

**Eastern Interlake Planning District
Development Plan
2010**

Eastern Interlake Planning District

BY-LAW NO. 02-2010

A By-Law of the Eastern Interlake Planning District to adopt a Development Plan.

WHEREAS Section 40(1) of *The Planning Act* directs a Planning District to prepare a Development Plan for the entire District;

AND WHEREAS, Section 45 of the *Act* requires a board to adopt a Development Plan;

AND WHEREAS the Minister of Local Government approved the Eastern Interlake Planning District Development Plan on _____;

NOW, THEREFORE, the Board of the Eastern Interlake Planning District, in meeting duly assembled, enacts as follows:

1. The Development Plan, attached hereto and forming part of this By-Law, is hereby adopted;
2. This By-Law shall be known as The Eastern Interlake Planning District Development Plan.
3. The Development Plan shall take force and effect on the date of third reading of this By-Law.

DONE AND PASSED this _____ day of _____, 2010 A.D.

Chairman

Administrator

Read a First Time this 4th day of February A.D. 2010

Read a Second Time this _____ day of _____ A.D. 2010

Read a Third Time this _____ day of _____ A.D. 2010

Eastern Interlake Planning District Development Plan

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Part 1: Introduction

1.1 Area Covered by Development Plan

This Development Plan applies to the Eastern Interlake Planning District. The District is illustrated on Map 1, Eastern Interlake Planning District.

1.2 Legal Authority

The Planning Act of Manitoba provides the legal basis upon which Development Plans are enacted by Manitoba Planning Districts and municipalities. Development Plans are a mandatory document for municipalities.

Section 40(1) of *The Planning Act* directs that:

“The board of a Planning District must prepare a Development Plan for the entire District.”

Section 45 of *The Act* provides that a District Development Plan must be adopted by By-Law of the District Board and provision is made in Section 46(1) that between first and second reading, the Board:

“...must hold a public hearing to receive representations from any person on the proposed Development Plan....”

1.3 Purpose of Development Plan

The purpose of a Development Plan is to provide the legally adopted statement of the District Board’s policies toward land use management and development. It serves primarily a legal purpose but also provides a valuable reference document to the public on land use matters within the District.

This Development Plan establishes the guidelines for land use planning and development activities. It contains statements of the goals and objectives regarding land use and defines the policies by which land use compatibility and sustainability will be ensured. Each of the areas of the Provincial Land Use Policies has been addressed and subjected to modification to meet the specifics of the local environment and to reflect the priorities and objectives of the District.

The Development Plan also serves the purpose of providing policy direction to all other land use controls; including Zoning By-Laws, development agreements and subdivision approval requirements.

A companion document to the Development Plan is the “Eastern Interlake Planning District 2009 – Background Report”. This report summarizes the resource and socio-demographic research that the District Board prepared to assist with formulating the policies that now comprise the Development Plan By-Law.

1.4 Requirements of Development Plan

The general requirements of a Development Plan are set out in Section 42(1), as follows:

“A Development Plan must

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

A specific requirement of Development Plans addresses the issue of livestock operations in Manitoba and is presented in Section 42(2):

“The Development Plan must include a livestock operation policy that guides Zoning By-Laws dealing with livestock operations by

- a) dividing the Planning District or municipality into one or more areas designated as follows:
 - i) areas where the expansion or development of livestock operations of any size may be allowed,
 - ii) areas where the expansion or development of livestock operations involving a specified maximum number of animal units may be allowed,
 - iii) areas where the expansion or development of livestock operations will not be allowed; and
- b) setting out the general standards to be followed in the Planning District or municipality respecting the siting and setback of livestock operations.”

1.5 Format of Development Plan

This Development Plan By-Law is segmented into 5 Parts.

Part 1 describes the area affected by the plan, the legal authority underlying the By-Law, the purposes of a Development Plan and the legislated requirements regarding content.

Parts 2, 3, and 4 of the Plan present land use policies for lands within the District. Policies in all Parts of the plan are designed to be complementary and shall be interpreted within the context of overall By-Law.

Part 2 presents discussion and policies that have applicability to the District as a whole, e.g. Rural and Urban areas.

Part 3 contains policy statements which have particular relevance to the Rural areas of the District.

Part 4 contains policy statements which have particular relevance to the Urban Centres of the District.

Part 5 describes the various complementary measures and processes available to the District Board and member municipalities in successfully implementing the Plan.

In support of the Development Plan land use policies, a series of maps which identify the various land use designations are included in the By-Law. The boundaries of mapped land use designations in this plan should not be construed as being exact but should be considered as describing the general spatial relationships amongst the designations.

Part 2: General Issues, Objectives & Policies

2.1 Introduction

This part of the Development Plan sets the general tone of the Plan and outlines objectives and policies which apply throughout the District, to both rural and urban areas.

The Eastern Interlake Planning District covers a region whose overall landscape is quite uniform and is reflective of its glacial deposition history. Notwithstanding an internal uniformity, the District does exhibit a considerable degree of uniqueness in Manitoba as a whole. The influence of Lake Winnipeg, a rich natural resource base, and the relative proximity of the Province's demographic and economic centre of Winnipeg, have all contributed to produce a distinctive pattern of mixed land uses. These uses, many of which are Lake-oriented, include large viable agricultural areas, rural and urban manufacturing facilities, substantial residential developments, recreational lands, and vibrant regional Urban Centres.

The municipalities within the District have many common land use and development issues. The single greatest influence driving these commonalities is the proximity of the area to Lake Winnipeg. The lake has shaped both the natural environment and the manmade environment. The land and water regimes associated with the lake have provided a rich resource base with fertile soils, forestry opportunities and a large

commercial fisheries industry. The lake has also been responsible for much of both historic and recent population growth. For decades a popular seasonal cottage destination; in more recent times the natural attractions of the area have brought in growing numbers of both retirees and commuters seeking permanent residential accommodation. Through the District Development Plan the EIPD member municipalities seek to provide land use guidance that will preserve and build on the historical land uses as well as recognizing and facilitating the diversity in land use demands that have emerged in the last decade.

Once adopted, the provisions of this Plan replace the Provincial Land Use Policies within the District. It is important to note however that provisions of other land use related Provincial Acts and Regulations continue to apply and that adherence to the requirements of those documents is mandatory. In particular, development proponents are encouraged to make themselves aware of provincial requirements that may affect agricultural activities (e.g. livestock operations), surface and groundwater systems and/or the provincial transportation system. Readers should also be advised that names of Provincial and Federal government departments/agencies, as well as the titles and content of statutes and regulations, referenced in this Plan are current at the time of enactment of the Plan, but may be subject to change over the duration of its term.

