

FISHER ARMSTRONG PLANNING DISTRICT

 **Landmark**
Planning & Design Inc.

**DEVELOPMENT PLAN
BY-LAW NO. 3/02
FEBRUARY 2003**

**Fisher Armstrong Planning District
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**THE FISHER ARMSTRONG PLANNING DISTRICT
BY-LAW NO. 3/02**

BEING a By-law of the Fisher Armstrong Planning District,
in the Province of Manitoba, to adopt a Development Plan.

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

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

AND WHEREAS pursuant to the provisions of the Act, the Minister of Intergovernmental Affairs approved the Fisher Armstrong Planning District Development Plan on the 30th day of January , A.D. 2003;

NOW THEREFORE the Fisher Armstrong Planning District Board, in meeting duly assembled, enacts as follows:

1. *The RM of Fisher Basic Planning Statement attached to and marked as "Schedule A" to By-law No. 1044/97 of the RM of Fisher, and all amendments thereto are hereby rescinded.*
2. *The Fisher Armstrong Planning District Development Plan, attached hereto and marked as Schedule A is hereby adopted.*
3. *The Fisher Armstrong Planning District Development Plan shall take force and effect on the date of Third Reading of this By-law.*

DONE AND PASSED this 17th day of February, A.D. 2003.

Signed by the "Chairperson"
Chairperson

Signed by the "Secretary-Treasurer"
Secretary-Treasurer

Read a first time this 26th day of July A.D. 2002.

Read a second time this 12th day of September A.D. 2002.

Read a third time this 17th day of February A.D. 2003.

**THE FISHER ARMSTRONG PLANNING DISTRICT
DEVELOPMENT PLAN**

BEING SCHEDULE A

ATTACHED TO BY-LAW NO. 3/02

OF

THE FISHER ARMSTRONG PLANNING DISTRICT

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1.0 GENERAL INTENT

The Fisher Armstrong Planning District (Planning District) wishes to adopt a Development Plan in order to provide the public with a set of fundamental planning policies which the Planning District will apply in the development of lands within the Rural Municipality (RM) of Fisher and the RM of Armstrong. The general objectives seek to preserve and develop what is desirable in the Planning District. The policies are courses of action to be followed by Planning District to attain the general objectives.

Section 24 of *The Planning Act* provides authority for the preparation of a Development Plan by a Planning District or Municipality, while Section 27 of *The Planning Act* provides that a Planning District Board or Municipal Council shall adopt a Development Plan by By-law.

2.0 OVERALL GOAL AND POLICY OBJECTIVES

(1) GOAL

To provide direction for future land use and development, in the Planning District, which will minimize conflicts and be in the best interests of the community and its residents so that the economy, resource use and the environment are sustained, existing settlement centres are enhanced and public services are provided in an economical manner.

(2) OBJECTIVES

- (a) To provide well planned areas for living, working, shopping and recreation with a minimum of conflict both within areas and between areas.
- (b) To ensure development occurs in a manner which is harmonious with surrounding land uses.
- (c) To protect and support the agricultural economy in the Planning District.
- (d) To protect and preserve the natural resources of the Planning District for the use, pleasure and benefit of all.
- (e) To ensure that development does not occur on lands not suitable for the proposed development.
- (f) To encourage and promote the 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*.
- (g) To protect settlement centres from incompatible agricultural activities.
- (h) To provide a measure of protection for investments in public and private infrastructure, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.
- (i) To encourage that development review processes include careful consideration of the short and long term costs and benefits that may result from proposed developments.

- (j) To encourage and promote community economic development initiatives that utilizes the land base in a manner that contributes to the physical, social and economic vitality of the Planning District.

(3) BACKGROUND INFORMATION

The RM of Fisher (2001 Census population of 2,049) is located in the central part of Manitoba's Interlake Region, approximately 70 miles north of Winnipeg. It is bounded by unorganized territory and the Peguis First Nation Reserve 1B to the north, the RM's of Bifrost to east, Grahamdale and Eriksdale to the west, and Armstrong to the south. The RM of Fisher has a total area of approximately 572 square miles. The major settlement centre of Fisher Branch (2001 population of approximately 430) is located near the centre of the RM along Provincial Trunk Highway (PTH) 17. In addition to PTH 17, the RM of Fisher is served by PTH 68, running east-west through Poplarfield, and Provincial Roads (PR) 233, 325 and 329. Other hamlet areas include Broad Valley, Hodgson and Poplarfield. As with other areas in the Interlake, declining farm populations and farm consolidation are evident in the RM of Fisher.

The RM of Fisher is entirely located in the Manitoba Lowlands region and consists of flat to gently rolling topography on glacial till plains, ranging in elevation from less than 800 feet to as high as 900 feet. The Fisher and East Fisher Rivers flow in a northerly direction through the RM. In addition, a portion of the Icelandic River flows through the southeast corner of the RM of Fisher. Surface drainage on the till plains is local in nature and is rapid on the ridges and imperfect to poor in the depressions. Runoff is mainly through man-made channels which drain into the Fisher River, and ultimately Fisher Bay on Lake Winnipeg, and the Icelandic River.

The area lies in the southern part of the Boreal Forest Region and is characterized by mixed forest cover. White spruce occupies the moist to fresh sites and is frequently mixed with trembling aspen, balsam fir, black spruce and white birch. Open stands of bur oak are found on the drier sites. The most common species in the understory are hazel, mountain maple and snowberry. Black spruce and tamarack grow on peaty sites that are wet to very wet and are mainly associated with feather mosses and a shrub layer of Labrador-tea, bog-rosemary, bog-laurel and dwarf birch. The well drained soils along rivers have a forest cover of white elm, green ash, Manitoba maple and balsam poplar.

At present, the major land uses in the RM of Fisher are agriculture (i.e. grain, mixed farming, dairying, beef, hog and poultry production), extensive recreational activities, primarily involving the wildlife resources, and the settlement patterns associated with the village areas of Fisher Branch, Hodgson, Broad Valley and Poplarfield. Extensive Crown lands exist in the area, principally set aside as Wildlife Management Areas (WMA's) or used for other wildlife or farm purposes. There is

also a community pasture located north of PR 233 along the eastern limit of the RM of Fisher.

Approximately one-third of the land base of the RM of Fisher contains Chernozemic soils rated as classes 2 and 3 by the Canada Land Inventory (CLI) system. These soils can successfully support the production of annual crops such as wheat, oats, flax, barley, rye and oilseeds. Brunisolic and Gleysolic soils (i.e. Class 4, 5, 6) comprise approximately another third of the area and are more suited to forage and hay production because of stoniness or wetness. The remainder of the area consists of poorly drained peats or organic soils.

The majority of the RM of Fisher has a rating between Class 4 and 6 for land capability for waterfowl. The most common species of breeding waterfowl include the Mallard, Scaup, Canvasback, Redhead and Ringneck. Canada Geese may be seen on bog lakes. Otter Lake and Spruce Lake are two areas that have high capability for waterfowl production in that they serve as important migration stops (i.e. Class 2 and 3). Land capability for ungulates ranges from Class 3 to 6, having moderate to severe limitations for ungulate production. The primary indicator species in the area are white-tailed deer, moose and elk. Much of the high quality deer habitat occurs on the better drained terrain in the Interlake. In general, lands most suitable for elk are located in the west part of the RM of Fisher. There are also black bear in the area. The area also provides good Sharp-tailed and Ruffed grouse habitat. Along with the good habitat for white-tailed deer, this region is very popular for big game and upland bird hunters.

Quarries for sand and/or gravel have been developed at various locations through the Rural Municipality. These minerals are important sources for building and road construction in the local area.

The RM of Armstrong (2001 Census population of 1,905) is located in the central portion of Manitoba's Interlake Region, just 68 miles north of the City of Winnipeg. It is bordered by the RM's of Fisher and Bifrost to the north, the RM's of Rockwood and Woodlands to the south, the RM of Gimli to the east as well as the RM's of Eriksdale, Coldwell and St. Laurent to the west. The RM of Armstrong has a total area of approximately 720 square miles. In addition to PTH's 7 and 17, the RM of Armstrong is also served by PR's 229, 231, 415, 416, 419 and 512 as well as numerous Provincial Access Roads and Main Market Roads. The major settlement centres are Inwood and Fraserwood, both of which are located in the southern portion of the RM. Inwood is located along PTH 17, while Fraserwood is located just east of PTH 7. Other rural settlement centres include Silver, Chatfield, Komarno, Narcisse and Meleb. Hamlet areas include Malonton, Rembrandt and Sandridge. Historically, the settlement centres and hamlet areas developed to serve the surrounding region. Over the years, the settlement centres have assumed a greater role in providing services to local residents and the travelling public.

The RM of Armstrong is dominated by an extensive area known as the Interlake Plain with a small part of the Lake Winnipeg Terrace cutting across the northeastern corner of the area. Surface water drainage is poorly developed, as the only continuous waterway is Willow Creek. The generally flat topography and the very gently undulating ridge and swale relief result in the majority of soils being classified as imperfectly to poorly and very poorly drained, particularly during the spring months or following heavy rains. Roughly 32 percent of the RM is affected by very poor to poor drainage conditions. Imperfectly drained soils occupy 53 percent of the area and well to rapidly drained soils cover approximately 11 percent. Inadequate drainage has posed a major problem in limiting the agricultural use of soils. Ponding water in roadside ditches is also an inconvenience to residents and a safety problem for motorists, and results in the deterioration of subgrades for roadways. The major contributing factor is the requirement for additional drainage channels, as well as the lack of maintenance on existing drains. Major drainage work is also required for outlet control on some of the existing lakes in the RM of Armstrong.

Similar to the RM of Fisher, the major land uses in the RM of Armstrong are agriculture (i.e. oats, alfalfa, beef cattle, hog and poultry production), outdoor recreational activities and various residential, commercial, light industrial, institutional and recreational uses associated with the settlement centres of Inwood and Fraserwood as well as the hamlet areas, but to a more limited extent. Moreover, the Crown lands in the RM of Armstrong primarily relate to established WMA's, lands reserved for wild life and farm purposes or community pastures.

Based on the CLI system, the lands in the RM of Armstrong are rated predominantly as Class 2 to Class 5 for agricultural capability. 2 percent of lands in the RM of Armstrong are rated as Class 2 for agricultural capability due to wetness and stoniness, while 60 percent of RM lands are rated as Class 3 mainly due to stoniness. There are 29,068 acres of Class 5 lands due to droughtiness, stoniness and excess wetness and 81,295 acres of Class 6 lands due mainly to excessive wetness. Organic soils, which have no capability for agriculture in their non-drained state, represent 53,372 acres, or 11 percent of the RM's total land base.

In addition, the predominance of extremely calcareous, stony, waterworked and loamy glacial till, in conjunction with local areas of clayey lacustrine sediments, have limited the potential for arable agriculture. Very poorly drained organic soils developed mainly on shallow fen peat occur in larger depressions in the eastern portion of the municipality. Not only do organic deposits have no capability for agriculture in their non-drained state, the till soils characterized by excessive stones and cobbles are best managed as native pasture. Less stony and cobble surface conditions on many of the till soils may be improved by stone clearing to permit annual cultivation.

The RM of Armstrong has also supported sand and gravel extraction over the years. Aggregate resources in the RM of Armstrong are required to facilitate construction-

related activities, including road construction, upgrading and repair. Several small pits produce aggregate on an intermittent basis for local consumption. Mining activity in the RM of Armstrong is otherwise very limited due to the large distance to major aggregate markets.

3.0 GENERAL LAND USE POLICIES

- (1) Prior to development approval a developer may be required to provide information in order to establish:
 - (a) That the land is physically suited for the purpose intended and in particular that the soil and drainage conditions are adequate for the proposed development.
 - (b) That satisfactory arrangements have been made for the provision of water supply, sewage disposal, solid waste disposal, storm drainage and any other necessary services.
 - (c) That the land fronts on a public road or has another means of legal access satisfactory to the Planning District.
 - (d) That the land is not subject to an environmental hazard or that appropriate remedial measures have or will be taken to protect life and property to the Planning District's satisfaction.
 - (e) That consideration has been given to the current and projected demand for that particular type of use.
- (2) Essential activities of government and public and private utilities shall be permitted in any land use designation subject to the requirements of the respective Zoning By-laws of the RM of Fisher and RM of Armstrong. Such uses should be located and developed in a manner which will minimize any conflict with neighbouring land uses.
- (3) Cooperation shall be provided to 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. Special consideration will be given to reviewing site requirements associated with such uses as communications towers and maintenance compounds to ensure they will not have adverse impacts on adjacent lands.
- (4) Facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials as defined in Manitoba Regulations 282/87 and 236/89 will be governed by the following:
 - (a) New facilities should not be located within or in close proximity to existing urban or rural settlement centres and buildings used for human occupation.
 - (b) The proposed expansion of an existing facility shall require Council approval as provided in the respective Zoning By-laws of the RM of Fisher and RM of Armstrong.

- (c) Anhydrous ammonia facilities shall not be located closer to residential areas (i.e. dwellings used permanently or occasionally including cottages) than permitted or recommended by provincial regulations and guidelines.
 - (d) A site-specific groundwater pollution hazard appraisal may be required prior to approval of a proposed new or expanded facility or development.
 - (e) Information may be required relating to the nature of any discharges into the air, soil or water; the nature of outside storage requirements; and the compatibility of surrounding land uses together with any plans for buffering such activities from adjacent uses.
- (5) Development or activities that may cause pollution under normal operating conditions or by accident, e.g., livestock operations, liquid fuel dealers, etc., shall not be permitted in an identified groundwater pollution hazard area unless:
- (a) It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the groundwater supply; or
 - (b) Appropriate precautionary measures have been or will be taken to sufficiently mitigate the risk of endangering the potability of the water supply.
- (6) The *Provincial Land Use Policies*, as set out in the regulations to *The Planning Act*, will be utilized as broad policy guidelines when undertaking amendments or statutory reviews of the Fisher Armstrong Planning District Development Plan.
- (7) No subdivision of land shall be permitted unless it conforms to the general intent and provisions of the Fisher Armstrong Planning District Development Plan and *The Planning Act*.
- (8) The Planning District and the Councils of the RM of Fisher and RM of Armstrong shall work closely with the Department of Conservation in regards to ensuring that the permitting or leasing of Crown land is in accordance with the objectives and policies of the Development Plan.
- (9) In reviewing development applications, the Planning District will encourage the most appropriate use and development of land and other resources by:
- (a) Protecting and strengthening the agricultural industry.
 - (b) Protecting and strengthening the viability of existing settlement centres.
 - (c) Discouraging urban-related uses in the Agriculture Areas that would compete with uses in the settlement centres or create potential land use conflicts.
 - (d) Promoting sound management practices for all resource development.

