establishment of new rural residential areas.

3.3.24 Designated rural residential areas may be considered for further development without a development plan change if the additional lots are in-fill lots and the total land area of the development site is not increased. New lots must conform to the criteria outlined in Policy 3.3.23 and the zoning by-law requirements.

3.3.25 Notwithstanding Policies 3.3.22 and 3.3.23, in order to protect the long-term options for the future expansion of the urban centres, no new rural residential areas shall be established within either one (1) mile of the Town of Morris, the LUD of Rosenort and the urban centres of Lowe Farm and Sperling.

3.3.26 The "hamlets" of Aubigny, Kane, McTavish, Riverside and Sewell have had limited "urban type" growth in recent years. These hamlets have been designated as **Rural Residential Areas** on Map 1 to acknowledge the existing development and provide for future infill development. In McTavish, any building or structure proposed on titles existing at the time of the adoption of this by-law or any new titles approved under Policy 3.3.24 above must be in compliance with the flood-proofing requirements of the municipality and the provincial *Designated Flood Area Regulation*.

General

3.3.27 Any non-agricultural use proposed for the General Agricultural Area or Restricted Agricultural Area shall be subject to the following criteria:

a) non-agricultural uses shall not restrict existing livestock operations or cropping practices;
b) non-agricultural uses shall not cause expenses for road, drainage or other infrastructure services not generally related to local agricultural needs; and
c) non-agricultural uses shall not be located in a manner that may interfere with the use or expansion of established solid waste management sites, sewage treatment lagoons, or other private/public utilities and services.

3.3.28 Uses lawfully established prior to the adoption of this plan, whether agricultural or non-agricultural, should be protected and new uses may be restricted or may not be approved where they may conflict with these established uses.

3.3.29 Expansion of urban centres onto agricultural land may be necessary within the dyke areas and council will assist in the planning and implementation of this expansion. However, the direction of growth and the amount of land taken must not be wasteful of agricultural land and must result in minimal interference with established agricultural uses.

3.3.30 Council shall support the protection of soil from wind and water erosion by encouraging the development of shelterbelts and other conservation measures.

3.3.31 In those areas that contain soils capable of being irrigated and where water sources for irrigation may be available council shall encourage the retention of parcel sizes, which can be most economically and efficiently irrigated.

3.3.32 All private sewage systems proposed in the RM of Morris shall ensure that the design and construction is suitable for the soil conditions and the lot size proposed for the development and shall comply with all requirements under the *MR 83/2003 Wastewater Management Systems Regulation* under *The Environment Act*.

3.3.33 To ensure that the residents of the RM of Morris receive the required municipal services in the most economical manner, the RM will explore cooperative solutions through inter-municipal service delivery and tax sharing prior to duplicating services that are available in the region.

3.3.34 Council will consider the creation of a waste management plan for the municipality with the intent of consolidating the three existing solid waste sites into one regional site. Said site would be operated in accordance with the requirements of *Waste Disposal Grounds Regulation* under *The Environment Act*.

PART 4: URBAN CENTRES

4.1 INTRODUCTION

This section of the development plan outlines objectives and policies for the urban centres within the R M of Morris. The urban centres consist of the Local Urban District (LUD) of Rosenort, the unincorporated villages of Lowe Farm and Sperling. These urban centres represent a concentration of population within the rural municipality that function as service areas for both urban and rural residents. Urban centres are differentiated from rural areas by more dense development, smaller lots, and a higher level of municipal services. Some of these urban centres offer a range of commercial and public services and facilities (e.g. retail stores, businesses, schools, government offices, and recreation facilities). These urban centres offer a greater variety of housing types than do the rural areas including single-family, multi-family, senior and special needs housing. It is in the best interest of the municipality to encourage effective, sustainable future growth patterns and to ensure that the important role the urban centres play within the municipality is maintained.

The three urban centres of Morris contained a total population of about 1000 people in 2001. The LUD of Rosenort has a population of over 500 people and it has experienced strong residential and industrial growth in response to the economic growth in the region. The unincorporated villages of Lowe Farm and Sperling function as service areas for the RM and they provide a mix of residential, commercial and industrial uses. The settlements of Aubigny, Kane, McTavish, Riverside, and Sewell primarily represent a concentration of residential development and do not provide much in the way of urban services. For this reason the plan has designated these settlements as rural residential areas rather than urban areas.

In general, urban-like uses such as commercial, industrial, recreational and small lot residential uses should be accommodated in the urban centres. The residences of the three urban centres rely on regional water services or water hauling for their potable water and their wastewater is being treated at municipal lagoons. Growth has been strong in the Local Urban District (LUD) of Rosenort since the mid-seventies and continued growth is anticipated. This growth will likely create a demand for more and improved urban services; therefore growth should take place in a planned manner that allows public services to be provided as efficiently and economically as possible. The growth in Lowe Farm and Sperling is slower but it should still occur in an efficient and economical manner. The development limits of each urban centre should incorporate the land area required to meet future needs at the locations best suited to accommodate the anticipated growth. The long-term viability of these urban centres may depend on an appropriate mix of land uses and the provision of public services that are affordable, efficient, safe, and environmentally sound.

4.2 OBJECTIVES

4.2.1 To promote and sustain the service centre role and function of the existing urban centres by encouraging new development, revitalization, and renewal.

4.2.2 To promote the urban centres as the principal locations for new residential development within the municipality.

4.2.3 To balance growth with the measurable cost of growth in terms of services, utilities, taxes, public facilities and environmental quality.

4.2.4 To provide a range of commercial, industrial, recreational, and community services to the residents of the urban centres and the region.

4.2.5 To identify locations for residential, commercial, industrial, recreational and community facilities and services that reflects the needs of each urban centre.

4.2.6 To encourage development and growth of urban centres that efficiently uses land, infrastructure, and services.

4.2.7 To promote development that is compatible with adjacent land uses, both existing and anticipated.

4.3 POLICIES

General Development

4.3.1 Rosenort is a Local Urban District (LUD) so Council has formally established the boundary. The formal boundary of the Rosenort will represent the "urban-like" development limits for this urban centre. Urban centre policies shall apply to the area within the LUD boundaries. Recently constructed dykes provide an opportunity for planned semi-urban growth outside the established boundary but within a flood protected environment. The rural policies will apply to the development of the area outside the LUD boundaries but within the dyke area. Development will follow the pattern identified on Map 2. Development must comply with the use and site requirements set out in the zoning by-law.

4.3.2 The urban centres of Lowe Farm and Sperling do not have legal boundaries or dykes to define the future urban growth limits. Therefore, Council has identified the development limits for these urban centres on Maps 3 and 4, respectively. The development limits represent the urban growth limits for each village. Development will occur within the areas shown on the maps and future land use decisions will be based on the policies and guidelines provided in this section and the specific use and site requirements provided in the zoning by-law.

4.3.3 In general, "urban-like" uses such as commercial, industrial, indoor recreational, institutional and small lot residential uses should be directed to existing urban centres.

4.3.4 Urban centres should provide for an appropriate mix of residential, commercial, industrial, institutional, recreational and public uses in quantities reasonably related to demand.