2.2 Issues and Objectives

The Provincial Land Use Policies, as defined in Regulation under the Planning Act, identify at a broad level the major issues and priorities involving land use in the Province. Under The Planning Act, District Development Plans must address each of the issues identified in the Provincial Land Use Policies regulation. Development Plans must not be in conflict with the provincial policies, but can augment them in a manner that best recognizes the local land use pattern and the local prioritization of issues. The Provincial policies speak to the following issues:

- “General Development – guiding the development of safe, efficient, economic, environmentally sustainable, and compatible land use patterns.
- Agriculture – prime agricultural land and viable lower class land should be maintained for sustainable and environmentally sound agricultural use and development.
- Renewable Resources – environmentally sound economic development should be encouraged based on the protection, management, production, and sustainable use of renewable resources.
- Water and Shoreland – development should complement the sustainability of waterways, waterbodies, shoreland and groundwater having major environmental, economic, recreational or cultural significance.
- Recreational Resources – economically sustainable and environmentally sound recreational development shall be encouraged, particularly on high quality recreation lands and in areas of high demand such as large Urban Centres. Such development shall be healthy, safe, and protect the public from un-necessary

- costs. An existing recreational development of local, regional, or provincial significance shall be protected from land uses which may detract from the social and economic opportunities that the existing recreational development affords.
- Natural Feature and Heritage Resources – significant natural features and heritage resources, and areas required to sustain threatened or endangered plants and animals, shall be protected.
 - Flooding and Erosion – the development of lands subject to significant flooding, erosion or bank instability should be sustainable, minimizing risks to health, the environment and land uses.
 - Provincial Highways – lands in the vicinity of existing or proposed provincial highways shall be planned to complement the highway system’s function as an important component of Manitoba’s sustainable development policies; to minimize environmental impacts attributed to highway operations; and to protect the public investment in highways from development which may jeopardize their safe and economical operation or the implementation of improves which enhance safe operation.
 - Mineral Resources – economically valuable mineral and oil and gas resources shall be protected from land uses that would restrict mineral and oil and gas exploration and development. Ongoing and future development of the province’s mineral and oil and gas resources shall be encouraged.”

The Development Plan policies which follow are supportive of the goals of the provincial land use policies. In addition to the issues of provincial interest, certain local issues have been singled out by the District Board as requiring special consideration. These include:

- Recognition of Lake Winnipeg as the District’s greatest physical and economic asset and the need to develop land use policies that ensure the long term sustainability of this resource.
- Acknowledging the ongoing contribution that agricultural activities provide to the District’s overall economy and safeguarding agriculture’s longevity in an environmentally acceptable manner.
- Developing policies that recognize and guide the unique “not quite urban – not quite rural” residential land use pattern that has evolved in proximity to Lake Winnipeg in the southern half of the District.
- The need for a regional approach in planning, designing and financing municipal infrastructure (sewer and water) in the more intensely developed areas of the District.
- Special awareness and accommodation of the environmental sensitivity of the Lake Winnipeg shore lands, the tributary surface waterways, and the accompanying groundwater regime.
- Commitment to the principles of energy conservation and utilization of renewable energy systems in land use development wherever feasible.

In addressing provincial and local issues, the overall objectives of the EIPD Development Plan are summarized below:

- i) Recognize, maintain and enhance a healthy and sustainable relationship between land use activities and Lake Winnipeg.
- ii) Support economic development and protection of renewable resources in the District.
- iii) Protect existing viable agricultural uses and foster an environment for growth of the agricultural base of the District.
- iv) Enhance the growth opportunities and ensure the logical and efficient development of the Urban Centres of Arborg, Riverton, the Gimli urban area, and Winnipeg Beach.
- v) Accommodate the demands for the varied types of appropriate non-farm development in the rural agricultural area.
- vi) Provide direction and structure to the residential/recreation land use activities that dominate the area east of PTH No. 8 in the R.M. of Gimli.
- vii) Promote long range plans for the efficient and cost-effective development and delivery of appropriate municipal services to the land uses of the District.
- vi) Protect the District's natural resources (e.g. surface and groundwater, wildlife, fisheries, aggregate resources) and heritage resources for the benefit of present and future generations of the District.
- vii) Energy conservation and the utilization of renewable energy systems should be encouraged in proposed new developments.

2.3 General Policies

In support of the above Objectives, the land use policies which follow in this Part apply throughout the Eastern Interlake Planning District.

2.3.1 Utilities

1. With the exception of Wind Farms, which are dealt with in Part 3 - Rural Areas, essential activities of public and private utilities shall be permitted in any land use designation, subject to requirements in member municipality Zoning By-Laws. Such

uses should be located and developed in a manner which will minimize any incompatibility with neighbouring land uses.

2. Cooperation and liaison will be maintained with Manitoba Hydro, Manitoba TeleCom Services and other similar utilities to ensure the provision of their services in the most economical and efficient manner possible and to minimize conflict with the orderly provision of municipal sewer, water and roadway services.
3. Existing public and private utilities shall be protected from incompatible land uses which may threaten or adversely affect their operation. Other cooperative and inter-municipal servicing initiatives will be encouraged, as appropriate and feasible throughout the District.

2.3.2 Energy Conservation

The use of renewable and alternative energy systems may be promoted in accordance with the goals and policies of this plan and relevant Federal and Provincial requirements.

1. Energy conservation shall be encouraged through, community and site planning design and the use of energy-efficient materials and landscaping.
2. When development applications are reviewed, consideration may be given to energy conservation measures such as the solar orientation of streets and buildings, increased densities, and the use of landscaping and building materials.
3. The retention of forests and promotion of tree planting will be encouraged as a means of improving air quality and reducing energy use through shading, sheltering and screening.

2.3.3 Hazardous Uses Policies

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

1. Wherever possible, these facilities should be separated from urban areas and buildings used for human occupation;
2. Hazardous facilities should not be located closer to dwellings or provincial highways than permitted or recommended by the appropriate Provincial government department;
3. Where development of a potentially hazardous use is proposed, information may be required of the applicant 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.

2.3.4 Hazard Lands, Flooding & Erosion Policies

1. Development will generally be directed away from hazard areas. 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 or a flood specified by the Manitoba Department of Water Stewardship in areas affected by flood control works;
 - 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 waterbody;
 - c) Lands subject to other hazards such as landslides or subsidence, e.g. those lands where actual effects of such hazards have occurred or have been predicted.
2. Low intensity uses such as cropping, grazing, forestry or open space recreational activities are generally acceptable within hazard areas.
3. It may not be practical or desirable for economic or social reasons to restrict certain development in hazard, flood or erosion prone areas. Developments should, however, be carefully controlled and planned to ensure that they are compatible with the risks or that the hazard has been eliminated or protected against. In these instances, the following criteria should be applied:
 - a) Proposed developments should not obstruct, increase or otherwise adversely alter water and flood flows and velocities;
 - b) There should be no added risk to life, health or personal safety;
 - c) Structures and services should be protected against damage and should be fully functional during hazard conditions;
 - d) Existing tree, vegetation cover and near-shore aquatic habitat should be preserved where appropriate to maintain bank stability and to reduce erosion and the amount of nutrients entering surface water.
 - e) In considering development applications for lands adjacent to Lake Winnipeg, where such proposals may result in altering or modifying the shoreline, the Board may refer an application to the Shoreland Erosion Technical Committee for comment and recommendation prior to approval.