A. AGRICULTURE AREAS

A.1 Concerns

- (1) Maintain a long-range view of the preservation of resources that contribute to agricultural productivity (i.e. groundwater, drainage, etc.).
- (2) The amount and quality of land withdrawn from agriculture and consumed by uses unrelated to the agricultural industry.
- (3) Adverse effects that some modern farming practices have on settlement centres and on other farms and residences (i.e. odours, noise, dust control spraying, etc.).
- (4) Affording farming families the opportunity to supplement their incomes.

A.2 Objectives

- (1) To protect the present and future agricultural industry in the Planning District.
- (2) To foster the sustainable growth and development of agricultural industry.
- (3) To protect prime and lower class agricultural land for a full range of agricultural activities.
- (4) To ensure flexibility for farm operators to engage in a full range of agricultural activities.
- (5) To encourage the efficient use of land resources.
- (6) To prevent incompatible land uses from intermixing.
- (7) To maintain the character and quality of life presently enjoyed in Agriculture Areas.
- (8) To recognize that within the Agriculture Areas of the Planning District a variety of legitimate rural uses associated with agricultural, natural resources activities as well as residential, commercial, industrial and recreational uses that cannot be suitably located in a settlement centre must be accommodated in a manner which not only supports and enhances the continued viability of the Planning District but also minimizes the potential for land use conflicts.
- (9) To ensure that farmers are able to supplement their incomes while maintaining agriculture as their principal activity.

A.3 Policies

The following policies are adopted to achieve the above objectives:

- (1) Agriculture Areas shall be preserved and protected for a full range of agricultural activities and commercial farming operations on:
 - (a) Prime agricultural lands.
 - (b) Lands where agricultural activities are dominant or could be viable on lower class agricultural land and where it is desirable and feasible to provide protection to such activities.

- (2) The subdivision of land in the agricultural area for residential purposes may be permitted as follows:
- (a) Where a retiring farmer wishes to retire on his or her farm.
 - (b) Where an existing farmstead is no longer required as part of a farm operation and has become surplus due to the amalgamation for purposes of farm enlargement subject to consolidation with existing title.
 - (c) Where a farm is incorporated and it is necessary to establish a separate residential site from the company holdings.
 - (d) Where a building site for a home required by an individual actively participating in the farm operation and deriving significant income from it.
 - (e) Where the subdivision of land is being considered in accordance with the conditions under Policy A.3(2) (a), (b), (c), or (d) it shall be subject to the following criteria:
 - (i) Farmstead subdivisions should generally not include cultivated land and should be contained within existing shelterbelts and include those buildings normally associated with a farm operation.
 - (ii) The proposed subdivision shall comply with the mutual separation distances between livestock production operations and residences not accessory to an operation, as established in the respective Zoning By-laws of the RM of Fisher and RM of Armstrong.
 - (iii) Municipal services (e.g. roads, drainage, school busing, fire protection or other infrastructure services) shall be available to the proposed subdivision or can be provided without undue cost to the RM of Fisher or the RM of Armstrong.
 - (iv) The proposed subdivision must accommodate the proper function of a septic field or other acceptable method of domestic effluent disposal, and a potable water supply, as per applicable provincial regulations.
 - (f) Small-scale subdivision (1-3 lots) for non-farm rural residential purposes will be allowed in the Agricultural Areas without a Development Plan Amendment, provided that they fall under one of the following conditions:
 - (i) Where the proposed parcel is an area of land which is substantially isolated from other farmland in the area and has low potential for agricultural production due to poor soil conditions (Agricultural Capability of Class 4, 5 and 6), adverse topography or other physical constraints.
 - (ii) Where the proposed parcel is created as a remnant through transportation, drainage, or utility corridors and cannot reasonably be used for farming purposes.
 - (iii) "Infill" situations, where existing subdivision is such that small remnant parcels exist that are impractical to use for farming and where unused road frontage exists between existing lots.

Where rural residential parcels are being considered in accordance with the conditions described above, they shall be subject to all of the siting criteria under listed under Section C.3 for Rural Residential Areas of the Fisher

Armstrong Planning District Development Plan. The subdivision must also meet with transportation policies within this Plan. Direct access to the provincial road system will be discouraged.

- (3) (a) Major livestock and poultry production operations of a size to be specified in the respective Zoning By-laws of the RM of Fisher and RM of Armstrong shall be Conditional Uses.
- (b) Notwithstanding subsection (a) of this section, livestock and poultry operations larger than 1,500 Animal Units may only be permitted as a Conditional Use in the Agriculture Area on sites zoned for operations of such a scale.
- (c) A mutual separation distance will be maintained between livestock production operations, designated communities and residences not accessory to an operation, as well as watercourses and wells. These separation distances will be established in the respective Zoning By-laws of the RM of Fisher and RM of Armstrong to aid in mitigating potential land use conflicts and negative environmental impacts. The RM of Fisher and RM of Armstrong Councils may, pursuant to Section 55 of *The Planning Act*, vary the separation distance as provided for in their respective Zoning By-laws.
- (d) Approval of major livestock production operations shall consider the following:
 - (i) The operation should be located sufficiently distant from existing non-compatible land uses so as to minimize potential conflicts and to provide for future expansion.
 - (ii) The size and type of operation, type and location of manure storage and application systems, the location of areas for manure application, the direction of prevailing winds, surrounding natural landscape features and neighbouring uses.
 - (iii) The operation should not be located in an area identified as being subject to groundwater pollution hazard; or only when appropriate measures have been taken to protect the groundwater supply from possible contamination.
 - (iv) New major livestock production operations should not be established in close proximity to a designated settlement centre, rural residential area or recreation and open space area (as defined in the following sections).
 - (v) The source of the water supply, including consumption levels.
 - (vi) Provincial guidelines and regulations governing livestock production operations.
 - (vii) Reports from appropriate provincial review agencies such as, but not limited to, the Eastern/Interlake Region Technical Review Committee.
 - (viii) Local resident concerns.

- (e) Where any major livestock and poultry production operations are within the vicinity of a provincial highway, a copy of the proposal should undergo a review by Manitoba Transportation and Government Services.

- (4) (a) Agro-commercial/industrial uses should locate within or in close proximity to settlement centre. Circumstances could arise however where agro-commercial/industrial developments may be permitted as Conditional Uses in the Agriculture Area. In such cases, the Planning District and the respective Councils of the RM of Fisher and the RM of Armstrong shall be satisfied that the proposed development meets the intent of the following criteria:
 - (i) Section D.3 of the Fisher Armstrong Planning District Development Plan.
 - (ii) The compatibility with surrounding development in terms of land use function and scale of development.
 - (iii) The relationship to Municipal land, rights-of-way or easement regulations.
 - (iv) The effect on stability, retention and rehabilitation of desirable existing uses, buildings, or both in the area.
 - (v) The relationship to the documented concerns and opinions of area residents regarding the application.
 - (vi) The use is located wherever possible on lower class farmland.
 - (vii) The site is adequate acreage to meet the needs of the use intended, but is not wasteful of agricultural land.
 - (viii) Direct access to the provincial highway system will be discouraged, whereby access to the provincial highway system should be via the municipal road system.
 - (ix) The site is located close to and on the same side of a highway as a settlement centre.
 - (x) Water, drainage, sanitary disposal, hydro, telephone and road access can be economically provided.
 - (xi) Where the development is proposed in the vicinity of a provincial highway, a copy of the conditional use application shall be circulated to the Department of Transportation & Government Services for review and comment.

- (b) Industrial and highway commercial uses (non-agriculture related) may be allowed in Agriculture Areas through a development plan amendment to the Rural Commercial Industrial designation within the development plan provided that they will not conflict with agriculture or the provincial highway system, and in cases where they cannot locate within settlement centres due to:
 - (i) Their requirement for larger parcels of land; or
 - (ii) The lack of suitable sites; or
 - (iii) The hazardous nature of or potential nuisance created by associated traffic; or

- (iv) The potential danger to public safety or nuisance from materials associated with the operation of the development; or
- (v) A need to provide essential services to highway users.

The siting criteria outlined in Section A.3(4a) will be used to establish Rural Commercial Industrial designations within the Land Use Plan maps of the Fisher Armstrong Planning District.

The R.M. of Armstrong and R.M. of Fisher Zoning By-laws shall provide for industrial and highway commercial zoning district designations on the zoning district maps. The Zoning By-laws shall also regulate the permitted and conditional uses that can take place in the industrial and highway commercial zoning districts.

- (5) The Planning District may request recommendations from such government agencies as it deems necessary when a proposed use or development of land may have a detrimental effect on the environment. If it is determined that a proposed use or development may have a detrimental effect on the environment, said use or development shall not be permitted or measures shall be required to mitigate the potential detrimental effects.
- (6) The expansion of agricultural activities onto Crown lands shall be in accordance with Province of Manitoba regulations and requirements.
- (7) Small land holdings for small-scale or specialized agricultural operations such as, but not necessarily limited to, tree nurseries, apiaries, market gardens and other bona fide agricultural practices may be considered for approval, provided that such proposals are compatible with other existing agricultural operations, and that the size of the proposed parcel is appropriate for the intended use.
- (8) Disposal of agricultural wastes shall comply with the regulations under *The Public Health Act* and *The Environment Act* of the Province of Manitoba. The surface water quality in the area shall be protected by adherence to the guidelines of the Manitoba Surface Water Quality Objectives.
- (9) For sites where there is a potential of pollution of soils, groundwater or surface water, agricultural operations shall be required to incorporate mitigating measures that will reduce the risk to acceptable levels or shall be precluded from operating.
- (10) The subdivision of land for the realignment of farm boundaries around rivers, streams, highways, drains and other features may be permitted if deemed necessary for agricultural purposes.
- (11) New waste disposal sites must comply with the following development criteria:
 - (a) Sites must comply with provincial environmental site and design standards.

- (b) Sites shall not adversely affect the recreational amenities of the area.
 - (c) Sites shall not be located in close proximity to residential areas and other non-compatible uses.
 - (d) Sites shall be designed and operated in such a manner so as to ensure that waste is not allowed to be scattered onto adjacent properties.
- (12) Home-based businesses may occur in the Agriculture Area. Home-based businesses shall be considered as secondary to the primary residence and shall be regulated by the respective Zoning By-laws of the RM of Fisher and RM of Armstrong. Where proposals are within the vicinity of a provincial highway, a copy of the proposal should be sent Manitoba Transportation and Government Services for their review.

A.4 Implementation

- (1) These objectives and policies shall be implemented by the respective Zoning By-laws of the RM of Fisher and RM of Armstrong, subdivision control, development agreements, the issuance of development permits and such programs as determined by the Planning District as well as the RM of Fisher and RM of Armstrong Councils.
- (2) The areas to which the above policies apply are designated as “Agriculture Areas” as shown on the Land Use Plan.

B. SETTLEMENT CENTRES

B.1 LOCAL URBAN DISTRICT

For the purposes of the Fisher Armstrong Planning District Development Plan, the term “Local Urban District” refers to the community of Fisher Branch.

B.1.1 Concerns

- (1) The threat of incompatible fringe development adjacent to the boundaries of the local urban district.
- (2) The intermixture of different types of land use without regard for compatibility.
- (3) Development of flood prone lands without proper flood proofing measures.

B.1.2 Objectives

- (1) Growth of the existing local urban district to occur in an orderly, well planned manner that will make the provision of services economically possible.
- (2) Existing local urban district be strengthened and maintained to provide employment opportunities and a range of commercial and community facilities to its residents and residents of the region.
- (3) Development that would more properly be located in the local urban district being encouraged to become established in such a district wherever possible.

- (4) Compact development that will not unduly increase costs or reduce the efficiencies of providing centralized services.
- (5) Good agricultural land not being despoiled through the proliferation of urban type developments that create unwanted urban fringe development.

B.1.3 Policies

In keeping with the objectives described above, the following policies are adopted:

- (1) All urban uses shall be permitted in the local urban district under one all-encompassing designation – “General Development”.
- (2) Further planned and rational urban growth will be encouraged to occur in existing communities which already offer a range of urban services.
- (3) The Planning District will endeavour to ensure that proposed developments permit the economic provision and maintain the integrity of such public services as schools, hydro, telephone, highways, police and fire protection, health care and recreational facilities.
- (4) The Planning District will ensure that proposed developments take into account the health, safety and general welfare of the residents, and the viability of the local urban district. Any use of land or activity which is or has the potential to be detrimental to the environment or the socio-economic well-being of residents of the district will be discouraged.
- (5) The establishment of new developments in competition with the existing local urban district will be discouraged.
- (6) Those uses or activities which are permitted in the local urban district will be located so as to be compatible with other existing or proposed uses.
- (7) The growth of the local urban district bordering on one side of a provincial highway will be restricted to the same side of the highway. Access to such highways will be limited, and where appropriate, a service road for purely local traffic will be provided.
- (8) The subdivision of land for rural residential development will not be allowed on the periphery of the local urban district if it would hamper the expansion of the local urban district.
- (9) Buffer zones in which limited agriculture may be permitted will be established beyond the built-up area of the local urban district.

B.1.4 Implementation

The policies listed above will be implemented and applied as follows:

- (1) The RM of Fisher Zoning By-law.
- (2) The conditions of approval, development agreements, and stipulations for subdivisions.

B.2 RURAL SETTLEMENT CENTRES

For the purposes of the Fisher Armstrong Planning District Development Plan, the term “Rural Settlement Centre” refers to the communities of Broad Valley, Hodgson, Poplarfield, Inwood, Fraserwood, Silver, Chatfield, Komarno, Narcisse and Meleb.

B.2.1 Concerns

- (1) The rural settlement centres, while not containing a large proportion of the Planning District’s population, act as important centres for the rural areas they serve.

B.2.2 Objectives

- (1) To maintain the viability of settlement centres both as places to live and as service centres for the surrounding rural population.
- (2) To ensure that uses located within the centres do not adversely affect adjacent uses.
- (3) To ensure that the settlement centres remain compact and are not adversely affected by the uses on their periphery.
- (4) To identify suitable areas for future development in keeping with the anticipated demand for land and efficient servicing strategies.

B.2.3 Policies

- (1) All urban uses shall be permitted in the rural settlement centres under one all-encompassing designation – “General Development”.
- (2) Any new development shall occur in such a manner so that it is compatible with adjoining land uses and potential conflict between uses is minimized. The use of buffers may be required to minimize conflicts.
- (3) Minimum lot sizes shall be established in the respective Zoning By-laws of the RM of Fisher and RM of Armstrong to permit effective on-site disposal of sewage and to minimize the risk of groundwater pollution.
- (4) The growth of rural settlement centres bordering one side of a provincial highway shall be directed to that side of the highway.