4.3.5 Land development in the LUD of Rosenort will follow the land use pattern identified on Map 2. Due to the limited growth rate of Lowe Farm and Sperling the land within the development limits of these villages will be designated as **General Urban Development Area** to allow for maximum flexibility. The general urban development areas for Lowe Farm and Sperling are shown on Maps 3 and 4, respectively.

4.3.6 Those land uses or activities that are permitted in urban centres should be located so as to be compatible with other existing or proposed uses.

4.3.7 Lot sizes and densities shall be governed by the limitations of existing sewer and water services within each urban centre. Where no existing piped services are available within the urban centre, lot sizes should be sufficiently large to minimize the risk of soil contamination from domestic wastewater. Where piped services are available, lot sizes may be smaller to provide for a higher density of development, and thus more efficient operation of piped services. In the case of commercial and industrial developments, lot sizes should be large enough to provide adequate space for the needs of the development, particularly with respect to exterior display, storage and service areas. However, lot sizes should not be so large that they are wasteful of land.

4.3.8 Where large undeveloped areas are being considered for future development, an overall concept plan shall be prepared for the area, in order to provide for an efficient, well-planned development. The concept plan should illustrate the general arrangement of future roadways, building lots, open spaces, piped services, area drainage, and other major features. The design of the roadways, piped services, and building lots should be integrated with existing roadways and services and should generally conform to recognized engineering and planning standards.

Residential

4.3.9 Residential development in the LUD of Rosenort shall be directed to those areas designated as **Residential Area** on Map 2. Sufficient land has been designated on the map to provide for an adequate supply of residential lots and location choice for the near future. For the other urban centres of Lowe Farm and Sperling, Council will use the policies in this section to determine where residential development shall be located to avoid potential conflicts with other incompatible uses.

4.3.10 Development of a variety of housing types will be encouraged in the urban centres (e.g., single-family, multiple-family, senior housing, and special needs housing) and should be developed in such a way that a compact, dense urban form results.

4.3.11 Multiple-family dwellings include triplex, fourplex, row housing and apartments. In general, multiple-family dwellings should be located and sited so as to minimize any potential negative impacts on adjacent single-family dwellings.

4.3.12 Special needs housing include senior housing, nursing homes and group homes. In general, special needs housing should be located and sited in a manner compatible with surrounding developments and be accessible to complimentary medical and commercial services.

4.3.13 Mobile homes shall be located within a site specifically designated for this type of residence. If no designated mobile home site exists mobile homes may be located on a standard single-family lot. Sites for mobile homes could be a series of lots or a designed mobile home park.

4.3.14 Notwithstanding Policy 4.3.10, if Council is of the opinion that land that is located within the development limits of an urban centre does not lend itself to a compact urban form, due to servicing or some other development constraint, the land may be considered for a less dense (large-lot) development with the understanding that the standard level of urban services may not be provided.

4.3.15 In general, large-lot developments will be planned and adequately serviced to ensure that aesthetic and environmental considerations are addressed in accordance with the following criteria:

a) that appropriate on-site water and wastewater systems are in place where piped urban services are not available;

b) that the large-lot development is planned so as to be able to accommodate efficient and economical piped sewer and water services in the future;

c) that lot sizes and road access are adequate to maintain and enhance the character of the surrounding area and do not preclude the cost effective provision of urban services in the future; and

d) that the development does not unduly restrict public access to rivers or natural areas.

4.3.16 Lands within the designated residential areas will only be considered for subdivision and development when the existing supply and location choice of housing lots cannot, in the opinion of Council, provide adequate location options or reasonably meet short term residential demand (5 years). This will ensure that the municipality is maximizing its return on investment for existing services and infrastructure in the urban centres.

4.3.17 Residential development will be encouraged to locate in proximity to complimentary public (e.g. recreation facilities and parks) and institutional uses (schools) and should be located to avoid potential conflict with other incompatible uses (e.g. industrial uses, highways and sewage lagoons).

4.3.18 Where large undeveloped areas or partially developed areas are being proposed for residential development, particularly if new infrastructure services are proposed, Council may require that the developer prepare a detailed concept plan illustrating lot structure, street systems, proposed services (i.e. sewer, water, drainage, hydro and telephone) and associated community infrastructure such as parks and playgrounds.

4.3.19 Public open space for schools and parks and other institutional uses that are, in the opinion of council, compatible with residential development will be considered as part of the residential areas. Specific uses and siting requirements will be provided in the zoning by-law.

4.3.20 Home occupations are a viable and important part of the community. However this use is secondary to the principle residential use and must be in harmony with the residential areas in which they are located. The zoning by-law will specify maximum square footage, standards of operations, signage, etc., to ensure that the integrity of the residential area is maintained.

Commercial and Industrial

4.3.21 Commercial and industrial uses will be encouraged to locate within the urban centres in order to support and strengthen the viability of the urban centres. Within the LUD of Rosenort commercial and industrial development shall be directed to those areas designated on Map 2 as **Commercial** or **Industrial**. In the other urban centres Council will use the policies of this section to make decisions regarding the location and compatibility of a commercial and industrial development proposal to an urban environment.

4.3.22 The commercial core area of the urban centres (central business district) shall be promoted as the principal location for a wide range of services including specialized retail, professional offices, financial institutions, as well as government offices, cultural and indoor recreation amenities.

4.3.23 Commercial and industrial uses that may pose safety, health or nuisance hazards, require a large tract of land, or require reduced levels of services should be developed at locations in the urban centre where they will be compatible with the adjacent uses and will not endanger the public health and safety. If such a site is not available within the urban centre, a suitable site in the rural area may be considered.

4.3.24 Commercial uses that cater to the travelling public (e.g. motels, service stations) will be allowed to locate adjacent to the highways on pre-designated sites and should be designed to least interfere with the flow of traffic on the provincial highway system (served by an internal road system). A high standard of design, site development and property maintenance will be encouraged for developments adjacent to major traffic routes in order to promote a favourable visual image of the community.

4.3.25 Commercial and industrial development in any urban centre shall occur in such a manner as to minimize conflicts with adjacent land uses. Where commercial or industrial uses are adjacent to residential developments, appropriate measures (buffering and screening) shall be undertaken to minimize any negative impact of commercial or industrial activities on the residential use.

4.3.26 New commercial and industrial developments will be encouraged to locate on vacant land within designated areas. Where development on existing vacant land is not feasible, new commercial and industrial development shall be encouraged to redevelop land and buildings within existing designated areas. New commercial and industrial area designations will only be considered if the two aforementioned options cannot accommodate a proposal.

4.3.27 Industrial uses which are likely to be unsightly due to the nature of the industrial operations, exterior storage, building or structures, should generally be discouraged from locating along the highway approaches and entrance roadways to urban centres. If such uses are proposed in these areas, the activity should be conducted wholly within a building and/or landscape/buffering, or other mitigating measures, should be put in place to screen these industrial uses from view.

Parks, Recreation & Open Space

4.3.28 New parks, schools, recreation facilities and open space areas should be located in accordance with the following criteria:

a) major recreational facilities and parks should be located where they can be economically serviced and will be accessible to the entire community; and

b) minor recreational facilities such as neighbourhood parks and tot lots are considered complimentary to other land uses and may be established within other land use designations.