4. Development proposals in flood plain hazard areas should be referred to the Department of Water Stewardship for review prior to approval by member municipalities.
5. Development proposals in these areas may require completion of engineering studies, including recommendations regarding preventative and mitigative measures which eliminate the risk or reduce the risk to an acceptable level and remedial measures which restore or rehabilitate damage which may occur. Such studies will be at the expense of the applicant.

2.3.5 Water & Shoreland Policies

1. Development will be encouraged in a manner which ensures that waterways, water bodies, shoreland areas, and drinking and groundwater resources are protected to the satisfaction of planning authorities. Such development must also be in accordance with the goals of the Province of Manitoba as provided in The Water Protection Act (including the Nutrient Management Regulation), The Water Rights Act (e.g. licensing provisions), and other related Acts and regulations thereunder. Development proponents are encouraged to review current provincial guidelines before submitting proposals to the Planning District. In addition, the District Board shall actively seek to work in concert with the goals of the Lake Winnipeg Stewardship Board, the Shoreline Erosion Technical Committee and the Eastern Interlake Conservation District as such goals may be published from time to time.
2. Waterways, water bodies and shorelands in the District require protection to limit adverse impacts of development. The extent of protection required will be directly related to the characteristics of the local situation. The size and configuration of the waterway, waterbody or shoreland; the need for public access; environmental characteristics; and economic potential will all have a bearing on the method and degree of protection adopted. The Planning District shall consult and cooperate with the Eastern Interlake Conservation District in implementing this policy. The intent will be to manage development in such a way so as not to affect water quality, degrade the aquatic ecosystem, or remove/alter the riparian area habitat. Where the District Board determines that special studies will be required to ensure that the objectives of this policy are not endangered by a proposed development, such studies will be funded by the applicant. As well, proposed developments that are deemed to have the potential to impact waterways and water bodies may be referred to Manitoba Department of Water Stewardship and/or the Department of Fisheries and Oceans Canada for review.
3. The Planning District, in order to protect riparian areas, encourages the establishment and maintenance of native vegetation area located upslope from the ordinary high water mark and adjacent to all waterbodies and waterways connected to the provincial surface water network. The shoreline of Lake Winnipeg is considered a riparian area. In these areas:

- A 15-metre undisturbed native vegetation area is encouraged for lands located adjacent to first and/or second order drains;
 - A 30-metre undisturbed native vegetation area is encouraged for lands located adjacent to third and/or higher order drains and/or waterbodies;
 - Alteration within this undisturbed native vegetation area is limited to an approximate maximum of 25 % of the shoreline length (for example: 25 metres per 100 metres of shoreline length) of each lot for a path, dock, or other structure; and
 - Proposed alterations within this native vegetation area may be referred to the Department of Fisheries and Oceans Canada and/or the Eastern Interlake Conservation District for their review and comment prior to approval.
4. No development should occur within any 99 foot crown reserve on surface water within a member municipality that does not meet all criteria established by this Development Plan, supporting Zoning By-Laws and relevant provincial legislation/regulation. Permanent vegetation will be encouraged on such lands to prevent erosion, siltation, and reduce the amount of nutrients entering the surface water.
 5. In the case of development proposals which require significant volumes of surface water and/or groundwater, the proponent may be required to investigate the need for a Water Rights License. Development approval may be withheld until such time as a license is issued.
 6. Where a development or activities that may cause groundwater pollution under normal operating conditions or by accident is proposed, the proponent may be requested to undertake a study (at their expense) of the groundwater conditions within the proposed development area and present a report on the study. The report will include an assessment of the risk of groundwater quality impacts occurring from the proposed development and, if the risks should prove significant, the operational or engineering measures that will be employed to minimize this risk or respond to a contamination incident should it occur.
 7. The following specific policies apply to development adjacent to Lake Winnipeg:
 - a) Land below elevation 218.5 metres (717.0 feet), Geodetic Survey of Canada Datum, shall not be developed.
 - b) No portion of any lot ½ acre or less in size shall be below elevation 219.3 metres (719.5 feet) after development is completed. Larger lots shall contain an area around the building site not less than ½ acre in size which is at least at elevation 219.3 metres (719.5 feet).

- c) Structures shall be located on land that is at least at elevation 220.1 metres (722.0 feet) or raised by fill to that elevation. Alternative methods of flood protection may be considered in consultation with Manitoba Water Stewardship.
 - d) Lot lines should be set back from the existing top of shoreline embankment a sufficient distance to allow for a stable slope plus 50 years of erosion.
 - e) Permanent structures, including roads, shall be set back from the existing top of shoreline embankment a sufficient distance to allow for a stable slope plus 50 years of erosion.
 - f) Access roads shall be at least at elevation 219.3 metres (719.5 feet), increasing to 220.1 metres (722.0 feet) if exposed to wave uprush.
 - g) Exceptions to the development setback line established in clauses d) and e) above may be considered if shoreline protection measures, designed by, and constructed under the supervision of, a qualified Geotechnical Engineer, can be feasibly undertaken (e.g. rock groins or riprap slope protection works) which would allow the limits to be reduced.
 - h) In considering development applications for lands adjacent to Lake Winnipeg, where such proposals may result in altering or modifying the shoreline, the Board may require an application to the Shoreland Erosion Technical Committee for comment and recommendation prior to the Board's consideration of approval.
8. The Planning District shall generally seek to participate in watershed management and source water protection initiatives relevant to land use development in the District.
 9. Residents and other owners of on-site water supply and wastewater management systems shall be encouraged to properly construct, maintain and abandon/decommission these systems to minimize the potential for contamination of local surface water and groundwater resources.

2.3.6 Transportation Policies

1. Private aircraft landing strips should be located away from conflicting uses, such as settlement centres or rural residential development.
2. New development should have legal access to an all-weather road of sufficient standard and capacity, unless the proponent makes an agreement with a member 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.