- (5) Agricultural activities which may have a negative affect on the quality of life within rural settlement centres shall require the approval of the respective Councils of the RM of Fisher and RM of Armstrong when located in proximity thereto.
- (6) Infilling and revitalization of existing built-up areas shall be encouraged as a means to accommodate new development in rural settlement centres. Where suitable vacant land is not available, new development shall be encouraged to locate adjacent to built-up areas where public services can be efficiently and economically expanded.
- (7) Expansion of rural settlement centres shall be directed away from prime agricultural land, livestock production operations and other resource-related uses to avoid incompatibilities and so that land is not prematurely taken out of production or its use prematurely inhibited.
- (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, area drainage and other major features. The design of the roadways and building lots shall be integrated with existing roadways and services, and generally conform to recognized engineering and planning standards.
- (9) New developments shall be evaluated based on:
 - (a) The cost and feasibility of providing municipal and utility services.
 - (b) Local and regional impacts regarding pedestrian safety, traffic volumes and movement.
 - (c) Storm drainage patterns and groundwater conditions.
 - (d) The availability and convenience of public open space and recreational facilities.
 - (e) Buffers between incompatible land uses.
- (10) Commercial and industrial lot sizes shall be of a sufficient size to provide adequate space for the needs of the development, particularly with respect to exterior display, storage and service areas. This shall be regulated through the respective Zoning By-laws of the RM of Fisher and RM of Armstrong.
- (11) Industrial uses which are incompatible or potentially incompatible with other rural settlement centre uses shall be developed at suitable locations where they will not endanger public health and safety. If selection of such a site is not possible, a suitable location in the Agriculture Area may be considered. Where proposals are within the vicinity of a provincial highway, a copy of the proposal should be sent Manitoba Transportation and Government Services for their review.

- (12) Home-based businesses are secondary to a primary residential use and shall not have adverse effects on neighbouring land uses, and shall be regulated by the respective Zoning By-laws of the RM of Fisher and RM of Armstrong. Where proposals are within the vicinity of a provincial highway, a copy of the proposal should be sent Manitoba Transportation and Government Services for their review.

B.2.4 Implementation

The policies above will be implemented and applied as follows:

- (1) The respective Zoning By-laws of the RM of Fisher and RM of Armstrong.
- (2) The conditions of approval, development agreements, and stipulations for subdivisions.

C. RURAL RESIDENTIAL AREAS

C.1 Concerns

- (1) Rural residential development removing agricultural land from development or reducing farming efficiency and unnecessarily fragmenting agricultural land.
- (2) The economic, social and political costs to the agricultural and settlement centres of such development.
- (3) The need to minimize conflict with existing and future agricultural activities in the Planning District.

C.2 Objectives

- (1) To plan rural residential development in a such a manner so as to minimize the effects on agriculture and existing settlement centres while offering an alternative to the urban lifestyle.
- (2) To preserve the rural character and open spaciousness of the Planning District.
- (3) To ensure that the development of rural residential areas occurs in a logical manner and on an economically sound basis.
- (4) To ensure that proposed developments can be serviced to an appropriate rural standard and in a cost-effective manner with respect to road access, water supply and wastewater disposal.

C.3 Policies

- (1) Non-farm rural residential development will require an amendment to the Fisher Armstrong Planning District Development Plan map by designating proposed lands as "Rural Residential Area". The establishment of Rural Residential Areas shall be guided by the policies of this section.

- (2) The subdivision of land in Rural Residential Areas shall be guided by Section 3.0 of the Fisher Armstrong Planning District Development Plan and the policies of this section.
- (3) Rural residential development shall be directed towards sites with low potential for agriculture, including livestock production, due to adverse topography, poor soil conditions, or other physical constraints and the proposed development will not unduly interfere with existing or proposed agricultural operations.
- (4) Rural residential development must be planned in a manner that will not produce unacceptable social or economic costs. The approving authority will consider the impact of such development on the provision of such public services as schools, school busing, hydro, telephone, highways, police and fire protection, health care and recreational facilities, snow removal, fire protection and refuse collection.
- (5) Rural residential lots shall be of such dimensions so as to maintain the rural character of the land. A suggested minimum lot size of 2 acres is required with a maximum lot size of 10 acres. Where it can be demonstrated that the minimum and maximum figures are either deficient or excessive for their purposes, they may be altered at the discretion of the respective Councils of the RM of Fisher and RM of Armstrong. Care shall be taken to ensure that subdivisions are not wasteful of land.
- (6) Rural residential development must accommodate adequate drainage, the proper function of a septic field or other acceptable method of domestic effluent disposal, and a potable water supply, as per applicable provincial regulations.
- (7) Uses that are incompatible with the residential use shall not be allowed in rural residential developments.
- (8) Where development is proposed in areas of treed land, the design should protect or enhance existing treed acreage.
- (9) In order to minimize the needless fragmentation of land, it will be the responsibility of the developer to demonstrate that there is sufficient demand for developed lots to justify subdivision of land.
- (10) Rural Residential Areas shall not be developed on the fringe or periphery of existing settlement centres.
- (11) It must be demonstrated by the developer that a development is not incompatible with existing land uses and natural areas in the vicinity. Existing settlement centres or rural residential development in the vicinity must not be adversely affected in terms of environmental and economic impact.

- (12) Rural residential development shall be located at a sufficient distance from livestock production operations to minimize potential adverse affects on such operations.
- (13) Rural residential developments shall be directed away from sensitive environmental areas, and shall be adequately protected from hazards associated with flooding and erosion.
- (14) 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, area drainage and other major features. The design of the roadways and building lots shall be integrated with existing roadways and services, and generally conform to recognized engineering and planning standards.
- (15) Home-based businesses are secondary to a primary rural residential use and shall not have adverse effects on neighbouring land uses, and shall be regulated by the respective Zoning By-laws of the RM of Fisher and RM of Armstrong. Where proposals are within the vicinity of a provincial highway, a copy of the proposal should be sent Manitoba Transportation and Government Services for their review.

C.4 Implementation

The objectives and policies with respect to rural residential development will be implemented through:

- (1) Subdivision approval procedures pursuant to *The Planning Act*.
- (2) The areas to which the above policies apply are designated as “Rural Residential Areas” as shown on the Land Use Plan.

D. TRANSPORTATION

D.1 Concerns

- (1) Potential strip development along provincial and municipal highway systems.
- (2) Efficient and safe movement of traffic on provincial highways and municipal roads.
- (3) Cost of constructing new roads.

D.2 Objectives

- (1) To maintain a safe, convenient and efficient network of roads capable of moving people, goods and services.
- (2) To protect the provincial investment in highways already in place and prevent premature obsolescence of the existing transportation network.

- (3) To minimize disruption to local development in the future, and reduce public costs for land acquisition when highway upgrading is required.

D.3 Policies

The following criteria apply to all developments located adjacent to a provincial highway:

- (1) Strip development along a provincial highway, whereby direct connections to the highway are continuously relied upon for providing access to abutting properties, shall not be permitted.
- (2) Developments that would generate traffic in an amount and/or type that would unduly impair the present and potential capability of the adjoining highway to carry traffic safely and efficiently, shall not be permitted unless adequate measures, suitable to the Department of Transportation & Government Services, are taken to remedy the problem.
- (3) Any improvements required to upgrade the existing provincial highway system deemed necessary by Transportation and Government Services, which are directly associated with a development, shall be the responsibility of the developer.
- (4) The local road or street network associated with any type of proposed development shall be designed to conform with both the existing and planned road and street system of the neighbouring areas.
- (5) Highway commercial developments may be permitted where interference with other resources is minimized and the safe and efficient operation of the highway is maintained. Direct private access to the highway shall be minimized by means of service or internal roads where appropriate.
- (6) Municipal roads shall be improved at the discretion of the respective RM of Fisher and RM of Armstrong Councils and cost-sharing of the improvement of unimproved road allowances or upgrading of existing improved roads may be required if the road is intended primarily for non-agricultural land uses.
- (7) Public roads shall be maintained for public access. Any clearing, cultivation or cropping of unimproved roads allowances shall be subject to approval of the respective RM of Fisher and RM of Armstrong Councils.
- (8) The location and construction of accesses to Municipal Roads shall be subject to the approval of the respective RM of Fisher and RM of Armstrong Councils.
- (9) Anhydrous ammonia facilities in the vicinity of Provincial Roads and Trunk Highways shall be located in accordance with provincial regulations and guidelines. These facilities should have access from a municipal road.

- (10) 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.
- (11) The location and construction of an access to a provincial road will be subject to approval by the Department of Transportation and Government Services; and to a provincial trunk highway subject to approval by the Highway Traffic Board.
- (12) New development should have access to an all-weather road of sufficient standard and capacity, unless the proponent makes an agreement with the Councils of the RM of Fisher and RM of Armstrong to upgrade an existing road or develop new road access to a standard agreed upon by said Councils. The proponent may be responsible for part or all the costs of this roadway construction.
- (13) Land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic shall be located in proximity to major roadways, including provincial roads and provincial highways, if appropriate. Direct access to the provincial highway system will be discouraged, whereby access to the provincial highway system should be via the municipal road system.
- (14) New development which has the potential to generate significant vehicle traffic shall be directed away from those areas and land uses where such levels of traffic could endanger public safety. Proposed developments that may be adversely affected by noise, dust and fumes from roadways and railways shall be located where there is adequate separation from these corridors or shall incorporate measures such as sound barriers or landscaped buffers to mitigate the conflict.
- (15) Where an area of development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, any new development shall be directed to the same side of a corridor to maintain maximum safety conditions by eliminating unnecessary cross-corridor movements.
- (16) The subdivision of land or development of existing land parcels in areas designated for highway widening or expansion shall incorporate provisions suitable to the Department of Transportation and Government Services to accommodate future widening or expansion projects.
- (17) The draining of any water into the highway drainage system shall require the approval of the Department of Transportation and Government Services. Any improvements required to upgrade the existing highway drainage system, which are directly associated with a development, shall be the responsibility of the developer.

D.4 Implementation

- (1) All developments shall conform to the statutory requirements of the Department of Transportation and Government Services, the Highway Traffic Board, as well as the RM of Fisher and RM of Armstrong.

E. RECREATION AND NATURAL ENVIRONMENT AREAS

E.1 Concerns

- (1) Incompatible land uses in proximity to existing recreational and natural areas.
- (2) Quality of recreation experience provided by recreation facilities.
- (3) Threat to natural environment areas.

E.2 Objectives

- (1) To encourage the protection of scarce recreational and scenic resources. Development policies can anticipate future recreational needs through proper recognition and zoning of high quality recreational lands. In addition to offering needed opportunities for recreational experiences, such areas can add to the general environmental quality by providing visual buffers and wildlife habitat and by preempting undesirable uses of marginal land or land with high amenity potential.
- (2) To prevent overuse and consequent degradation of recreational resources. Overuse is a major threat to outdoor recreation, particularly where there are a limited number of sites within close proximity to settlement centres, or at or near significant provincial natural resource areas. Where such situations occur, there is a tendency to over-develop existing recreation areas which results in damage the physical resource and a decline in recreational quality.
- (3) To ensure that land use adjacent to Provincial recreation and resource areas is compatible with these significant recreation and resource areas.
- (4) To protect significant natural features or areas which may be degraded or eliminated by certain types of development.
- (5) To help sustain threatened or endangered plants and animals.

E.3 Policies

Subdivision or development on or affecting lands with significant capability for ungulates (CLI classes 2 & 3), waterfowl (CLI classes 2 & 3) or recreation (CLI classes 4 & 5) shall only be permitted after the proponent has proven to Council's satisfaction that there will be no adverse affects on those lands or that it cannot practically be located elsewhere. In areas where high capability recreational land is scarce, land identified as class 4 or lower may be considered to be of high recreational capability. The advice of Provincial Government specialists may also be considered by the respective Councils of the RM of Fisher and RM of Armstrong.

- (1) Subdivision of lands having high recreational capability within the Planning District should be permitted only when there is sufficient land of similar capability available to satisfy local, regional and provincial recreational needs for the foreseeable future.
- (2) Land near an area of high recreational capability or a significant recreation use should be developed in a manner compatible with the recreational capability or use.
- (3) Development of a recreation area shall be limited to a level of intensity that permits the sustainable use of the recreational resource.
- (4) Design and development of extensive outdoor recreational resource opportunities (like backpacking) must be sensitive to such considerations such as crowding and resource degradation so that the intended recreational experience is achieved.
- (5) Intensive recreational development, such as cottaging in rural areas or recreational facilities in settlement centres, shall be planned to be compatible with the natural environment, resource-related uses and other adjacent uses.
- (6) Intensive recreational development shall not preclude public access to, and use of public resources, provided such access does not lead to levels of activity that will exceed the capability of the area to sustain the environment and ecosystem integrity. Provision of public land should be adequate to accommodate anticipated use and may be achieved, for example, through designation of shoreland reserves in the case of cottage developments.
- (7) The primary function of significant recreation and resource areas shall be permanently maintained through the implementation of guidelines which will affect the use of lands adjoining such parks, wildlife management areas and reserves. No intensive residential, industrial, agricultural or commercial development or subdivision potentially detrimental to the resource area or park character or experience will be permitted in this adjacent zone.
- (8) Areas of high recreation capability identified by the Province as critical to sustaining threatened or endangered plants and animals or as having significant natural features, heritage resources, or other flora and fauna may require protection from recreational and other uses that may negatively affect them.
- (9) The Province may identify areas that are representative of major natural regions and may protect them from land uses that would negatively affect their natural characteristics. Natural areas and habitats shall 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*.
 - (b) Lands have received provincial designation and protection under the Protected Area Initiative.

- (c) Lands have been identified as Wildlife Management Areas.
- (d) Private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.

(10) The Planning District shall encourage landowners to seek advice from the Department of Conservation with respect to habitat removal and wildlife depredation and will support educational programs undertaken by the Department.

E.4 Implementation

- (1) Subdivision approval procedures pursuant to *The Planning Act*.
- (2) Rules and regulations which may be established from time-to-time by the Planning District in co-operation with appropriate Provincial and/or Federal Government departments.

F. WATER AND SHORELAND RESERVES

F.1 Concerns

- (1) Surface water resources serve a number of important uses.
- (2) Availability and quality of groundwater supply.
- (3) Public access to waterways situated in the Planning District.
- (4) Shoreland, in many instances, may be flood prone.

F.2 Objectives

- (1) To maintain the natural capacity of waterways to convey flows.
- (2) To preserve and maximize the capability of waterways and waterbodies to be used for a variety of purposes.
- (3) To maintain and manage key shorelands to meet domestic water supply, recreation, erosion protection and water table retention requirements and to ensure the viability of critical environments for local flora and fauna. In addition to these specific reasons, it is anticipated that certain shorelands will be designated for protection solely to ensure the right of the public to fully utilize major waterways and waterbodies.