4.3.29 Public reserve areas such as parks and tot lots are considered essential components of residential areas:

a) land for neighbourhood parks and recreation areas should be appropriately located within the development area in order to be conveniently accessible to local residents. Where land is being subdivided for residential purposes, land required for public reserve purposes will be dedicated in accordance with the provisions of *The Planning Act*; and

b) as an alternative to land dedication, Council may require the dedication of funds in lieu of land, as provided in *The Planning Act*. Any financial contributions received in this manner or through the sale of lands conveyed for public purposes will be used for the acquisition of other parklands or the development of existing parks within that urban centre.

4.3.30 Landscaping buffers will be used as a means of separating incompatible developments and as a means of improving the aesthetic qualities of the community. In the case of residential subdivisions, land for buffers may be acquired through the public reserve dedication process as prescribed in *The Planning Act*.

4.3.31 Where a parcel of land is being subdivided and it contains an area(s) that in the opinion of Council is unsuitable for development by reason of being flood prone, a natural drainage course or otherwise unsuitable due to its topography, this area may be required to be dedicated as public reserve (open space) in accordance with the provisions of *The Planning Act*. These open space areas should be maintained in an undeveloped state or used for low intensity uses such as recreation or wildlife habitat.

Urban Services

4.3.32 Council will ensure that essential urban services (e.g. sewer, water, roads, solid waste disposal, and recreation facilities) are available in the urban centres and that they have sufficient capacity to meet the current and future needs of the area being served.

4.3.33 Expansion or major upgrades to any of the existing sewage treatment facilities should be based upon realistic population growth projections. A demand and capacity analysis should be undertaken to assess the financial and servicing implications of a proposed upgrade or expansion to any major urban facility.

4.3.34 To ensure a constant and safe supply of potable water for the residents of the urban centres, the existing municipal (regional) water treatment and distribution system will be monitored and expanded.

4.3.35 Where new development is proposed, council will specify the standards for new infrastructure (such as roadways or piped services) and may, in their discretion, require the proponent to contribute towards the cost of establishing new infrastructure that will be needed to adequately service the new development.

4.3.36 In evaluating and approving any subdivision design or development proposal, Council will assist Manitoba Hydro, Manitoba Telecom Services, Centra Gas and other similar public or private utilities, to provide their service in the most economical and efficient manner.

Transitional and Institutional Development

4.3.37 In order to ensure land will be available for the future growth of each urban centre, lands have been identified for urban expansion based on land use compatibility and future servicing costs. The areas will be zoned the same as the Restricted Agricultural Area to restrict uses or development that may not be compatible with the proposed long-term uses and development. The affected land will be rezoned for the appropriate use when Council approves the area for subdivision and development.

4.3.38 Ideally, uses within a particular land use designation will conform to the suggested uses for that area. However, in the short term, some areas may be zoned to reflect existing uses. The existing non-conforming uses will be allowed to continue until transformed to a land use intended for the area. Future zoning changes in the transition areas should conform to the proposed land use plans.

4.3.39 In order to strengthen and diversify existing urban centres, the development of institutional, recreational or cultural facilities, shall be encouraged at appropriate locations within these communities. Locations for institutional and recreational uses should be selected that can be adequately serviced and that will be reasonably compatible with other nearby developments. The placement and site requirements of such uses will be outlined in the zoning by-law.

4.3.40 Council will use the following policies to guide the location and development of future institutional uses (schools, health care facilities), recreational and cultural facilities:

a) social and cultural institutions serving an urban centre or the municipality shall be encouraged to locate in or close to the central business district so that these facilities are easily accessible to the entire community and minimize any negative impacts on residential areas;

b) large scale institutional facilities requiring large tracts of land or major service extensions may be required to undertake site location studies;

c) where practical site area requirements will be established in the zoning by-law;

d) neighbourhood institutional uses that are being proposed in residential areas shall give due consideration to minimizing any adverse impact on the surrounding residential environment;

e) the design of institutional buildings shall be in keeping with the character of the area; and

f) in the best interest of the community, in terms of minimizing capital expenditure, a co-ordinated effort will be taken to provide future school sites in order to maximize the advantages of joint use facilities.

PART 5: GENERAL POLICIES

5.1 INTRODUCTION

This section of the development plan outlines the general objectives and policies that will guide the overall use, planning and development of land in the area covered by the development plan. These objectives and policies apply generally throughout the municipality and apply to both rural and urban centres.

5.2 OBJECTIVES

5.2.1 To provide well planned areas for living, working, shopping and recreation that are visually attractive, efficient of land and public services, with a minimum of incompatibility both within areas and between areas.

5.2.2 To ensure that development does not occur on lands which are not suitable for the proposed development, unless appropriate mitigative measures are taken to reduce any potential negative impacts and/or enhance the capability of the land to support the proposed development.

5.2.3 To minimize risks to people and property that is associated with natural hazards or human-made features.

5.2.4 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*.

5.2.5 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.

5.2.6 To promote wise use of renewable and non-renewable resources including aggregates, minerals, forests, soils and water.

5.2.7 To preserve and enhance areas which have natural beauty, scenic value, recreational potential, or historic/cultural significance.

5.2.8 To ensure that new development is compatible with existing and anticipated land uses, utility and transportation networks, and minimizes the risks to quality of life, public health and safety.

5.2.9 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.

5.2.10 To identify, preserve and protect the heritage resources of the RM of Morris and to encourage public awareness and appreciation of these resources.

5.2.11 To protection past, present and future investments in public and private infrastructures, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.

5.2.12 To promote inter-municipal co-operation and consensus in order to undertake joint land use planning, municipal servicing and sustainable development initiatives that will benefit the community-at-large.

5.3 POLICIES

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

Utilities

5.3.1 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.

5.3.2 Cooperation will be encouraged with Manitoba Hydro, Centra Gas, Manitoba Telecom Services, and other similar utilities to ensure the provision of their services in the most economical and efficient manner possible.

5.3.3 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses, which may threaten or adversely affect their operation.

5.3.4 Cooperative and inter-municipal servicing initiatives will be encouraged including possible revenue sharing agreements to equitably share costs and benefits of future development in the region.

5.3.5 In order to minimize exposure to the undesirable effects of wastewater stabilization ponds and solid waste disposal sites, development in the vicinity of these facilities will be limited to agricultural, industrial and specific open space or recreational uses that would not be adversely affected by these facilities.

Hazardous Uses

5.3.6 Facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials, will be governed by the following:

a) wherever possible, new facilities should be separated from urban centres and buildings used for human occupation;

b) hazardous facilities should not be located closer to dwellings than permitted or recommended by Manitoba Conservation; and

c) where new development of a potentially hazardous use is proposed, information may be required relating to the nature of any potential discharges into the air, soil or water; the nature of outside storage requirements; the compatibility of surrounding land uses; and plans for buffering such activities from adjacent uses.

Natural Areas & Environmental Conservation

5.3.7 Natural areas and habitats should be protected from incompatible or potentially incompatible uses where:

a) rare or endangered flora and fauna have received provincial designation and protection under *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.

5.3.8 Council shall encourage the retention of wildlife habitat and the preservation of native vegetation in the form of natural treed areas or uncleared 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.

5.3.9 Public access to natural areas and wildlife/fisheries habitat will 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.