3. Land uses which generate significant amounts of regional vehicle traffic and/or significant truck traffic should be encouraged to locate in proximity to major roadways, including provincial roads and provincial highways, if appropriate. Direct access to the provincial highway system should be discouraged; access should be via the municipal road system to the provincial system.
4. New development which has the potential to generate significant vehicle traffic should be directed away from those areas and land uses where such levels of traffic could endanger public safety.
5. In considering development proposals which have the potential to generate significant vehicle traffic, preference will be given to designs that incorporate internal road systems, as opposed to frontage roads.
6. Commercial uses which primarily serve the travelling public should be encouraged to locate where there is access available from major roadways, and where the efficiency and safety of the adjoining roadway are not jeopardized.
7. New development that is to be permitted in the control areas of provincial roads and provincial trunk highways under provincial authority will be subject to the approval of the Department of Infrastructure and Transportation and/or the Highway Traffic Board prior to District approval.
8. Where a member municipality has control over roadways, consideration of new development adjacent to such roadways will include a review by Council, as the traffic authority.
9. The location and construction of an access to a provincial road will be subject to approval by the Department of Infrastructure and Transportation; and for a provincial trunk highway, approval by the Highway Traffic Board.
10. Where a member municipality has control over a roadway, the location and construction of an access to such a roadway will be subject to the approval of that authority.
11. Proposed developments which may be adversely affected by noise, dust and fumes from roadways and railways (e.g., residential uses, hospitals) should be encouraged to locate where there is adequate separation from these corridors and/or to incorporate sound barriers or landscaped buffers to mitigate the conflict.
12. Where an area of development is bordered on one side by a major transportation corridor, a proposed right-of-way, or a facility such as a highway or rail line, new development should be directed to the same side to avoid the need for local traffic to cross the corridor or facility.

13. Municipal road allowances should normally be maintained for public access. Any clearing, cultivation, grazing or cropping of unimproved road allowances should be approved by the municipality.
14. The local road or street network associated with any type of proposed development should be designed to conform to both the existing and planned road and street system of the neighbouring areas.
15. Development which contributes to the evolution of a row of lots, each relying on direct access to the highway shall not be permitted. Exceptions may be considered where adjacent development has already developed to the extent that this Policy can not be fully applied.
16. Development that may have a detrimental impact on the safe operation of the provincial highway system shall not be allowed unless mitigation measures acceptable to the Province are incorporated into the development.
17. Subdivisions and/or development will not be permitted in areas designated for highway widening or expansion unless provisions acceptable to the Province are made to accommodate future widening or expansion.
18. Municipal roads may be improved at the discretion of Council by way of development agreement 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.

2.3.7 Heritage Resources Policies

1. The identification and protection of heritage resources shall be encouraged within the District.
2. Heritage resources should be protected where:
 - a) Buildings or landscapes have received municipal and/or provincial heritage designation;
 - b) Buildings or landscapes are in the process of receiving or are being considered for municipal and/or provincial heritage designation; and,
 - c) Buildings or landscapes have been developed and operate as heritage sites.
3. Existing heritage resources should be protected from incompatible or potentially incompatible land uses which may threaten their integrity or operation.
4. The development, designation and preservation of heritage resources should be coordinated with other heritage and recreational resources in the region, existing and proposed, to maximize interpretive and tourism potential.

5. Member municipalities shall be encouraged to consider sites, or groupings of sites, with heritage potential for designation as municipal heritage sites under *The Heritage Resources Act*.

2.3.8 Aggregate Mineral Policies

The Mines Branch of the Department of Science, Technology, Energy and Mines has recently updated their estimates of lands with mineral and aggregate potential in the Planning District. This information, as portrayed in Map 3A and 3B, Aggregate Resources, should be utilized when referencing the mineral resource policies which follow.

1. Areas designated by the Mines Branch, Department of Science, Technology, Energy and Mines as being of high aggregate and mineral potential should be protected from incompatible and potentially incompatible land uses that would restrict exploration, development and extraction.
2. In areas designated by the Mines Branch as being of medium aggregate and mineral potential, incompatible and potentially incompatible land uses may be permitted following review and approval by the Department of Science, Technology, Energy and Mines.
3. In areas with known aggregate or mineral resources, or areas having high discovery potential for these resources, uses should be limited to non-intensive agriculture (e.g. grazing, cropping, forestry), temporary uses or other uses that will permit access and development of the resource.
4. Lands disturbed by mineral and aggregate extraction activities should be rehabilitated to a condition that is environmentally safe, stable and compatible with adjoining lands.
5. Land uses in close proximity to sites of active mineral extraction operations, and which may be sensitive to the impact of surface mining, shall not be permitted.
6. Sand, gravel, and quarry mineral extraction operations shall be treated as conditional uses in the Zoning By-Law. The municipality shall, in consultation with the appropriate provincial departments, establish setback controls and conditions for operation including provision for visual buffering, noise and dust protection, public safety and the rehabilitation of the site upon completion of excavation.

2.3.9 Municipal Sewer and Water Service

In areas along Lake Winnipeg (see 3.3.4 Residential and Resort Serviced Area Policies and Part 4.4.1.8 Urban Centres Policies) consideration of existing and/or planned regional sewer and water systems shall be taken into account when new or expanded land use

development is being considered and/or municipal service investments are being contemplated.

Part 3: Rural Areas

3.1 Introduction

Part 3 of this plan provides direction through land use policies and guidelines that are applicable specifically to the designated rural areas of the District see Maps 2A and 2B, Rural Base Maps for a general view of this area.

Although the objectives and policies in Part 3 are directed only to the rural areas, they are intended to be complementary to the General Objectives and General Policies for the entire District as spelled out in Part 2 of this Development Plan.

From the perspective of acreage occupied, agricultural activities are the dominant use in the rural area. This is the case throughout the R.M. of Bifrost and in the area west of Provincial Trunk Highway No. 8 in the R.M. of Gimli. The EIPD agricultural land policies protect existing agricultural activities and wherever feasible provide policy support for enhancing those activities. In the policies below, two categories of land designated for agricultural uses are established. Areas designated **A** will generally allow the full unrestricted range of agricultural activities, while other areas, with greater potential for land use conflict, are designated **RA**. The latter designation precludes new or expanded livestock operations.

Designations for residential development in rural areas are also provided. The **RR**, Rural Residential, designation refers to the traditional large lot, self-serviced sites that typically have evolved from remnant parcels, abandoned farmsteads, etc. The designation, **RS**, Residential and Resort Serviced Area, will apply to areas identified for residential and related development that ultimately may expect to be serviced by sewer and/or water under the long-range infrastructure strategies of the member municipalities. The **RS** areas are established in recognition of the current and growing demand for residential development, primarily in the areas closer to the Lake, east of PTH No. 8 in the R.M. of Gimli. Concerns for environmental sensitivities and water-related public health issues dictate that higher density developments designed conceptually for servicing be encouraged in these areas. Areas designated **RE**; Recreation Resort may have similar land uses to the **RS** areas, but at a lower density and without piped services.