F.3 Policies

- (1) Land should be developed in a manner which ensures that waterways, waterbodies, groundwater and shoreland areas of significance are sustained.
- (2) Identification of waterways, waterbodies, groundwater and shorelands requiring protection will be achieved through land use planning programs at the Provincial, Planning District and local levels. The extent of protection required will be directly related to the characteristics of the local situation. The size and configuration of the

waterway, waterbody, shoreland or groundwater, the need for public access, erosion rate, the recreation potential, etc. will all have a bearing on the mode of protection adopted. Shoreland reserves may be created to protect shoreland, waterways or waterbodies. Where appropriate, public acquisition may occur by direct purchase, dedication through the subdivision approval process, easement or lease.

- (3) Development shall occur in a manner which sustains the yield and quality of water from significant aquifers.
- (4) Groundwater pollution hazard areas identified by the Province should be taken into account in development proposals. Provisions required to safeguard such areas should be applied through these plans in respect of land uses and structures that could potentially pollute groundwater.
- (5) The preservation and rehabilitation of native vegetation will be encouraged in sensitive environmental areas such as the shorelines of lakes, rivers, creeks and streams in order to stabilize banks, filter run-off and to promote surface water quality.
- (6) In the case of development proposals which require significant volumes of surface water and/or groundwater, the proponent shall be required to investigate the need for a *Water Rights License*. Development approval shall be withheld until such time as the need for a *Water Rights License* has been finalized.
- (7) Stream alterations shall not be undertaken without the approval of the Department of Conservation. Instream works shall be designed and timed in a manner that avoids or mitigates any negative habitat impacts.

F.4 Implementation

- (1) Subdivision approval pursuant to *The Planning Act*.

G. HAZARD LANDS, FLOODING AND EROSION

G.1 Concerns

- (1) Minimizing risks associated with public health, the environment and land uses.
- (2) Costs associated with providing aid and additional protection to individuals located in hazard lands.

G.2 Objectives

- (1) Development within hazard areas may accelerate environmental damage, interfere with natural processes, necessitate public and private expenditures for remedial works or emergency assistance, waste resources and cause personal loss and

hardship. Wise land use is required in these areas to avoid unnecessary risk, expense and damage. The objectives of this Policy are:

- (a) To minimize personal hardship and inconvenience, adverse effects on public health, and loss of life and safety.
- (b) To minimize property damage and public expenditures for relief or protection.
- (c) To restrict activities which would accelerate or promote environmental damages arising from causes such as erosion or bank instability.
- (d) To maintain the natural capability of streams to convey flood flows.
- (e) To restrict activities which could negate the benefits derived from existing flood control works.

G.3 Policies

- (1) Low intensity uses such as some agriculture or open space recreational activities may be acceptable within hazard areas, but any other use involving higher intensity of development shall be restricted. Hazard areas include lands subject to flooding, water erosion, bank instability, landslides or subsidence.
- (2) Criteria:
 - (a) Lands subject to flooding are all lands which would be flooded by a 100-year flood, or a flood specified by the Water Resources Branch in areas of protected flood control works.
 - (b) Lands subject to water erosion are 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 waterbody.
 - (c) Lands subject to other hazards such as landslides or subsidence are those lands where actual effects of such hazards have occurred or have been predicted.
- (3) It may not be practical or desirable for economic or social reasons to totally restrict development in all hazard areas. Developments shall, however, be carefully controlled to ensure that they are compatible with the risks or that the hazard has been eliminated or protected against. Where such exceptions are made, the following criteria should be applied:
 - (a) The development shall not adversely alter, obstruct or increase water flow, flood velocities or flood stages and should only be allowed if the cumulative effects of all foreseeable development in the flood prone area is within limits specified in regulations or by-laws.
 - (b) There shall be no added risk to life, health or safety.
 - (c) All structures and services shall be protected against damage and shall be functional under hazard conditions.
 - (d) Activities such as dumping, excavation and clearing, which would accelerate or promote damages due to causes such as erosion or bank instability, shall be prohibited.

- (e) Natural tree and vegetative cover shall be preserved to reduce erosion and assist in maintaining bank stability.
 - (f) Potential damages to any permitted open space uses shall be minimal in hazard conditions.
- (4) Development proposals in hazard areas shall require completion of engineering studies, including recommendations regarding preventative and mitigating measures which eliminate the risk or reduce the risk to an acceptable level and remedial measures which restore or rehabilitate damage which may occur.
 - (5) In areas where the specific hazard has not been determined, buildings shall be set back from all waterways a distance of at least 10 times the height of the bank above channel grade or 30 metres, whichever is greater, unless an engineering investigation shows that these limits may be reduced.

G.4 Implementation

- (1) These objectives and policies shall be implemented through the respective Zoning By-laws of the RM of Fisher and RM of Armstrong, subdivision control, development agreements, the issuance of development permits and such programs as determined by the Planning District and/or the Councils of the RM of the Fisher and RM of Armstrong.

H. HERITAGE RESOURCES

H.1 Concerns

- (1) Lack of awareness of the unique and significant environmental, cultural and historical characteristics in the Planning District. There is a need to attempt to preserve these heritage resources for future generations.

H.2 Objectives

- (1) To identify sites and structures having historic, architectural or archaeological significance and to protect these sites and structures from uses or activities that would endanger them.
- (2) To encourage public awareness, understanding and appreciation of these historic and cultural sites.

H.3 Policies

- (1) No subdivision or development shall be allowed for those areas or sites that either have been formally identified by the Historic Resources Branch, or are in the process of receiving municipal or provincial heritage designation, as:
 - (a) Critical to the existence of known significant cultural and historic sites.

- (b) Areas of high archaeological potential; areas identified shall be large enough to effectively protect the site.
- (2) Subdivision or development may take place at a site or area of cultural or historical significance only after consultation with the Historic Resources Branch and an examination of the site or area to determine if the heritage resources are endangered.
- (3) Council may take any steps warranted to preserve the character of sites and structures of significance including using the provisions of *The Heritage Resources Act*.
- (4) The development, designation and preservation of heritage resources shall be coordinated with other heritage and recreational resources in the Planning District to maximize interpretive and tourism potential.

H.4 Implementation

- (1) Subdivision approval pursuant to *The Planning Act*.
- (2) Rules and regulations which may be established from time-to-time by the Planning District and/or the Councils of the RM of the Fisher and RM of Armstrong and appropriate Government departments.

I. MINERAL RESOURCES

I.1 Concerns

- (1) Local use of aggregate resources are crucial for road building and other construction since transportation costs can be prohibitive over long distances.

I.2 Objectives

- (1) To protect mineral resources, including known sand and gravel deposits, from conflicting land uses which may prevent the economic extraction of minerals.
- (2) To rehabilitate, in accordance with applicable Government regulations, lands disturbed by mineral exploration, development and production to a condition that is environmentally safe, stable and compatible with adjoining lands.

I.3 Policies

The Department of Industry, Trade & Mines designates areas of “High”, “Medium” and “Low” mineral, quarry mineral, metallic mineral and oil and gas potential on maps for all regions of Manitoba. The following development status criteria shall be used.

- (1) Within an area designated as “High”, no conflicting land uses shall be allowed. Uses shall be limited to general agriculture, temporary uses or other uses that will permit access to the resource.

- (2) Within an area designated as “Medium”, with approval of the Mineral Branch, a potentially conflicting land use may be permitted.
- (3) Within an area designated as “Low”, conflicting land uses are permitted.
- (4) Aggregate and other quarry mineral deposits shall be protected from conflicting and potentially conflicting land uses.
- (5) A buffer area shall be established between adjoining uses and extraction operations. The status of the extraction operation will determine the type of buffering or separation distance to be the most appropriate.
- (6) Lands disturbed by mineral, quarry mineral or metallic mineral exploration or development should be rehabilitated in accordance with provincial legislation to a condition that is environmentally safe, stable and compatible with adjoining lands.
- (7) A development permit under *The Planning Act* shall be required for commercial extraction operations.
- (8) Mineral extraction shall be a Conditional Use subject to the provisions of the respective Zoning By-laws of the RM of Fisher and RM of Armstrong, *The Planning Act* and the acquisition of a permit under *The Mines and Minerals Act*. Conditions may include a site plan showing the staging of extraction, a rehabilitation plan, or cost-sharing of municipal improvements.

I.4 Implementation

- (1) The respective Zoning By-laws of the RM of Fisher and RM of Armstrong.
- (2) A by-law or by-laws under *The Municipal Act*, prepared in consultation with appropriate provincial departments, and Mines Branch.

4.0. ADMINISTRATION

- (1) Basic Implementation Measures

The intent of the Implementation section is to outline the actions that are required in order to facilitate the overall community growth objectives and development policies of the Fisher Armstrong Planning District Development Plan. The Development Plan is based on short and long range policies, regulations and criteria for the area to grow and prosper in a sustainable manner that reflects a diversity of interests and needs. However, a Development Plan does not in itself manage and control development. Rather, it is used in conjunction with other planning controls such as Zoning By-laws, development agreements, and subdivision plans. With this in mind, the policies outlined in the Development Plan will be implemented by the measures and methods provided below.

(2) Adoption of this Development Plan

Adoption of this Development Plan by the Planning District 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 Planning Act* also states that adoption of a Development Plan does not require the Planning District to undertake any proposal suggested or outlined in the Development Plan.

The Development Plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the Planning District. The Development Plan may be amended at any time when considered appropriate or necessary by the Planning District. Should it be necessary to amend the Development Plan, the public should be given adequate notice to respond to the proposed changes. Section 28 of *The Planning Act* provides notification procedures for informing the public regarding Development Plan amendments. In addition, Section 26 of *The Planning Act* states that a Planning District such as the Fisher Armstrong Planning District shall review its Development Plan no later than five years after the date on which the plan came into effect or after the date of the previous review.

(3) Zoning By-law

A major planning tool to implement Development Plans is Zoning By-laws. *The Planning Act* provides that communities can enact Zoning By-laws following the preparation and approval of a Development Plan. A Zoning By-law establishes various Zoning Districts, determines both permitted and conditional uses, and provides details regarding the appropriate development standards and applicable Zoning District regulations. This can include minimum lot sizes, maximum building heights, sign controls, landscaping, and home occupation regulations.

A Development Plan is used as a guide in preparing, amending or varying the regulations of the Zoning By-law. For instance, when dealing with a Zoning By-law amendment, the respective Councils of the RM of Fisher and RM of Armstrong should base its decision on the objectives, policies and development regulations as laid out in the Development Plan. However, the Development Plan outlines a long-term growth strategy and there are situations where the RM of Fisher and RM of Armstrong Councils may allow the Zoning By-law to reflect current uses until specific needs or demands change or if land use conflicts arise. Having stated this, any proposed Zoning By-law amendments must be in conformance with the Development Plan.

(4) Subdivision Approvals

Subdivision is the process of altering legal property boundaries. Most often this involves splitting larger tracts of land into separate legal properties. Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review and approval process involving the RM of Fisher and RM of Armstrong Councils and the Planning District, 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 the Councils of the RM of Fisher and Armstrong 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*.

(5) Concept Plans

Development Plans primarily deal with general land use and development within the overall community, while concept plans show how specific areas may develop. Concept plans are required in primarily undeveloped areas that are experiencing development pressures where landowners have not developed a strategy for the long-term development of their properties. Concept plans provide general information dealing with road layout, lot structure, parkland dedication, and servicing and topographical features. Prior to new development taking place in a concept plan area, the landowner or developer has to subdivide his/her land holdings and meet Municipal and Provincial government regulations, including legal and site surveys as well as engineering studies.

(6) Development Agreements

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

(7) Development Permits

New development generally requires a development permit issued by the Planning District. Before a permit is issued, proposals should be reviewed to determine their conformance with the Development Plan and the respective Zoning By-laws of the RM of Fisher and RM of Armstrong.

(8) Development Officer

The Planning District may authorize its Development Officer to issue development permits, zoning memoranda, non-conforming certificates and other similar documents and allow minor variations to the requirements of the respective Zoning By-law of the RM of Fisher and RM of Armstrong.

(9) 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 RM of Fisher and RM of Armstrong Councils 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 the RM of Fisher and RM of Armstrong Councils with the opportunity to establish conditions of approval appropriate for each proposal. In utilizing the conditional use process, the RM of Fisher and RM of Armstrong Councils will have an opportunity to influence the location of certain 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 use approval process.

(10) Variation Orders

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

(11) Additional Measures

In addition to the measures outlined above, the Planning District may also utilize the measures provided below.

(a) Acquisition and Disposal of Land

The Planning District may acquire an interest in land or sell, lease or otherwise dispose of land for the purpose of implementing the Development Plan.

(b) Adoption of Other By-laws

The RM of Fisher and RM of Armstrong Councils may adopt and administer other by-laws concerning the use, development and maintenance of land. This would include measures such as the adoption of a building by-law, property maintenance by-laws, access approval by-laws, drainage by-laws and other types of by-laws affecting the use of land.

(c) Special Studies

While the community wants to encourage growth and development to provide opportunities for its residents, it also wants to ensure that consideration is given to the possible effects of a development proposal. For this reason, 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 proposals affected by traffic issues along provincial highways and municipal roads, flooding hazards, endangered species, potential for groundwater and surface water pollution, and general risk to health and the environment.

(d) Public Works

The capital works program and public improvements of the RM of Fisher and RM of Armstrong shall 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.

(e) Capital Expenditure Program

The RM of Fisher and RM of Armstrong Councils shall consult the Development Plan when revising the annual five-year capital expenditure program.

(f) Strategic Plans for Economic Development

As outlined in Section 258 of *The Municipal Act*, the RM of Fisher and RM of Armstrong Councils may adopt a strategic plan for economic development. Strategic plans should be consistent with the Development Plan. The RM of Fisher and RM of Armstrong can also consider preparing community vision statements and action plans as part of a community round table process to ensure consistent objectives, policies and programs.

(g) 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.