Hazard Lands, Flooding & Erosion

5.3.10 Development will generally be directed away from hazard lands. Hazard lands include the following:

a) lands subject to flooding – all lands which would be flooded by the 100 year flood or by a recorded flood exceeding the 100 year flood-the 1997 flood within the Red River Valley Designated Flood Area;
b) lands subject to water erosion – all lands which would, within a 50 year period, be eroded or become unstable due to the action of water contained in an adjacent waterway or water body; and
c) lands subject to other hazards such as landslides or subsidence – those lands where actual effects of such hazards have occurred or have been predicted.

5.3.11 Land subject to significant flooding, erosion or bank instability should be left in its natural state or only developed for low intensity uses such as open space recreation, grazing, cropping, forestry and wildlife habitat.

5.3.12 Consistent with Policy 5.3.11 above, any development permitted on or near hazard lands shall:

a) minimize property damage, public expenditures and danger to public health and safety;
b) maintain the natural capability of waterways to convey flood flows;
c) prevent the acceleration or promotion of environmental damage; and
d) build at an elevation required by the provincial government or council.

5.3.13 The subdivision of land within the Red River Valley Designated Flood Area, shown on Map 1 in Appendix B to this Plan, will be restricted to flood protected urban centres, agricultural operations and limited commercial and industrial uses demonstrating a need to be located in the flood area.

5.3.14 Any building or structure proposed on titles existing at the time of the adoption of this by-law or any titles approved under Policy 5.3.13 above must be in compliance with the flood-proofing requirements of the municipality and the provincial *Designated Flood Area Regulation.*

5.3.15 Council will refer development proposals in suspected flood prone areas to the municipal engineer and/or Manitoba Conservation for review and recommendation prior to approval.

5.3.16 Where more intensive development, including structures, is proposed in hazard areas, 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.

Waterways and Groundwater

5.3.17 Development will be encouraged in a manner that ensures that waterways and the limited groundwater resources are sustained.

5.3.18 In areas where flood level or erosion information is not available, the following policies shall be implemented:

a) development shall generally not be permitted within the meander belt of the waterway and will not be permitted in areas which would normally be eroded away; and

b) in areas where the specific hazard has not been defined, permanent structures will be set back from all waterways a distance of at least 10 times the height of the bank or 200 feet from the top of the bank, whichever is greater.

5.3.19 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 Licence. If a permit is required, development approval may be withheld until such time as a licence is issued.

5.3.20 Development proposals that may have a detrimental effect on water quality shall provide for safeguarding areas susceptible to surface and groundwater pollution. These include intensive livestock production operations, lagoons, solid waste disposal sites, septic systems, commercial and chemical fertilizer storage facilities, fuel tanks, and similar uses.

5.3.21 Developments or activities that may cause pollution or impact on fish or fish habitat under normal operating conditions or by accident will be directed away from major surface water bodies such as the Red and Morris Rivers. Where this is not feasible or practical, developments or activities, which could cause pollution or impact on fish or fish habitat, may be considered adjacent to major surface water bodies provided:

a) it can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the surface or groundwater supply;

b) appropriate precautionary measures have been or will be taken to sufficiently mitigate the risk of endangering the quality of the water supply for domestic potable water supply purposes; or

c) council has referred major developments proposed near waterways and water bodies to Manitoba Conservation for review prior to approval.

5.3.22 The preservation, enhancement and rehabilitation of native vegetation will 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

5.3.23 New development should have 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 be responsible for part or all of the costs of this roadway construction.

5.3.24 A setback distance for all buildings, structures, hedges, or similar obstructions adjacent to roads, shall be specified in the zoning by-law for the purpose of protecting the safety and efficiency of the road system. This setback shall apply to all roads in the RM of Morris except provincial highways where the province establishes setback requirements. Setbacks for buildings and structures and access to Provincial Trunk Highways and Provincial Roads shall be in accordance with *The Highways Protection Act* and *The Highways and Transportation Department Act.*

5.3.25 Commercial uses that primarily serve the travelling public may be permitted to locate adjacent to a provincial highways provided direct access to the highway system is minimized and the efficiency and safety of the adjoining highway is not jeopardized.

5.3.26 Development near a provincial trunk highway or a provincial road shall be as follows:

a) strip development along the highway whereby direct connections to the highway are continuously relied upon for providing access to abutting properties, shall not be permitted;

b) development that may have a detrimental impact on the safe operation of the provincial highway system shall not be allowed;

c) 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;

d) developers may be responsible for the cost of highway improvements deemed necessary by Manitoba Transportation and Government Services to accommodate a proposed development;

e) a permit is required from the Highway Traffic Board for any new, modified or relocated access to PTH 3, 23 and 75. A permit is also required for any construction/structure above, below or at ground level or change in use of land, structures and access within the control lines and control circles of these highways; and

f) a permit is required from Manitoba Transportation and Government Services for any new, modified or relocated access to all provincial roads in the RM of Morris. Changes in use permits are required from the Highway Traffic Board for land use changes within the control areas adjacent to Provincial Trunk Highways.

5.3.27 Satisfactory storm drainage must be provided to service any development adjacent to the provincial trunk highways and provincial roads. Permission must be obtained from Manitoba Transportation and Government Services 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.

5.3.28 Where an area of development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, new development should, where appropriate, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.

5.3.29 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. Access to the provincial highway system should be via the municipal road system for these land uses.

5.3.30 Any development that is to occur within the control areas of provincial roads and provincial trunk highways under provincial authority will be subject to approval by the Department of Transportation and Government Services and the Highway Traffic Board respectively.

5.3.31 Where there are 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 urban and rural residential areas. The designated truck routes will be identified as truck routes on a map and adopted as a transportation by-law for the municipality. These truck routes 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.

5.3.32 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.

Aggregate and Mineral Resources

5.3.33 In areas with known aggregate resources, or areas having high discovery potential for these resources, uses should be limited to non-intensive agriculture (eg, grazing, cropping, and forestry), temporary uses or other uses that will permit land access to the resource.

5.3.34 Certain types of development, such as residential, commercial, institutional and recreational uses that could be sensitive to the characteristics of aggregate extraction, should be adequately separated or buffered from the deposits which are identified by the Department of Industry, Trade & Mines.

5.3.35 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 lands.

Heritage Resources

5.3.36 Council shall encourage and facilitate the identification of heritage resources within the municipality.

5.3.37 Existing heritage resources should be protected from incompatible or potentially incompatible land uses that may threaten their integrity or operation.

5.3.38 Heritage resources should be protected where:

a) 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.

5.3.39 The development, designation and preservation of heritage resources should be coordinated with other heritage and recreational resources in the region, existing and proposed to maximize interpretive and tourism potential.

5.3.40 Sites and groupings of sites with heritage potential will be considered for designation as municipal heritage sites under *The Heritage Resources Act*, and/or municipal heritage conservation zones under *The Planning Act*.

5.3.41 As a condition for the approval of subdivision, demolition permit or the issuance of a development permit, the council may require the applicant to show that a significant heritage resource is not being endangered.

Outdoor Recreational Resources

5.3.42 Areas with high recreational capability, interesting and/or rare natural features should be protected for outdoor recreation and related uses.

5.3.43 Existing outdoor recreational uses and areas should be protected from incompatible or potentially incompatible land uses that may threaten their integrity and/or operation.

5.3.44 Proposed recreational development should not preclude access to and use of public resources (eg, lakes and streams).