Additional policy issues addressed in this part reference rural commercial/industrial developments and natural and conservation areas.

3.2 Objectives

The Development Plan objectives of the EIPD for the Rural Area are articulated below:

1. To support and strengthen agricultural activities on both prime and viable lower class land, with greatest emphasis placed on protecting the more feasibly productive lands.
2. To provide specific policy direction for the maintenance, expansion and/or establishment of livestock operations within the District.
3. To encourage flexibility and opportunity for farm operations to diversify in order to allow farmers to take maximum advantage of marketing and economic factors.
4. To encourage and direct appropriate and compatible residential and economic development in rural areas.
5. To ensure development and growth which is environmentally sustainable and which efficiently uses land and existing road and other public service networks.
6. To promote development which is compatible with adjacent land uses, both existing and anticipated.
7. To maintain the character and quality of life presently enjoyed in rural areas.
8. To conserve and enhance those areas of aesthetic, scenic, recreation, wildlife or historic significance.
9. To support the conservation activities and policies of the Eastern Interlake Conservation District.
10. To encourage growth and development in rural areas in a manner which is compatible with the objectives and policies for Urban Areas.

3.3 Rural Area Policies

3.3.1 Agricultural Area Land Policies - applicable in areas designated as A on Land Use Classification Maps

1. Lands designated as Agricultural Area (A) shall allow the full range of agricultural activities, subject to limitations posed by provincial legislation and regulations, Section 3.3.2 of this Development Plan, and the R.M. of Bifrost and R.M. of Gimli Zoning By-Laws.
2. Prime lands and viable lower class agricultural lands in the A area should not be developed for non-agricultural uses.
3. Prime lands and viable lower class agricultural lands shall be protected from fragmentation into smaller parcels, with a general policy guideline of 80 acres minimum to be encouraged. A more specific guidance on the minimum parcel size may be stipulated in the Zoning By-Law and generally will reflect the agricultural characteristics and capabilities of the area.
4. Small land holdings for commercially-oriented small-scale or specialized agricultural operations, such as apiaries, market gardening, greenhouses, nurseries, etc., may be considered for approval, provided that such proposals are compatible with other

existing agricultural operations and the size of the proposed parcel is appropriate for the intended use.

5. Existing agricultural enterprises which operate within generally accepted practices of farm management and in conformance with the Farm Practices Guidelines and other relevant provincial regulations should be protected from new development which might unduly interfere with their continued operation.
6. **Livestock Operation Policies:** Within the land use responsibilities assigned to municipalities under The Planning Act, this Plan provides below a series of policies to guide both existing and proposed livestock operations. These policies are intended to be complementary to “Policy #2 –Agriculture” of the Provincial Land Use Policies and the Appendix thereto entitled “Siting and Setback of Livestock Operations”.
 - a) In the Agricultural Area (A), expansion or development of livestock operations of any size will be considered subject to the above noted Provincial “Siting and Setback of Livestock Operations” requirements.
 - b) New or expanding livestock production operations of 300 animal units (AU) or more will be conditional uses and subject to the procedures and requirements for conditional uses specified in *The Planning Act* and in the Bifrost and Gimli Zoning By-Laws. Development applications will be evaluated on the basis of recommendations of reviews conducted by the Provincial Technical Review Committee.
 - c) Livestock operations of less than 300 animal units in the A area will not be subject to land use application processes under authority of this Development Plan. Compliance with the provincial *Livestock Manure and Mortalities Management Regulation* and the above noted “Siting and Setback of Livestock Operations” would continue to be required.
 - d) Applications for new or expanding livestock operations of 300 AUs or more will be processed in accordance with the following:
 - 1) An application for the establishment or expansion of a livestock operation of 300 AUs or more shall be made to council. Upon receipt of an application, a copy shall be sent to the Minister and forwarded to the Technical Review Committee (TRC) for review as per Part 7, Division 2 of *The Planning Act*.
 - 2) After holding a public hearing, council will make an order:
 - a) Rejecting the application; or
 - b) Approving the application, with or without conditions, if the proposed livestock operation:
 - i) receives a favourable report from the TRC,
 - ii) will be compatible with the general nature of the surrounding area,
 - iii) will not be detrimental to the general health and welfare of the people living and working in the area or negatively

affect other property or potential development in the area; and

iv) conforms to the applicable provisions in the EIPD Development Plan and the R.M. of Bifrost and R.M. of Gimli Zoning By-Laws.

3) Planning District member Councils may impose the following conditions on an application:

a) measures to ensure conformity to the applicable provisions in the EIPD Development Plan and member municipality Zoning By-Laws.

b) measures to implement recommendations of the TRC.

c) one or both of the following measures intended to reduce odours from the operation:

i) requiring cover on manure storage facilities; and/or
ii) requiring shelterbelts to be established

d) require the applicant to enter into a development agreement regarding one or more of the following matters:

i) the timing of construction;
ii) the control of traffic;
iii) the construction and maintenance of roads, fencing, landscaping, drainage works, shelterbelts; and/or
iv) the payment of a sum of money to council to be used to construct any of the items mentioned in clause iii above.

e) Within the Agricultural Area, the replacement (modernization or fire replacement) of livestock operations established prior to the adoption of this By-Law, at the same size and location, may be permitted and the expansion of existing livestock operations will be considered based on the separation distance and provisions established in the Zoning By-Laws.

f) New or expanded livestock operations will only be allowed in areas designated as A.

g) Subdivisions of parcels containing livestock operations shall result in lots of such size and configuration so as to maintain a minimum setback between the new property lines and the area where livestock are confined and the manure storage facilities are located in accordance with the Manure and Mortalities Management Regulation.

7. The subdivision of existing farmsteads for residential purposes in the A area will generally be allowed under the following conditions:

a) A retiring farmer who has been actively farming for a substantial time period wishes to retain the farm residence for retirement purposes,

b) A bonafide farmstead, e.g., a farmstead that has existed for at least the past 5 years, has been rendered surplus due to the amalgamation of farm operations

and the continued existence of the farmstead will not have a negative impact on the adjacent farm operation. The farmstead must contain a liveable residence and preferably, be located in a defined shelterbelt.