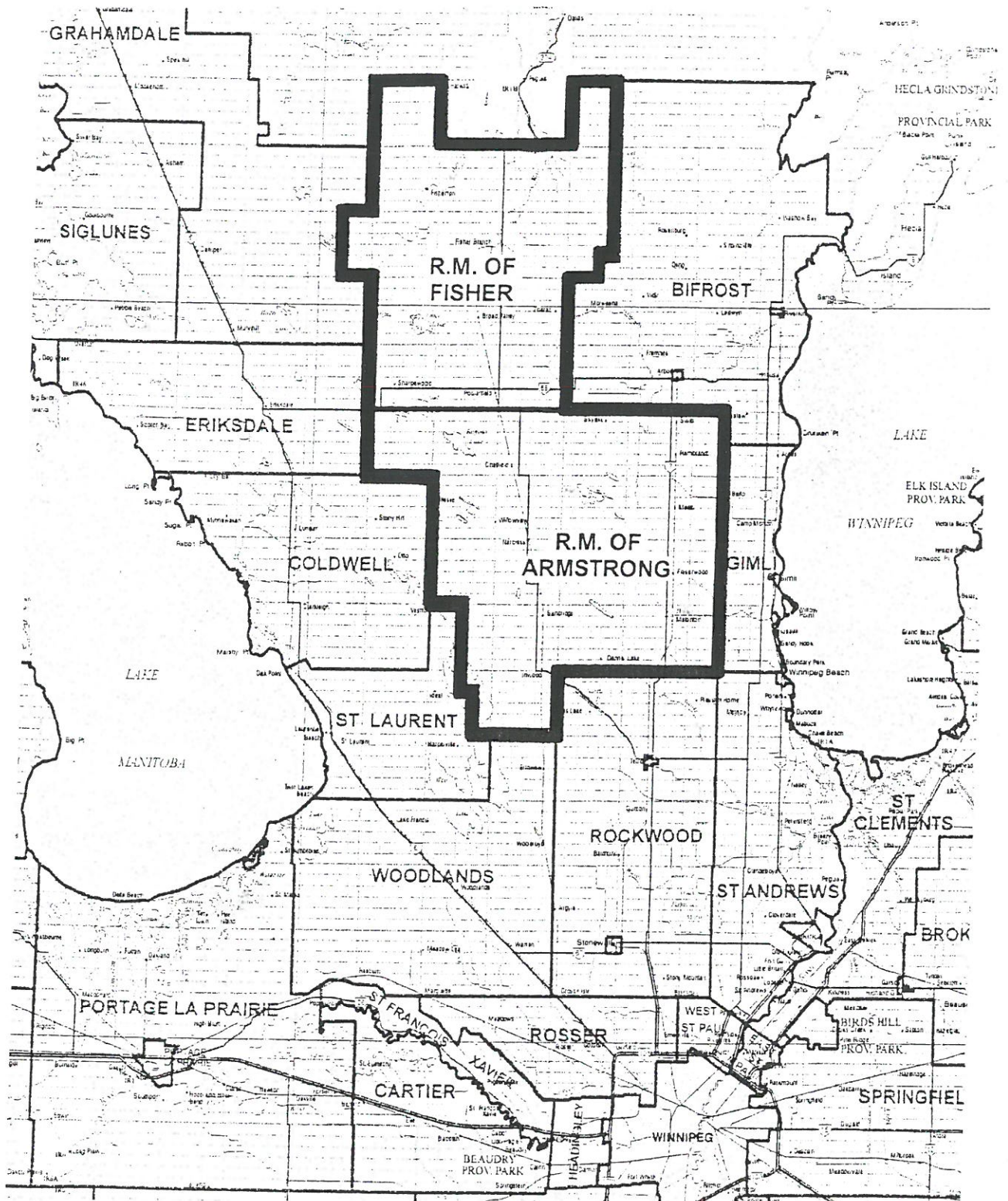
5.0 INTERPRETATION

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

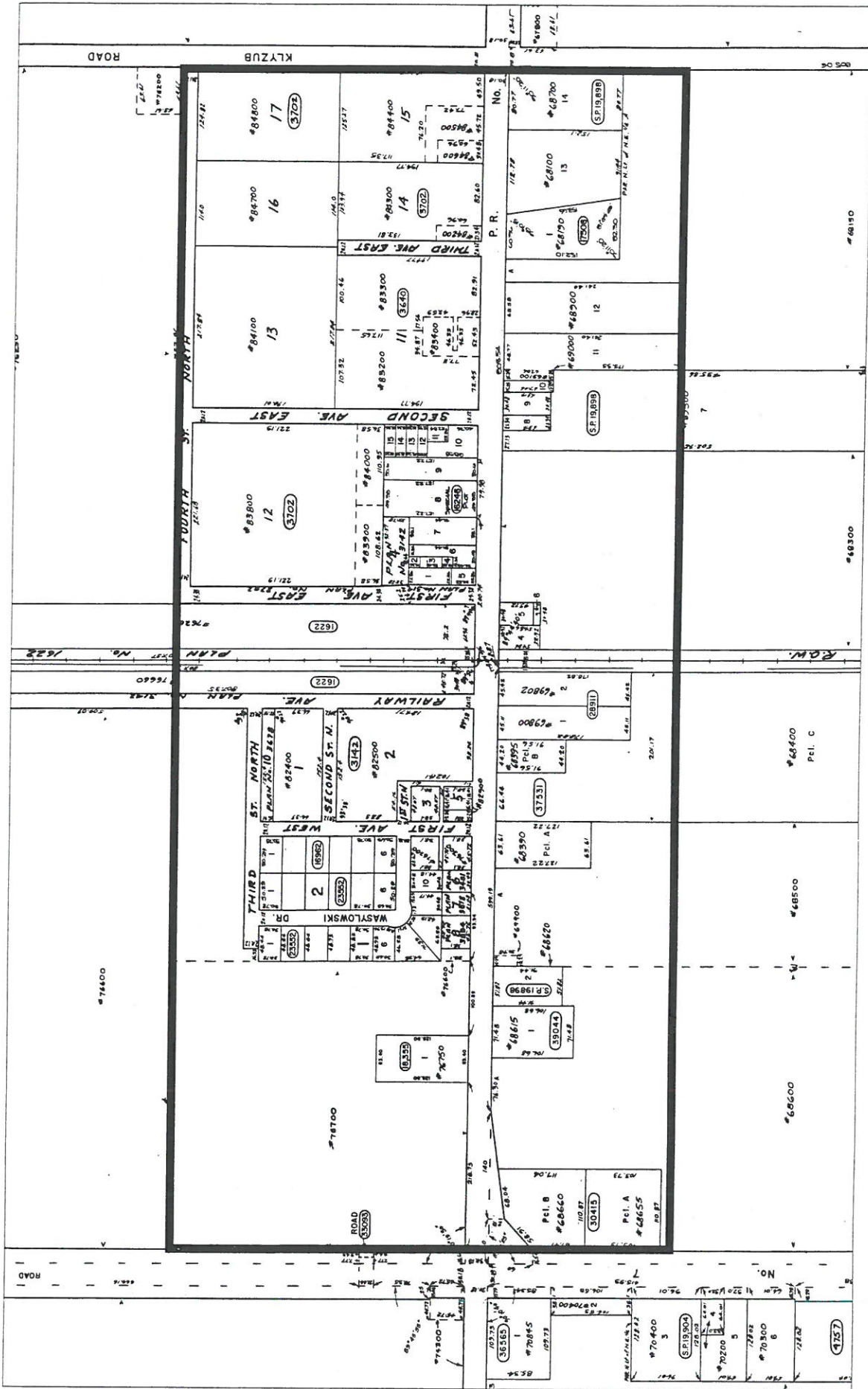
APPENDIX "A"

LIST OF MAPS

- Map 1: Regional Setting of Fisher Armstrong Planning District
- Map 1A: RM of Armstrong (north) Land Use Plan
- Map 1B: R.M. of Armstrong (south) Land Use Plan
- Map 1C: Fraserwood Rural Settlement Centre in RM of Armstrong
- Map 1D: Meleb Rural Settlement Centre in RM of Armstrong
- Map 1E: Silver Rural Settlement Centre in RM of Armstrong
- Map 1F: Narcisse Rural Settlement Centre in RM of Armstrong
- Map 1G: Chatfield Rural Settlement Centre in RM of Armstrong
- Map 1H: Inwood Rural Settlement Centre in RM of Armstrong
- Map 1I: Komarno Rural Settlement Centre in RM of Armstrong
- Map 2A: RM of Fisher Land Use Plan
- Map 2B: Local Urban District of Fisher Branch in RM of Fisher
- Map 2C: Poplarfield Rural Settlement Centre in RM of Fisher
- Map 2D: Broad Valley Rural Settlement Centre in RM of Fisher
- Map 2E: Hodgson Rural Settlement Centre in RM of Fisher



FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 MAP 1 : REGIONAL SETTING

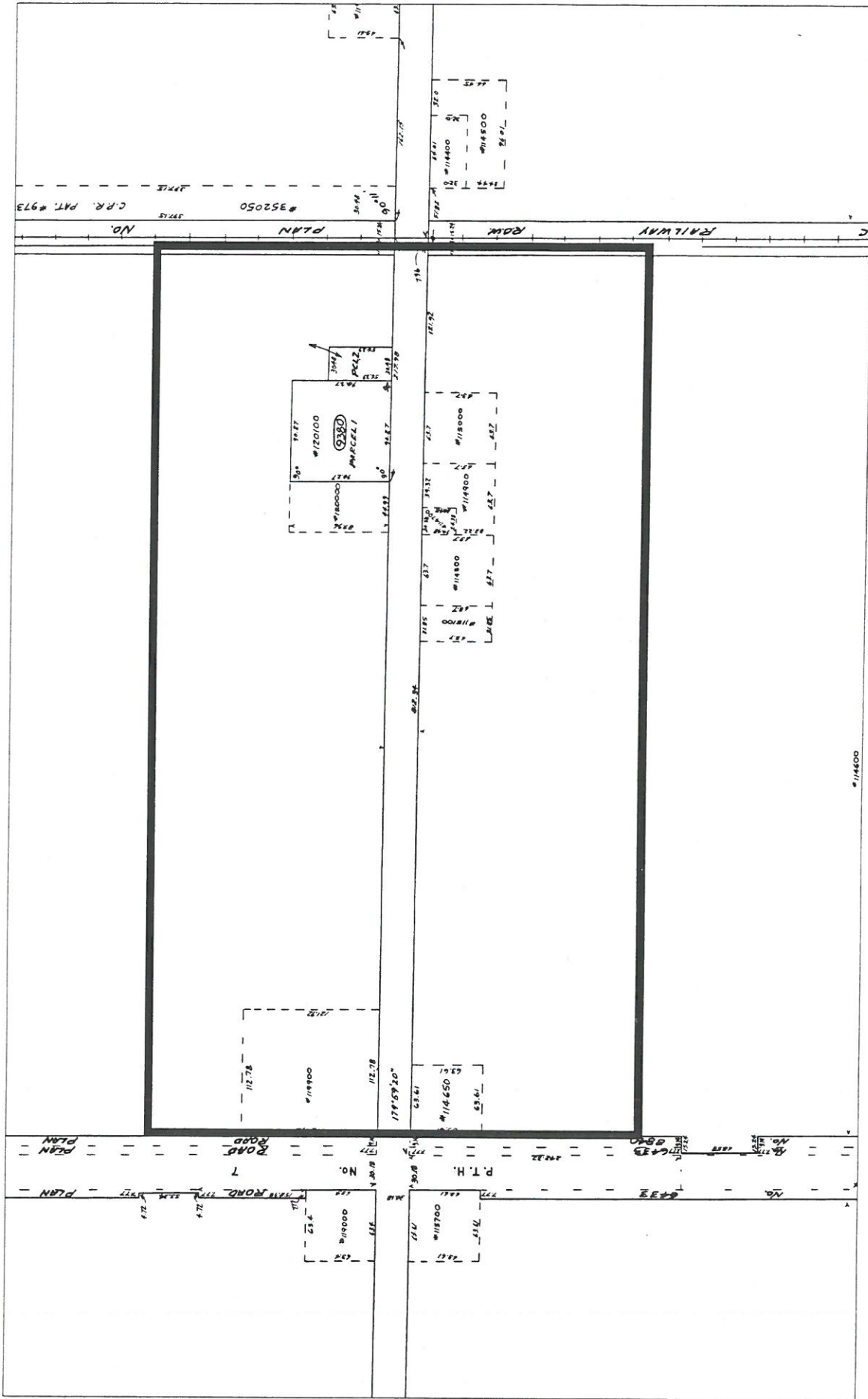


LEGEND :

RURAL SETTLEMENT CENTRE



FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 RM OF ARMSTRONG
MAP 1C : FRASERWOOD



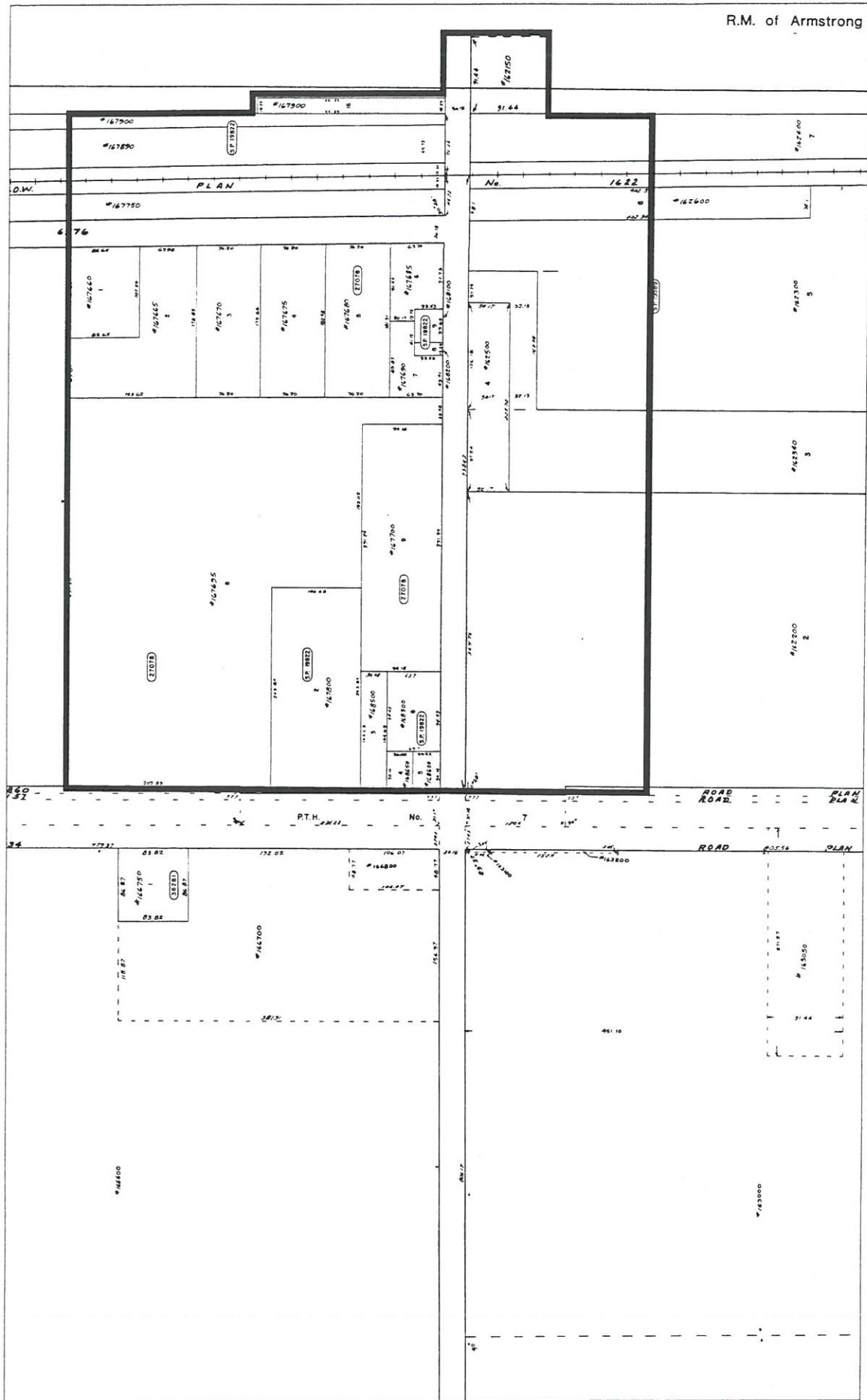
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RURAL SETTLEMENT CENTRE