5.3.45 Proposed recreational developments will be encouraged to carefully match the activity and its intensity to the capability of the land and its ability to sustain the use over an extended period.

Land Use Buffers

5.3.46 Where developments are viewed as necessary and desirable as well as generally compatible with surrounding land use, such developments may be approved on the basis that additional land use buffering is required to ensure that the proposed development will not adversely effect the health, safety, convenience, general welfare and amenity of persons residing or working in the vicinity or be injurious to existing developments.

5.3.47 Where additional buffering may be required it should address concerns related to the visual impacts of a proposed development on existing developments and residents as well as safeguards to prevent noxious or offensive emissions such as noise, dust, glare and odour and that such impacts can be addressed through appropriate treatments such as landscaping, screening and the provision of open spaces. This does not preclude attaching further conditions through the development approvals process with respect to other responsibilities of the applicant to ensure that any adjacent land use impacts resulting from the proposal can be appropriately addressed.

PART 6: IMPLEMENTATION

6.1 BASIC IMPLEMENTATION MEASURES

The policies outlined in this development plan will be implemented by the following measures and methods:

6.1.1 ADOPTION OF THIS DEVELOPMENT PLAN

Adoption of this development plan by the municipal council by by-law will give the plan the force of law. Once adopted no development or land use change may be carried out within the area affected by the development plan that is inconsistent or at variance with the proposals or policies set out in the development plan (Subsection 32(1), *The Planning Act*). Subsection 32(1) of *The Act* also states that adoption of a development plan does not require a board or council to undertake any proposal suggested or outlined in the plan.

6.1.2 ADOPTION OF 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.

A zoning by-law must generally conform to a development plan adopted for the area.

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

6.1.3 CONDITIONAL USE APPROVALS

Within a 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 the 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 policies and objectives provide guidance for the conditional approval process.

6.1.4 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 a 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*.

6.1.5 DEVELOPMENT PERMITS

New development generally requires a development permit issued by the municipal council. Before a permit is issued, proposals should be reviewed to determine compliance with the development plan and the zoning by-law.

6.1.6 DEVELOPMENT OFFICER

Council may authorize the development officer to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to some requirements of a zoning by-law.

6.1.7 SUBDIVISION APPROVALS

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review and approval process involving the municipal council, utility companies and certain provincial government departments (Part VI of *The Planning Act*).

This process provides an opportunity for development proposals to be evaluated in accordance with the provisions of the development plan. A subdivision proposal cannot proceed without the approval of municipal council and the provincial approving authority.

Council and/or the provincial approving authority may attach conditions to a subdivision approval in accordance with Section 70 of *The Planning Act*.

6.1.8 DEVELOPMENT AGREEMENTS

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

6.1.9 REVIEW & AMENDMENT

The development plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the municipality. The development plan may be amended at any time when considered appropriate or necessary by the council. Section 26 of *The Planning Act* states that a municipal council or a district board shall review a development plan no later than five (5) years after the date on which the plan came into effect or after the date of the previous review.

6.2 ADDITIONAL MEASURES

In addition to the measures outlined above, the municipality may also utilize the following:

6.2.1 ACQUISITION & DISPOSAL OF LAND

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

6.2.2 ADOPTION OF OTHER BY-LAWS

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-laws, access approval by-laws, drainage by-laws and other types of by-laws affecting the use of land.

6.2.3 SPECIAL STUDIES

Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering or other professional studies may be required for development proposed for lands affected by flooding hazards, endangered species, potential for groundwater/surface water pollution, and general risk to health and the environment. Developers/proponents may also be required to conduct traffic studies to support their development proposal.

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. This is an important implementation tool since a municipality may influence the rate and direction of growth through the provision of municipal services to land.

6.2.5 CAPITAL EXPENDITURE PROGRAM

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

6.2.6 STRATEGIC PLANS FOR ECONOMIC DEVELOPMENT

As outlined in Section 258 of *The Municipal Act*, municipalities may adopt a strategic plan for economic development. Strategic plans should be consistent with the development plan. Communities should also take into account and build upon existing or proposed community vision statements and action plans prepared as part of the community round table process to ensure consistent objectives, policies and programs.

6.2.7 MUNICIPAL COOPERATION

Implementation of the development plan may benefit from or require cooperation between one or more municipalities. Sections 259, 260 and 295 of *The Municipal Act* provide for tax sharing agreements, service sharing agreements and cost sharing agreements between municipalities.

6.3 INTERPRETATION

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

APPENDIX A

DEVELOPMENT PLAN MAPS:

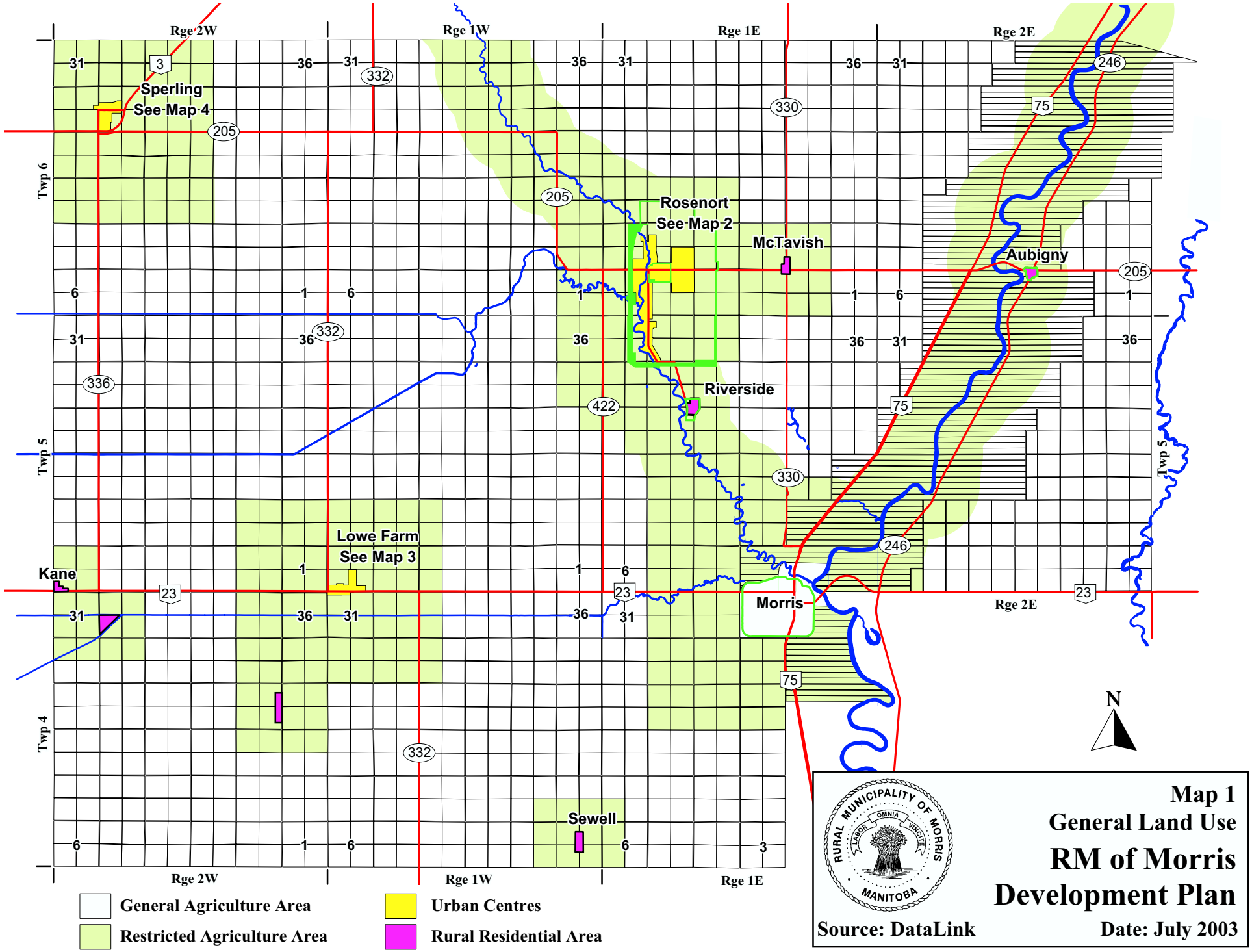
Map 1	**General Land Use**
Map 2	**LUD of Rosenort**
Map 3	**Lowe Farm**
Map 4	**Sperling**