- c) Where a residence is required for an individual who is actively involved in the farm operation.
 - d) Farmstead subdivisions should not include cultivated land, should be contained to an existing shelter belt, be efficiently and effectively serviced to a rural standard, accommodate sustainable on-site sewage disposal and include those buildings and facilities normally associated with a farming operation.
8. Single-lot subdivisions for non-farm rural residential purposes to accommodate remnant parcels of land and infill opportunities will be allowed in the Agricultural Area without a Development Plan amendment, provided that they abide by the criteria listed under Section 3.3.3.1 (a)-(h) Rural Non-farm Residential Policies, and in addition, adhere to the following:
- a) The subdivision of land in the Agricultural Area may be permitted where a remnant parcel of land is isolated by way of a creek, drain, road, or natural land feature and is of size or shape that makes farming difficult. The maximum site area allowed shall be specified in the Zoning By-Law. Subdivisions of this type must comply with the mutual separation distances for existing livestock operations. The proposed use should not restrict agricultural cropping practices such as working fields, spraying, harvesting crops, etc.
 - b) The proposed subdivision will not require services (e.g., roads, drainage, or other infrastructure services) beyond the municipal standard for their area.
 - c) The proposed subdivision should not be wasteful of agricultural land but should include all the land area isolated by the road, creek, or natural land feature, re-subdivision of said land will not be allowed.
 - d) In addition, the subdivision of land for non-farm rural residential purposes may be permitted if the proposed development qualifies as infill development between existing rural residential or farm residential dwellings in those instances where continued use for conventional agricultural activities is considered impractical.
9. As a measure to support those engaged in agricultural activities with other economic activities to improve the viability of the farm operation in a manner compatible with the rural area while maintaining agriculture as their principal activity, the following policies are provided:
- a) Small scale industrial uses may be permitted in the Agricultural Area as part of a farm operation in accordance with the overall objectives and policies for the rural areas. The range and/or intensity of such small scale industrial uses may be limited and they shall be treated as conditional uses in the agricultural/rural area.

- b) Approval of small scale industries shall consider the following:
 - i) The size and type of operation;
 - ii) Compatibility with the rural neighbourhood in which it is located;
 - iii) Traffic implications;
 - iv) The requirement for provisions of municipal services; and
 - v) Environmental impact including effects on surface and groundwater, air quality and noise levels.

10. Home-based businesses may be considered in agricultural / rural areas. They are secondary to a primary residential 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. For certain types of businesses, a home-based setting may be appropriate when first starting up; however, as the business grows and level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses are subject to the rules as a Conditional Use in a Zoning By-Law. For home based business requests that are proposed to be located within the vicinity of a provincial highway, the District shall circulate the conditional use application to Manitoba Infrastructure and Transportation.

11. Wind Farms developments may be permitted in the Agricultural Area designation, subject to requirements and policies of this Plan, Provincial statutes and regulations and the respective Bifrost and Gimli Zoning By-Laws, wherein they will be identified as Conditional Uses. Wind Farms should be located and developed in a manner, which minimize any incompatibility with neighbouring land uses, the transportation system, and the ability to carry out normal agricultural activities.

12. Restrictions on new residential subdivision in the designated Development Control Area around the distillery property in the R.M. of Gimli will continue to apply, with details to be provided in the Municipal Zoning By-Law.

3.3.2 Restricted Agriculture Policies –applicable in areas designated as RA on Land Use Classification Maps

In certain areas of the EIPD, agricultural activities may remain a major or even dominant land use, but due to their proximity to areas designated for other land use activities, it is considered necessary to restrict new or expanded livestock activities and wind farms within these areas. With the exception of Sections 3.3.1.1, 3.3.1.6 (subsections a, b, and d), and 3.3.1.11 which are not applicable, the remaining guidelines as noted previously for lands designated as A, will also apply to areas designated as RA. The intent of the restrictions placed on land uses in the RA areas is to reduce the likelihood of land use conflicts in the future as adjoining parts of the District continue to evolve into a lake-oriented residential and recreational region. No new or expanded livestock operations or wind farms will be allowed in the RA areas.

3.3.3 Rural Non-farm Residential Policies – applicable District wide, including areas designated as RR on Land Use Classification Maps

In limited instances, it may be possible to accommodate new non-farm residential development in the Rural Area. The intent of policies underlying potential non-farm development in the Rural Area is to assist in meeting the occasional demand for small scale rural residential development, so long as that development meets requirements to minimize conflict with existing and potential future agricultural activities in the area. In applying these policies the Planning District will encourage the consideration of remnant parcels and infill opportunities.

The policies for Rural Residential development are as follows:

- 1) Developments shall be considered subject to the following:
 - a) Non-farm residential development shall be directed away from prime agricultural land, viable lower class lands and existing livestock operations wherever possible. Non-farm residential development shall be directed to areas where agriculture is less dominant due to a combination of a diversity of landscape features, a predominance of lower class land, a high degree of land fragmentation, and the existence of a mixture of land uses.
 - b) Where rural residential development is considered appropriate, it shall be encouraged to develop in a pattern which efficiently uses land, infrastructure and public services, while maintaining the rural character of the area. Lot sizes shall generally be in the 2-5 acre range in RR areas.
 - c) New rural residential development will be directed away from the periphery of the existing urban areas where such development might impede the orderly expansion of these centres.
 - d) New dwellings will be encouraged to locate where there is an adequate supply of potable water.
 - e) The location and size of building lots should reflect the capability of local soils to adequately support an approved on-site waste treatment.
 - f) In order to avoid the unwarranted fragmentation of land, a development proponent shall be required to demonstrate that there is sufficient demand for the proposed residential development.
 - g) Developments shall be sufficiently separated from existing livestock operations in accordance with the livestock operation policies of this plan, including those which may be specifically outlined in the Zoning By-Laws.
 - h) All sub-division applications, in the Rural Area, regardless of land use type, shall be referred to the Eastern Interlake Conservation District for comment and recommendations.

- 2) Where multi-lot non-farm residential development is proposed, such development shall, where feasible, be directed to existing designated rural

residential areas. Where this is not feasible, consideration of such proposals may require amendment to the Development Plan, designating them as a Rural Residential Area (RR) and in considering such proposals, the District will be guided by the criteria identified above.

- 3) In those instances where rural residential proposals involve a water orientation and/or recreational focus, additional attention shall be paid to the policies dealing with hazard lands and water and shoreland protection.

3.3.4 Residential and Resort Serviced Area Policies – applicable in areas designated RS on Land Use Classification Maps

This Development Plan designates an area in proximity to Lake Winnipeg, within the R.M. of Gimli, as a Residential and Resort Serviced Area (RS). The RS area recognizes that past growth and continuing development pressures have contributed to a land use pattern that is becoming dominated by residential and resort-related development. This development, although outside of the traditional “Urban Centre” boundaries, exhibits a level of density that is close to “urban” in nature and distinctly different from the large lot, or “acreage” type development that characterizes the Rural Residential designation.