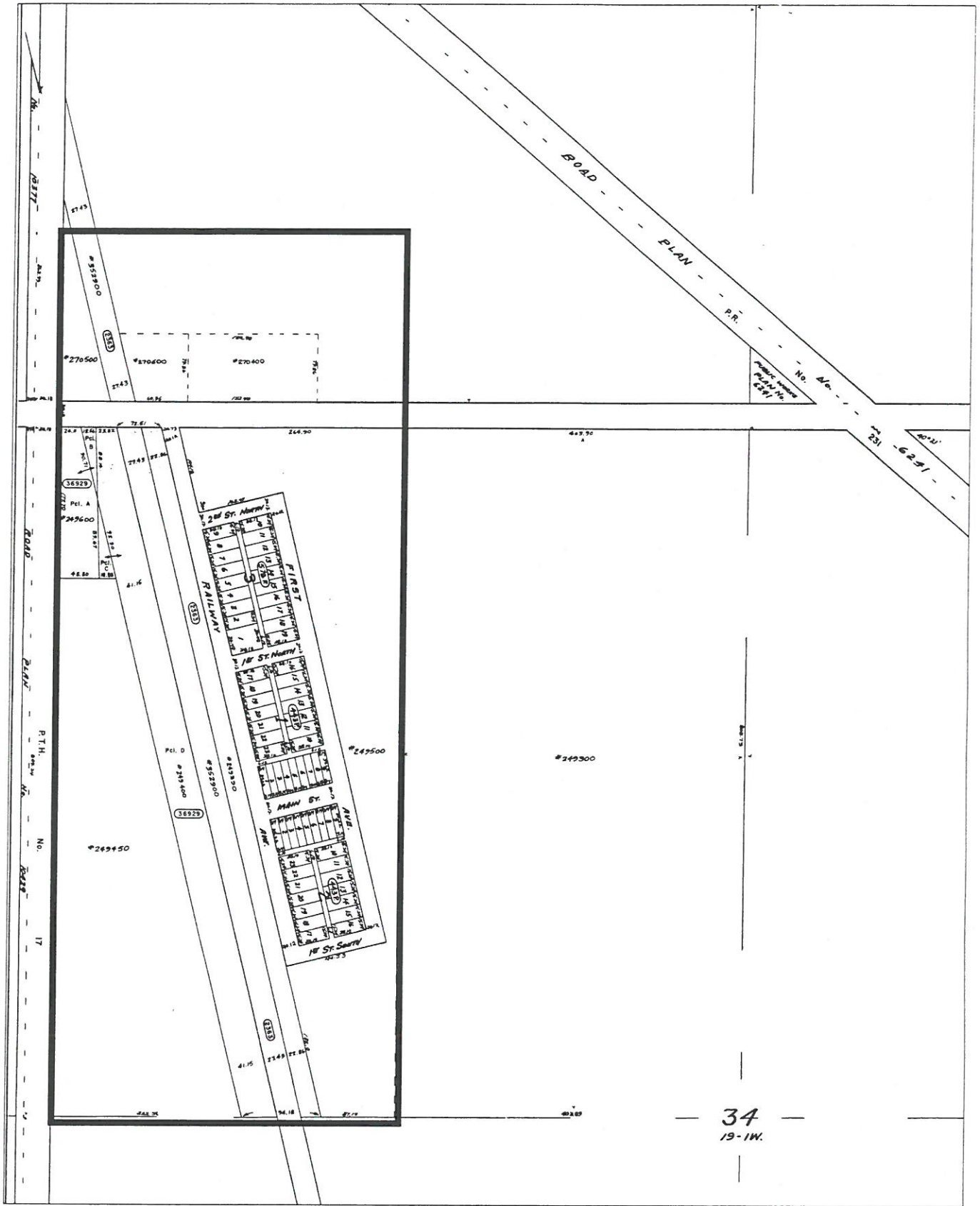
FISHER ARMSTRONG
PLANNING DISTRICT DEVELOPMENT PLAN
RM OF ARMSTRONG
MAP 1D : MELEB



FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 RM OF ARMSTRONG
MAP 1E : SILVER



LEGEND :
 [] RURAL SETTLEMENT CENTRE



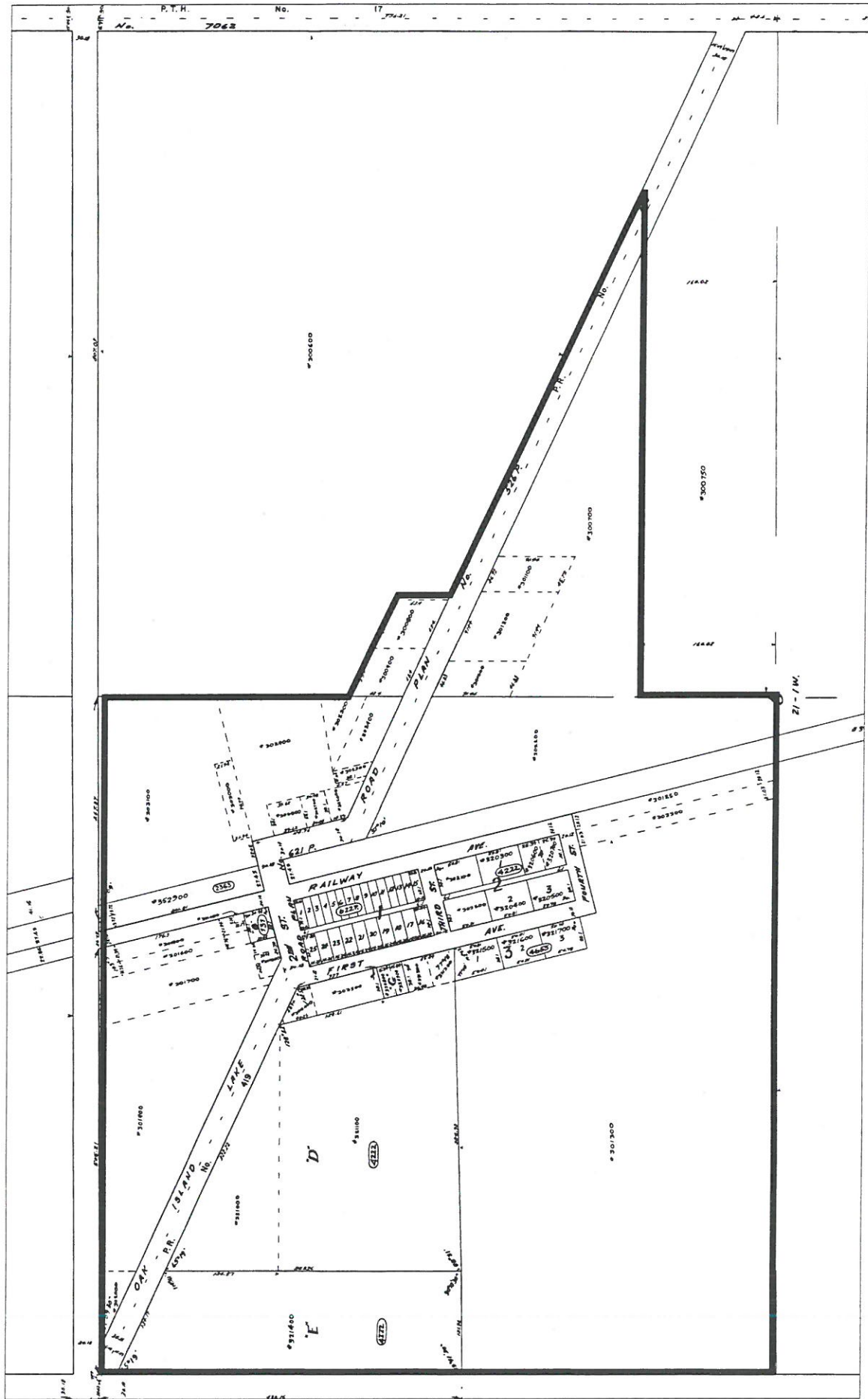
34
19-1W.

LEGEND :

 RURAL SETTLEMENT CENTRE



FISHER ARMSTRONG
PLANNING DISTRICT DEVELOPMENT PLAN
RM OF ARMSTRONG
MAP 1F : NARCISSE



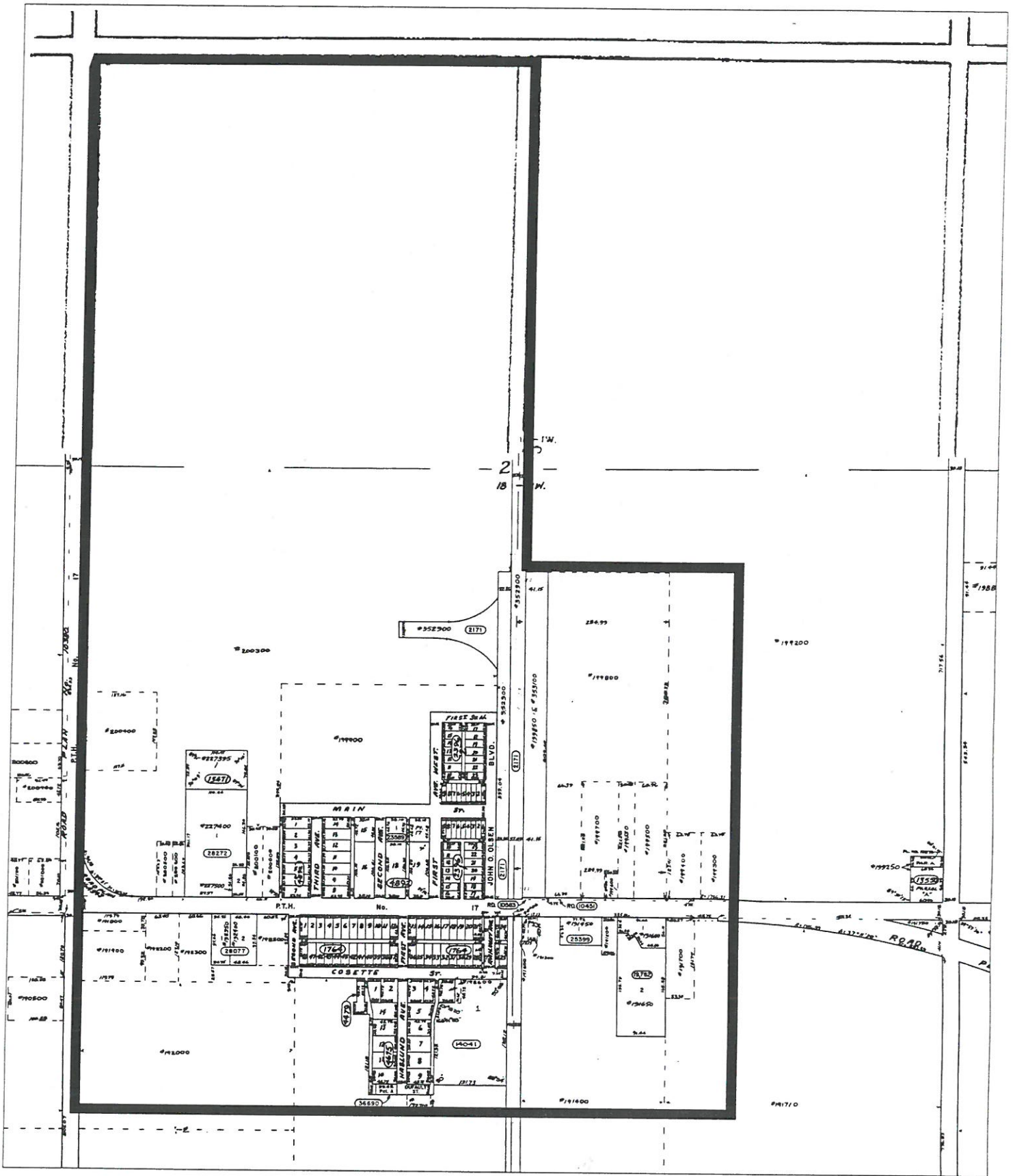
FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 RM OF ARMSTRONG
MAP 1G : CHATFIELD



LEGEND :

RURAL SETTLEMENT CENTRE





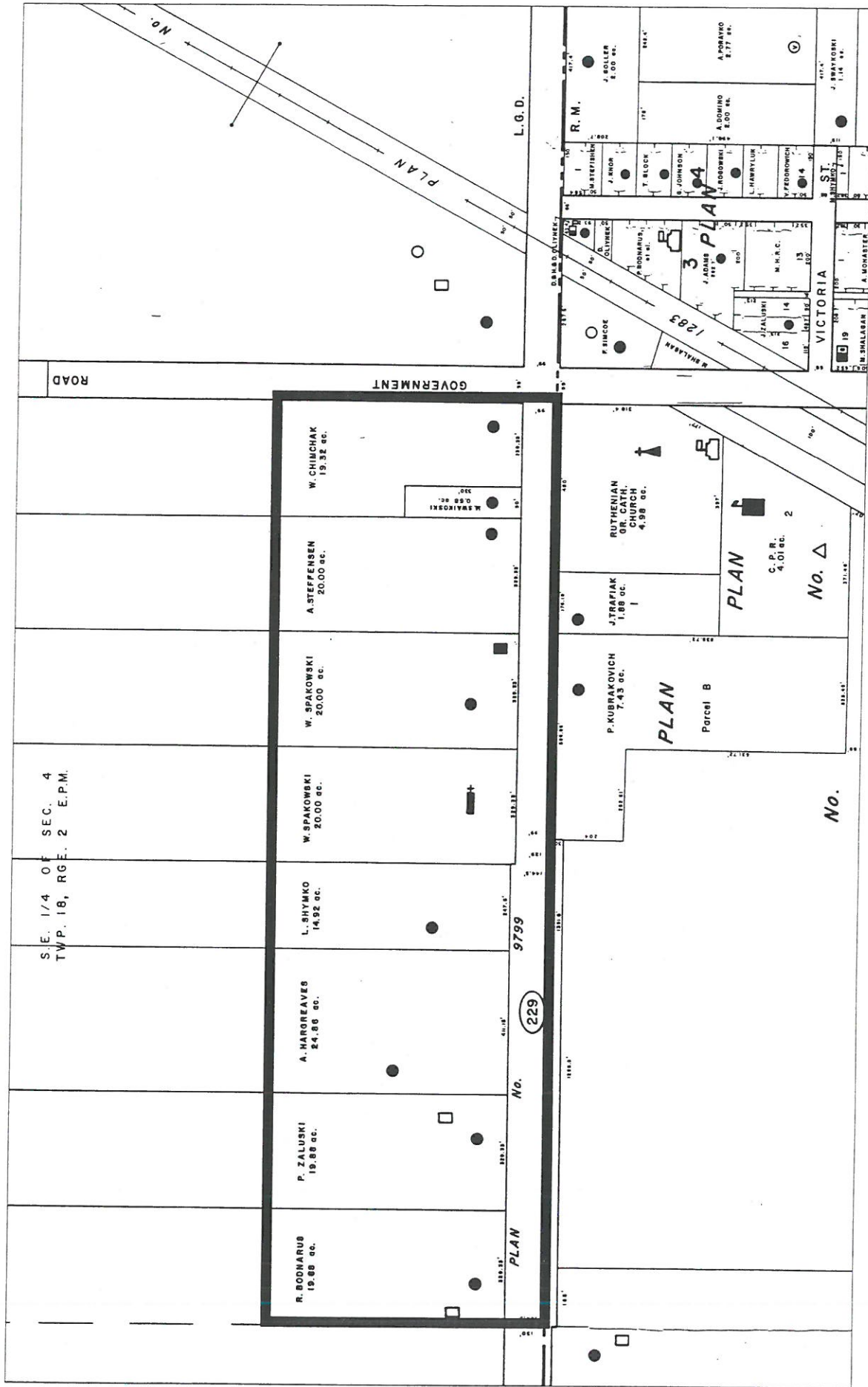
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RURAL SETTLEMENT CENTRE



FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 RM OF ARMSTRONG
MAP 1H : INWOOD



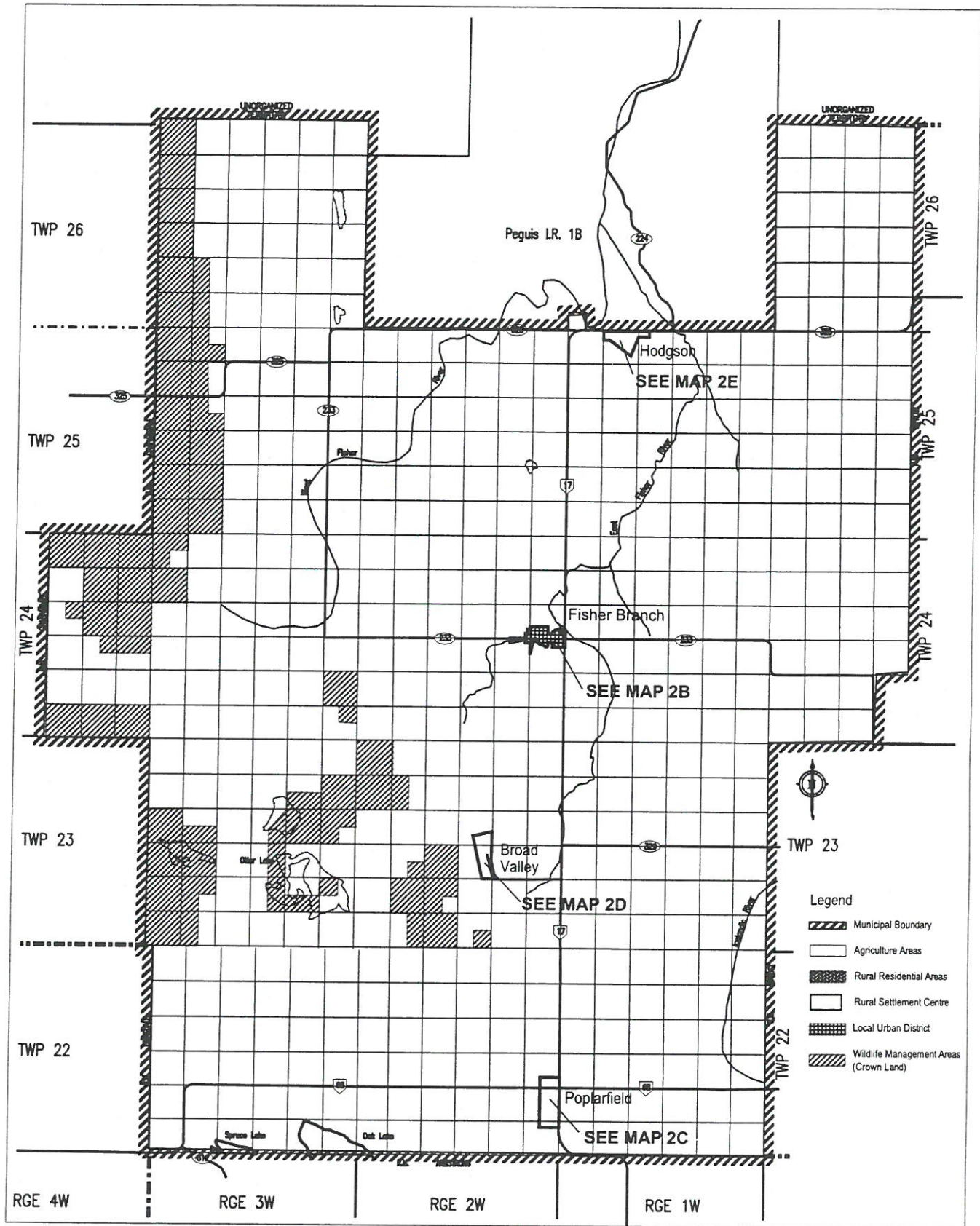
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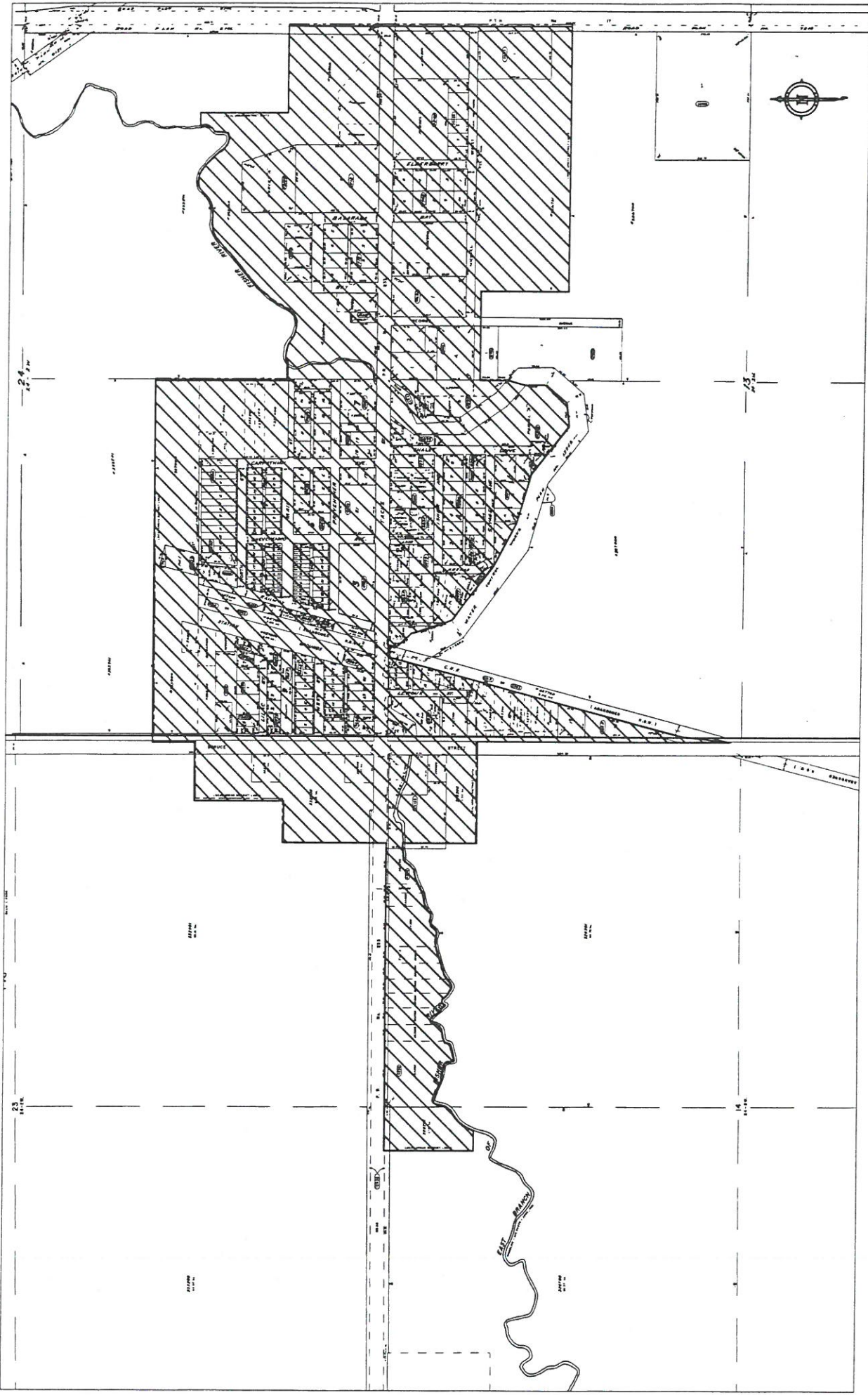
RURAL SETTLEMENT CENTRE



FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 RM OF ARMSTRONG
MAP 11 : KOMARNO



FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 LAND USE PLAN
 MAP 2A : RM OF FISHER

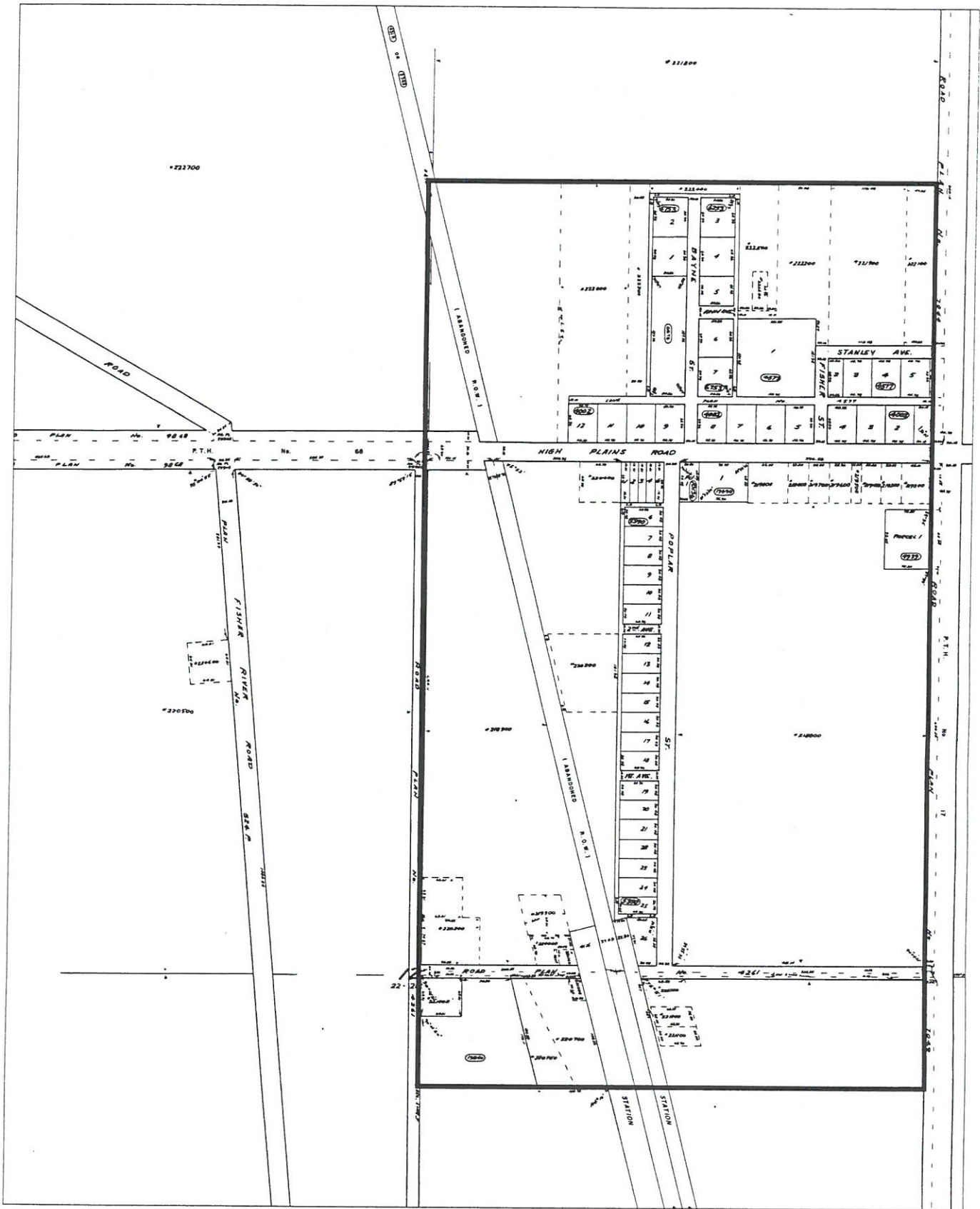


FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 RM OF FISHER
MAP 2B : L.U.D. OF FISHER BRANCH

LEGEND :