APPENDIX B

REFERENCE MAPS:

Map 1 **Red River Valley Designated Flood Area**

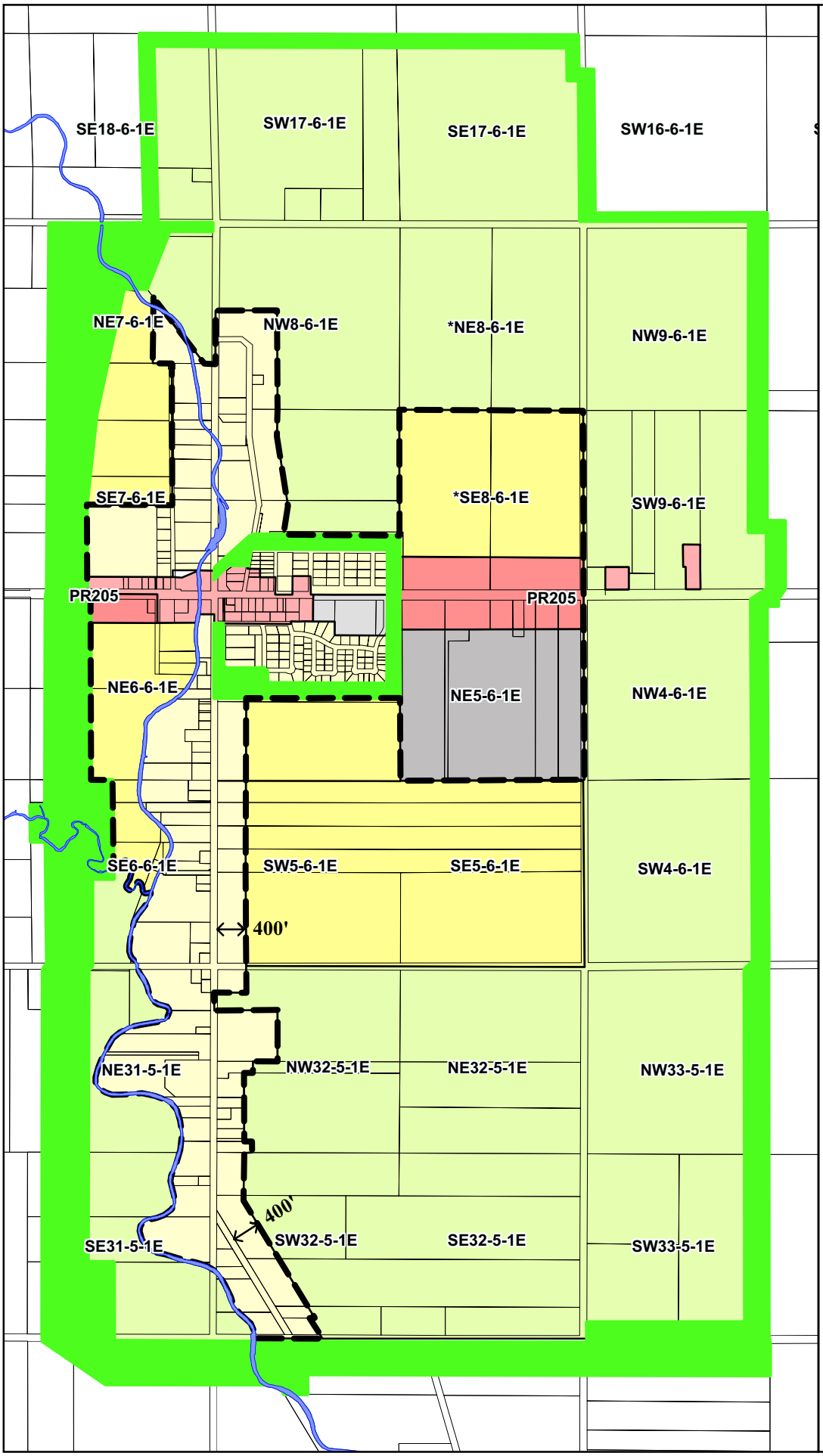
Map 2 **Livestock Operations (2003)**



Map 1
General Land Use
RM of Morris Development Plan

Source: DataLink

Date: July 2003



Map 2

LUD of Rosenort

Land Use Areas

- Residential
- Future Residential
- Industrial
- Future Industrial
- Commercial
- Future Commercial
- Restricted Agriculture