The RS area comprises both permanent and seasonal residential developments, as well as other related uses, primarily of a recreational nature, but including supporting uses such as neighbourhood commercial. It is the attraction of the Lake that has created this development and the density of the development reflects the priority that the market has placed on lake proximity. With the lake and its shorelands however comes a high degree of environmental sensitivity. In order to accommodate demand for these land uses and to assist in addressing public health, recreation and natural environment concerns, the R.M. of Gimli has developed a conceptual plan to provide sewer and water services throughout the designated RS area and, potentially, the Winnipeg Beach Urban Centre. In support of this plan, in 2009, the R.M. of Gimli received funding commitments from the 3 levels of government to commence a “Regional Wastewater System”. Detailed design and phasing plans are to be finalized but the long term plan is to service an area stretching from Winnipeg Beach northward along the Lake to approximately the Camp Morton area in the R.M. of Gimli. A regional water servicing plan is also part of the future servicing vision for the area.

In addition to compliance with the General Land Use policies, residential and compatible related development proposals in the RS area will be considered in the light of the following policies:

1. All development applications in the RS area must be accompanied by evidence of demonstrated demand for such development.
2. Development applications within the RS areas should be accompanied by conceptual plans illustrating how the proposal accommodates issues of open space, roadways, densities, land use compatibility and such other matters as the

EIPD board or the local municipality may deem appropriate within the context of the overall policies of this Development Plan.

3. Consideration of existing and/or planned regional sewer and water systems shall be taken into account when new or expanded land use developments are being considered and/or municipal service investments are being contemplated.
4. Design of new development proposals must provide for the effective and cost efficient incorporation of sewer and water services into current systems, if any, and the regional system when such system becomes available.
5. Until such time as regional servicing is available, development proposals will be considered if they can demonstrate interim servicing capability that is to the satisfaction of the planning authorities. In considering such proposals, the planning authorities may seek comment and/or recommendations from appropriate provincial departments.
5. All sub-division applications, in the Residential Serviced Area shall be referred to the Eastern Interlake Conservation District for comment and recommendations.
6. Condominiums, trailer parks and group camps in the RS area shall be prescribed as conditional uses in subsequent Zoning By-Laws.
7. Mobile homes shall be located only on sites approved or designated in subsequent Zoning By-Laws to accommodate mobile homes.

3.3.5 Rural Settlement Centres Policies – applicable in areas identified as “Settlement Centres” on Rural Land Use Classification Maps

In past decades there was an influx of Mennonite farmers in the northern area of the R.M. of Bifrost. Along with establishing their farms, these residents developed religious, educational and recreational facilities at Okno, Morweena and Mennville. Accompanying this development was a demand for small parcel residential development for those working in the facilities and for retiring farmers. The three settlement centres provided a settlement option to satisfy the cultural and religious preferences while maintaining a rural lifestyle. By directing and centralizing residential growth in these centres it was considered that pressure for fragmentation and conversion of productive farm lands would be reduced. This Development Plan provides guidance to these communities through the following policies:

1. Rural Settlement Centres shall be those areas so designated on Development Plan Maps 4 and 5.
2. In proposing any expansion of a Rural Settlement Centre, consideration shall be given to: the appropriateness of the site, the organization of uses, the density of development, the provision for municipal services, the provision

for orderly expansion of the settlement centre and other development concerns as directed by the Board and/or Council.

3. The primary purpose of the designated Rural Settlement Centres shall be for residential use. However, some commercial and community facilities which service the day to day needs of the residents and minimize competition with the Urban Centres of Arborg, Riverton and Gimli, may be permitted.
4. Land uses determined to be potentially detrimental or degrading to the residential environment within an appropriate distance of a Rural Settlement Centre, as determined in the Zoning By-Law, shall be deemed as a conditional use.
5. Where the growth of a Rural Settlement Centre warrants the expansion of residential uses onto adjoining lands, the land requirements of the centre shall ordinarily supercede the existing uses of these lands. However, such expansion shall be directed away from prime agricultural lands and viable lower class lands wherever feasible.
6. Where a reasonable number of suitable vacant lots exist in a designated Rural Settlement Centre, no further subdivision of land shall be allowed within or adjacent to it.
7. Development within or immediately adjacent to the Rural Settlement Centres shall be considered in light of maintaining the function of the provincial highways to move traffic in a safe and efficient manner and shall be in accordance with the transportation policies of this Development Plan.
8. Residential development within the Rural Settlement Centres shall be planned in a manner such that potential conflicts with contiguous uses are minimized.

3.3.6 Rural Area Commercial & Industrial Policies – applicable in areas designated RCI on Rural Land Use Policy Classification Maps

The Urban Areas policies of this By-Law note that commercial and industrial development will generally be directed towards the District's Urban Centres. The policies outlined below provide guidance to those circumstances under which such development might be considered in the rural area.

In addition to the policies noted below, the siting policy statements provided previously for Rural Residential (See 3.3.3) shall also apply to rural commercial and industrial development uses. Proposals for individual lot Rural Commercial or Industrial development may require amendment to the Development Plan, designating them as a Rural Commercial / Industrial Area (RCI). Proposals for multi-lot Rural Commercial or Industrial development shall require such an amendment as a condition of approval.

1. Non-agriculture or resource related commercial or industrial development should only be considered in rural areas where no suitable sites exist in an Urban Centre, or where such developments:
 - i. are deemed hazardous or incompatible in an urban setting; or
 - ii. require larger site areas which are not available or appropriate in an Urban Centre.
2. Commercial and industrial development may be considered in rural areas where such development is directly related to the maintenance and/or development of agricultural activities.
3. Commercial and industrial developments in rural areas should be encouraged to locate at appropriate locations with safe and efficient access to major roadways and provincial highways. Direct access to the provincial highway system should be discouraged. Access should be via the municipal road system to the provincial system.
4. Commercial and industrial developments should be encouraged to provide enough land for potential expansion, while not wasting land.
 - a. New commercial and industrial developments will be encouraged to locate where there is an adequate supply of potable water.
5. A residence may be permitted in conjunction with a rural commercial or industrial use for the owner or custodian and may be part of the principal building or a separate detached building, as regulated in a Zoning By-Law

3.3.7 Recreation Resort Area Policies – applicable in areas designated as RE on Land Use Policy Classification Maps

The intent of the policies contained in this section is to protect existing and future residential recreation-related developments by designating them as a Recreational Area (RE). The RE areas will share many of the land uses that exist in the RS areas, with the distinction being that developments in the RE area will generally be more scattered and of lower density. They will not be serviced by regional sewer and water systems at this time, although if development demand warrants, over the long term they may evolve through By-Law amendment into a RS designation. Land uses in the RE designation may include such activities as seasonal/permanent cottages or residences, lodges, motels, campgrounds, golf courses, sports grounds and other recreational uses.