LOCAL URBAN DISTRICT

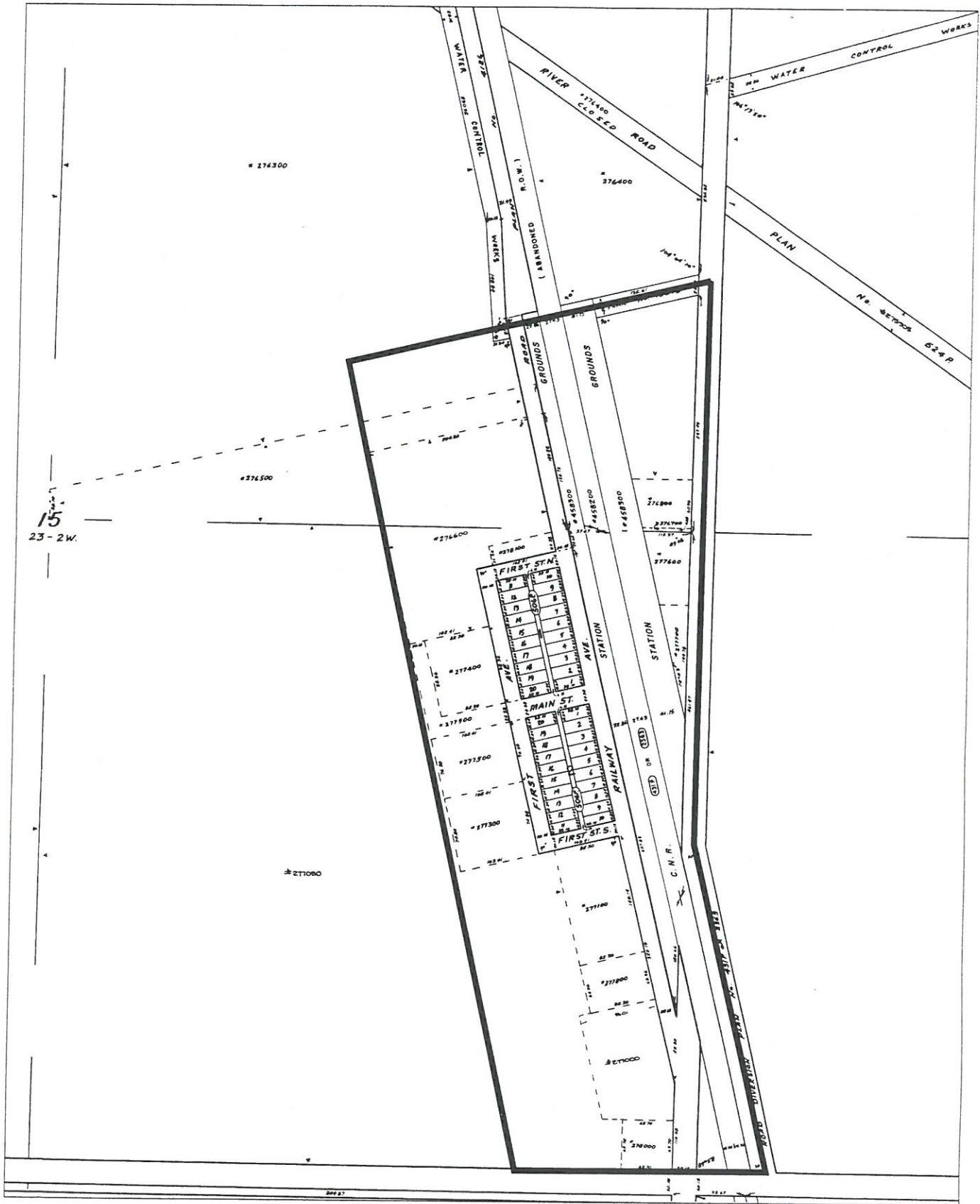


LEGEND :

 RURAL SETTLEMENT CENTRE



FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 RM OF FISHER
MAP 2C : POPLARFIELD



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23-2W.

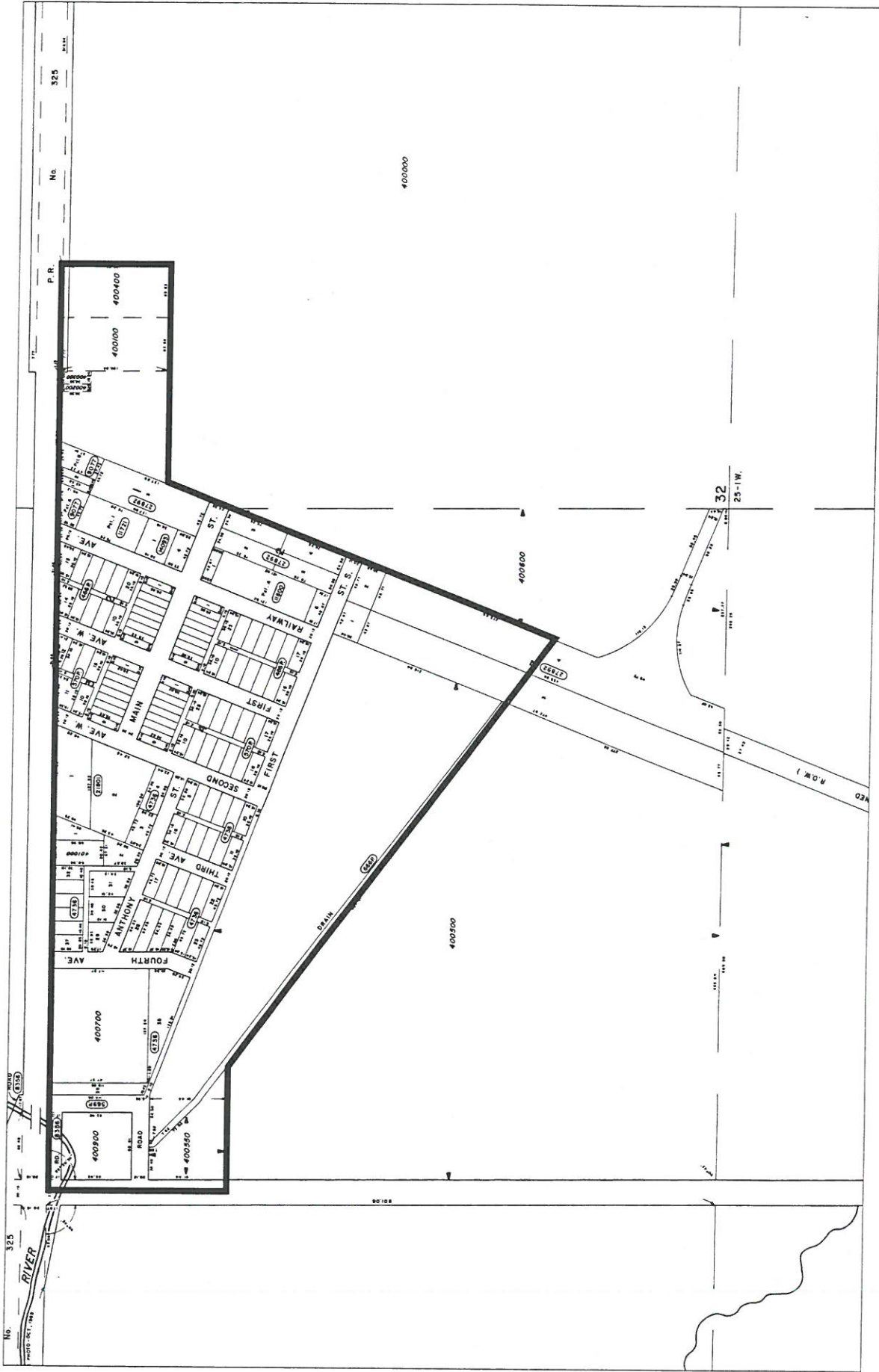
LEGEND :



RURAL SETTLEMENT CENTRE



FISHER ARMSTRONG
PLANNING DISTRICT DEVELOPMENT PLAN
RM OF FISHER
MAP 2D : BROAD VALLEY



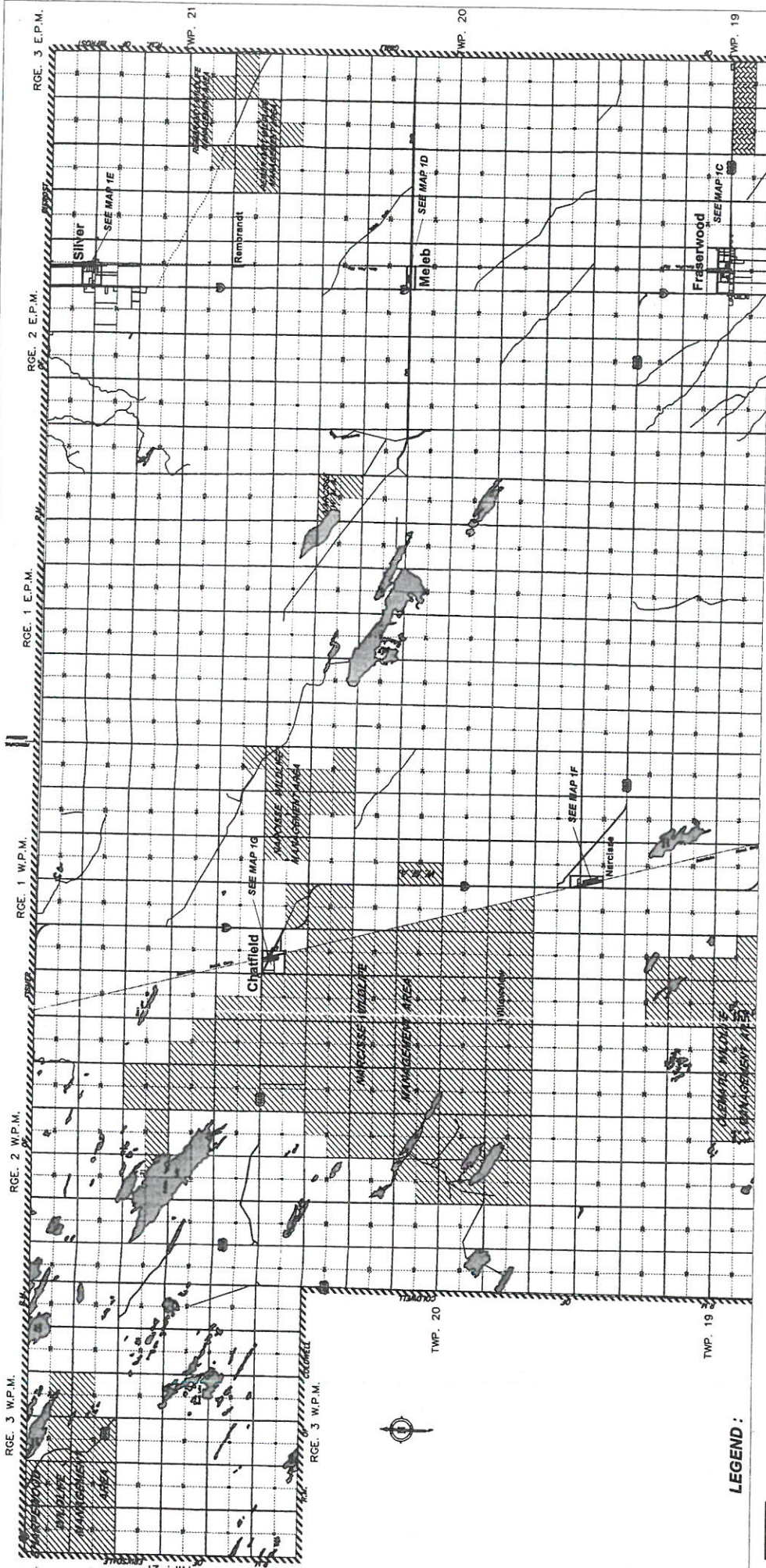
FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 RM OF FISHER
MAP 2E : HODGSON



LEGEND :

RURAL SETTLEMENT CENTRE

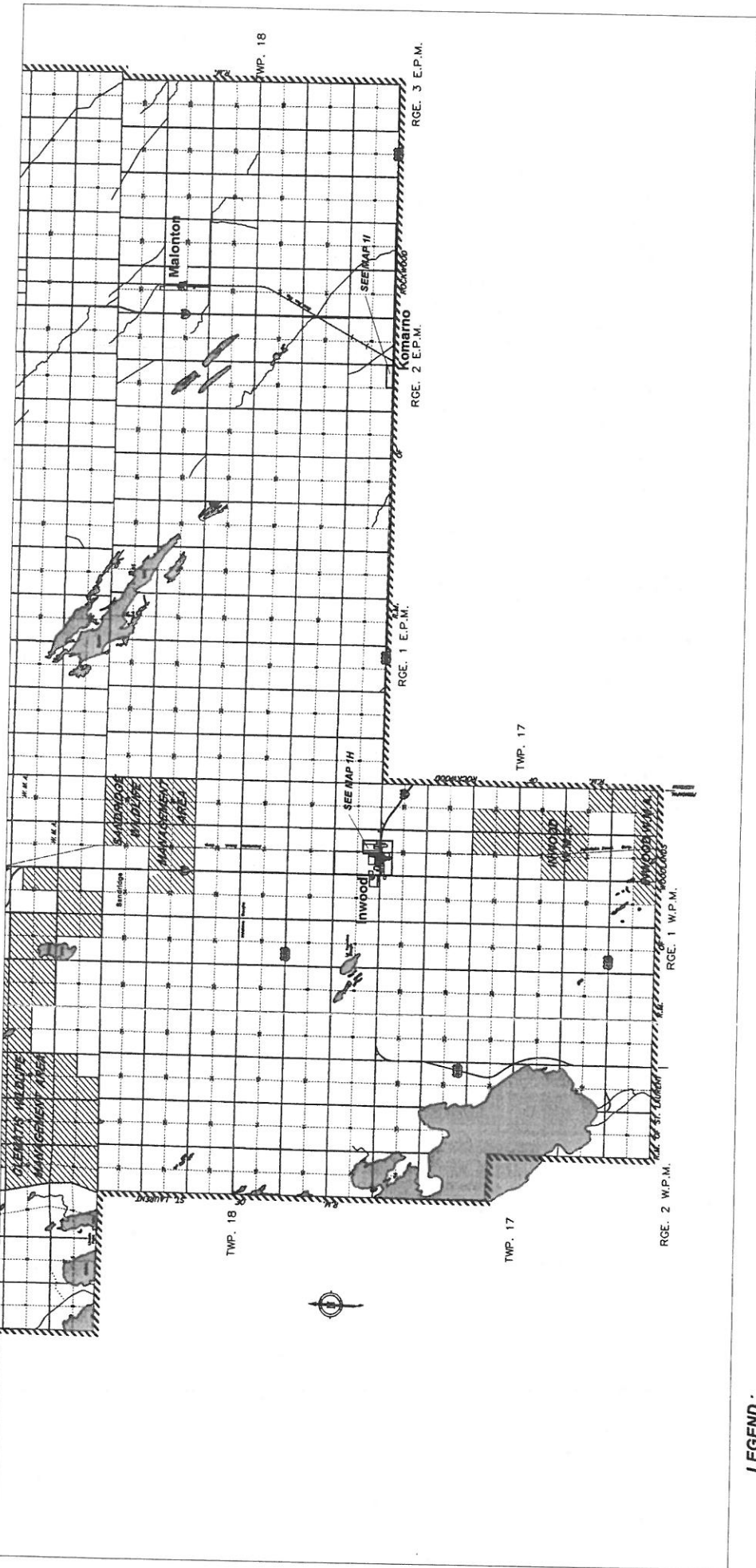




FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 LAND USE PLAN
MAP 1A : RM OF ARMSTRONG

LEGEND :

-  RURAL SETTLEMENT CENTRE
-  RURAL RESIDENTIAL AREAS
-  AGRICULTURE AREAS
-  WILDLIFE MANAGEMENT AREAS (CROWN LAND)
-  MUNICIPAL BOUNDARY



LEGEND :

-  RURAL SETTLEMENT CENTRE
-  RURAL RESIDENTIAL AREAS
-  AGRICULTURE AREAS
-  WILDLIFE MANAGEMENT AREAS (CROWN LAND)
-  MUNICIPAL BOUNDARY

FISHER ARMSTRONG
 PLANNING DISTRICT DEVELOPMENT PLAN
 LAND USE PLAN
MAP 1B : RM OF ARMSTRONG