- LUD Boundary
- Diversion/Dyke

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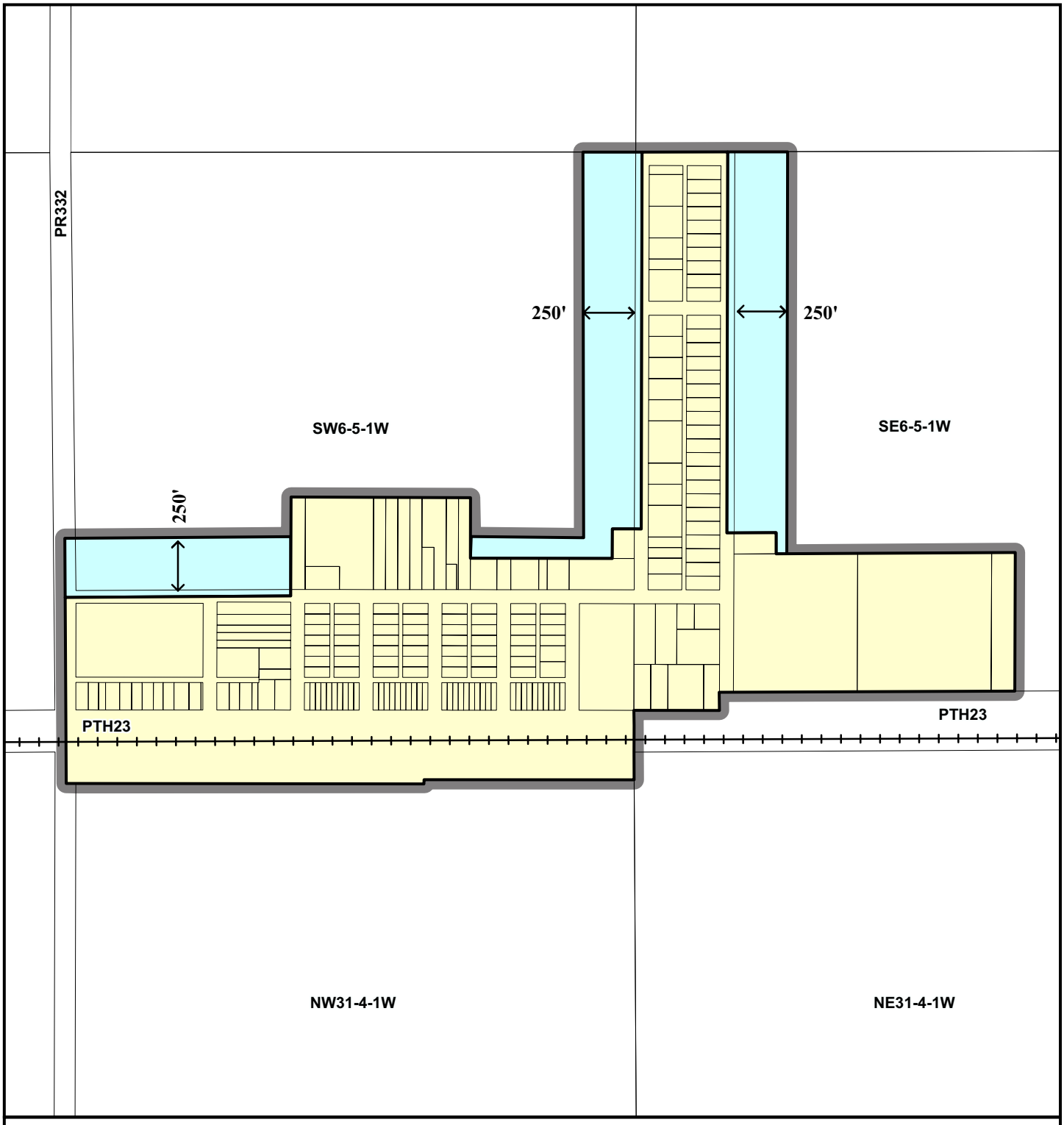
RURAL MUNICIPALITY OF MORRIS
LABOR OMNIA VINCIT
MANITOBA

RM of MORRIS Development Plan

Date: July 2003
Source: DataLink



Land Use Areas

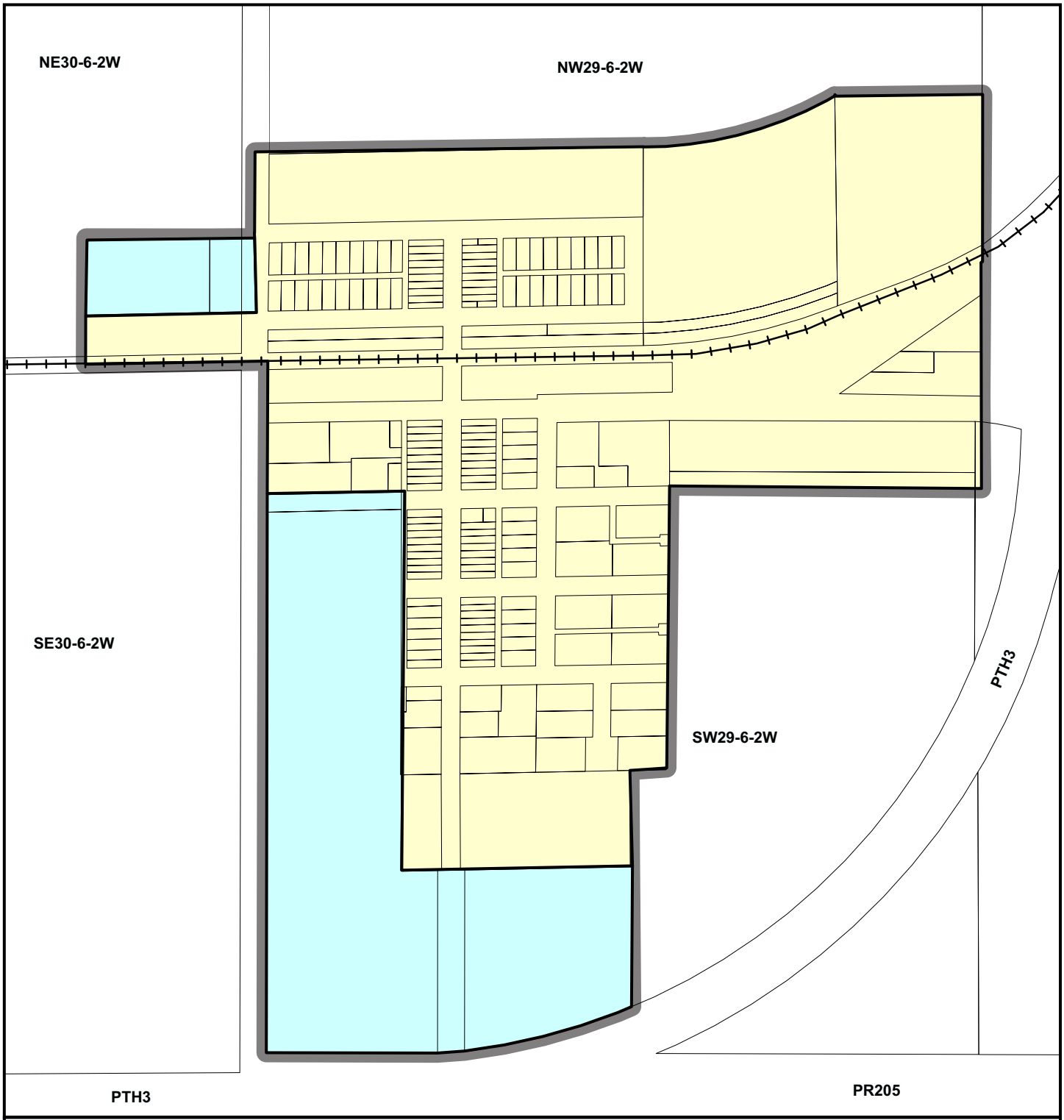
- General Urban Development
- Future General Urban Development
- Development Limits

N

Map 3
Lowe Farm

Date: July 2003
Source: DataLink Mapping Technologies

RM of MORRIS
Development Plan



Land Use Areas

- General Urban Development
- Future General Urban Development
- Development Limits

N

Map 4
Sperling

Date: July 2003
Source: DataLink Mapping Technologies

RURAL MUNICIPALITY OF MORRIS
LABOR OMNIA VINCIT
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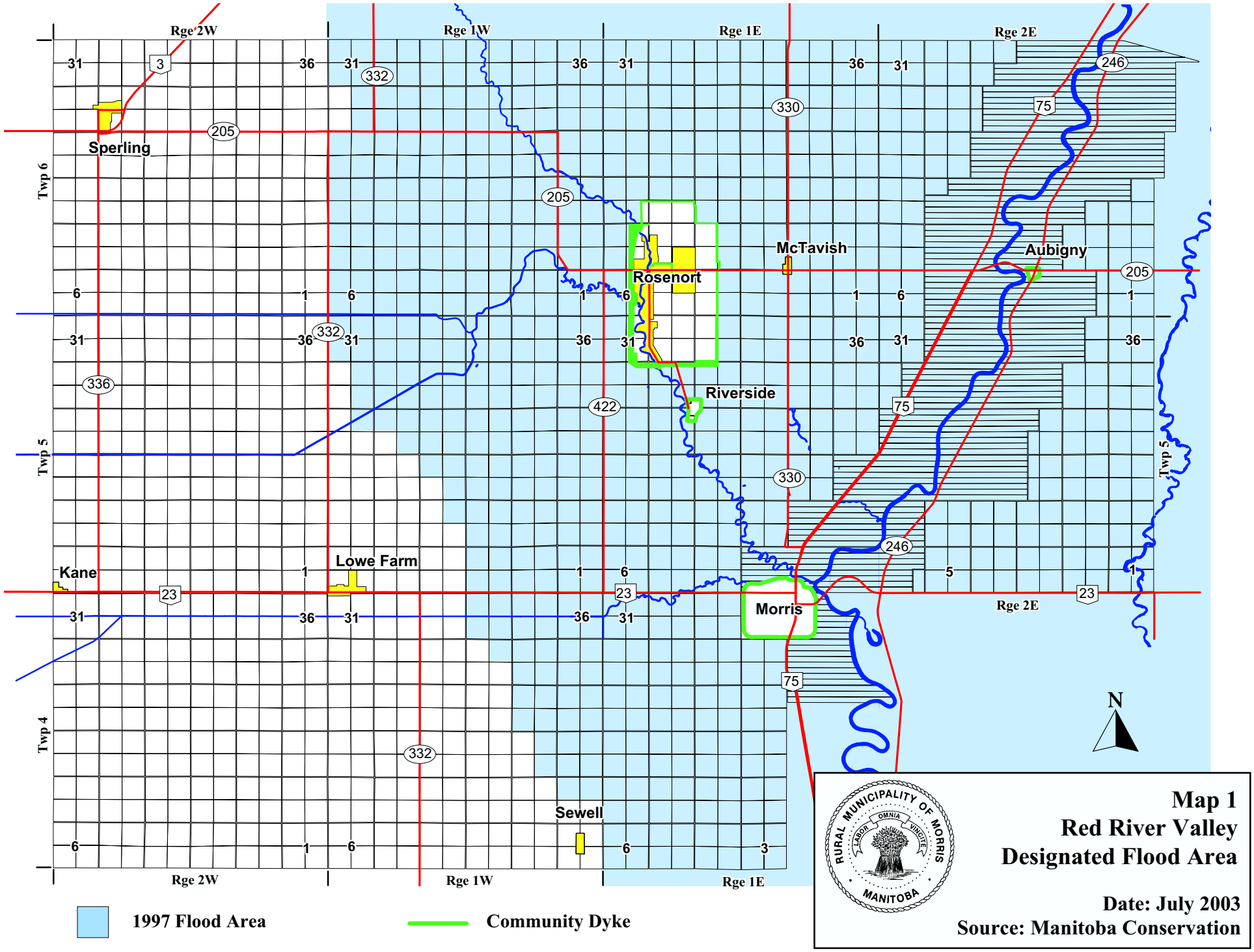
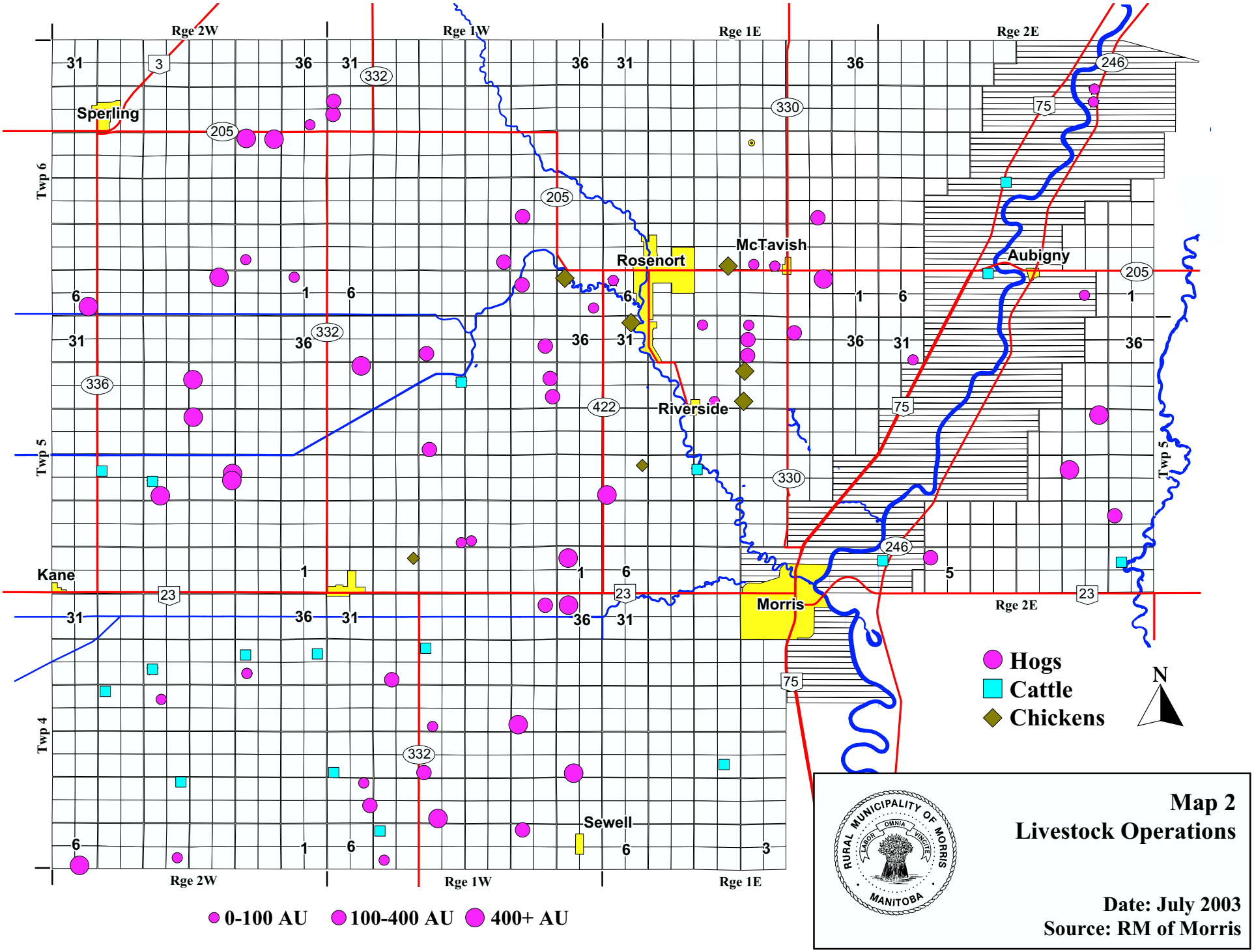
RM of MORRIS
Development Plan



Map 1
Red River Valley
Designated Flood Area

Date: July 2003
Source: Manitoba Conservation



Map 2
Livestock Operations

Date: July 2003
Source: RM of Morris