Policies:

1. In addition to the policies in this section, developments in this land use designation will be considered, as appropriate, against the Hazard Lands Policies, Flooding &

Erosion Policies; Water & Shoreland Policies, and the Natural Areas & Environmental Conservation Policies of this plan.

2. All development applications in the RE area must be accompanied by evidence of demonstrated demand for such development.
3. Development applications within the RE areas should be accompanied by conceptual plans illustrating how the proposal accommodates issues of open space, roadways, densities, land use compatibility and such other matters as the EIPD board or the local municipality may deem appropriate within the context of the overall policies of this Development Plan.
4. Design of new development proposals must provide for the safe, effective and cost efficient provision of sewer and water systems. New dwellings and developments will be encouraged to locate where there is an adequate supply of potable water and the location and size of building lots should reflect the capability of local soils to adequately support an approved on-site waste treatment. In considering such proposals, the planning authorities may seek comment and/or recommendations from appropriate provincial departments.
5. All sub-division applications, in the RE area shall be referred to the Eastern Interlake Conservation District for comment and recommendations.
6. Condominiums, trailer parks and group camps in the RE area shall be prescribed as conditional uses in member municipality Zoning By-Laws.
7. Mobile homes shall be located only on sites approved or designated in the Zoning By-Laws to accommodate mobile homes.

3.3.8 Natural Areas & Environmental Conservation Policies

The Eastern Interlake Planning District with its location alongside Lake Winnipeg has a keen awareness of the importance of sustainable land use activities that will protect and complement its unique natural environment. Policies to reflect these concerns are outlined below.

1. The EIPD and its member municipalities support the programs of the Eastern Interlake Conservation District and will coordinate their policies, regulations and actions with the Conservation District to conserve the natural resources of the area.
2. Natural areas and habitats should be protected from incompatible or potentially incompatible uses which may adversely affect the sustainability of the land or the resident flora and fauna where:

- a) Rare or endangered flora and fauna have received provincial or federal designation and protection under the Manitoba Endangered Species Act or the federal Species at Risk Act, respectively;
 - b) Lands have been designated as Wildlife Management Areas, Provincial Park, Provincial Forest or Community Pasture;
 - c) Lands have been designated with Protected Areas status; and
 - d) Private or public lands have been voluntarily protected by landowners.
3. The identification and protection of natural areas and habitats will be encouraged within the District.
4. Public access to designated natural areas and to wildlife 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 use.
5. Proposed developments located near waterways and water bodies that have the potential to alter, disrupt or destroy aquatic habitat; including wetlands and riparian areas, may be referred to Manitoba Water Stewardship and/or Manitoba Conservation for review prior to consideration by the District.
6. Protection will be afforded to provincial, or locally, identified significant natural areas and sensitive environmental areas. Where the potential for human activities to stress these environmental areas is significant the EIPD may require designating these activities /developments as conditional uses in the local Zoning By-Laws.
7. While there is a desire to provide for conservation areas, there is also a concern that these areas should be balanced with other interests. Therefore, where privately initiated habitat conservation land leases or land transfers are proposed for consideration to Manitoba Conservation, Manitoba Habitat Heritage, or similarly mandated agencies, those agencies will be encouraged to consult with the Planning District and appropriate member municipality prior to approving the designation of a private habitat conservation area.
8. The clearing of trees from lands in the rural areas of the District will be at the discretion of the landowner. The Planning District Board encourages landowners who wish to clear trees from land for agricultural or other productive purposes to be mindful of potential related riparian impacts on the lands in question. The Board recommends that only Canada Land Inventory Class 1-4 agricultural lands be considered for tree clearing. It is also recommended that land owners interested in clearing land of trees seek advice from the Eastern Interlake Conservation District as well as Manitoba Conservation and Water Stewardship prior to undertaking any tree clearing projects.
9. Developments and the use of land adjacent to designated provincial parks, wildlife management areas or other protected areas (1 mile radius) will be referred to Manitoba Conservation for review and comment on whether the future development

or changes in land use might adversely affect the sustainability of the area or the resident flora and fauna.

PART 4 : URBAN CENTRES AND ENVIRONS

4.1 Introduction

This Part provides additional planning guidelines for the Urban Centres of the Town of Arborg, the Village of Riverton, the urban area of Gimli, and the Town of Winnipeg Beach. It contains issues, objectives and policies for Urban Centres generally, as well as specific complementary guidelines for each individual centre. A land use classification map has also been prepared for each of the centres and their environs. In considering land use matters and proposals in the Urban Centres, the Board shall take into consideration the information put forward in this Part, as well as those provided in Parts 2 and 3 of this By-Law.

4.2 General Urban Issues

The issues facing Urban Centres in the EIPD vary one from another somewhat, but there are a number of issues they share. One such issue is the infrastructure cost associated with the provision of sewer and water services. Financing new, or extended, services or simply a replacement program for aging infrastructure is a burden each of the centres is trying to cope with. Effective land use planning policies are one of the tools the member municipalities are employing to address these issues.

Another common issue is the desire to maintain and, where possible, enhance the Central Business Districts (CBD) of the Urban Centres. The viability of the communities is recognized to be linked closely to the vitality, the cohesiveness and the aesthetics of their CBD areas.

An issue mentioned frequently in the communities is the need to provide a diversity of housing options. New residents, seasonal employees, retiring farmers and young families may have differing housing aspirations. These may range from rental units, to lower cost dwellings, to conventional single family dwellings, to condominiums and/or assisted living facilities.

Open space and dedicated parklands are also recognized by the EIPD Urban Centres as contributing to the quality of life of existing residents as well as providing a valuable marketing tool in attracting new residents.

The need for adequate and appropriately located areas for industrial land uses is another common issue shared by the centres.

A final shared issue is the desire to ensure land use compatibility of the developments at the fringe of the Urban Centres with the existing and proposed uses in the surrounding rural areas.

4.3 General Urban Objectives

In addressing the general issues for the District's Urban Centres, the EIPD Board has adopted the following objectives:

1. To develop long range plans for the development and maintenance of municipal infrastructure systems.
2. To ensure that orderly development and growth can occur in a manner in which efficient and economical municipal servicing can be provided.
3. To minimize the creation of incompatible land uses and to encourage the re-location and/or mitigation of existing incompatible land uses.
4. To ensure the availability of an adequate supply of land to meet the present and future requirements of the various urban land uses.
5. To ensure that open spaces are developed to meet recreational needs and to enhance the environmental livability and attractiveness of the communities.
6. To strengthen the Central Business District of each Urban Centre in order to ensure the continued functioning of the communities as regional centres for commercial, business, cultural and social activities.
7. To encourage the provision of a wide range of housing types to meet the needs of the varied demographic sectors of the communities.

4.4 General Urban Policies

The stated objectives shall be achieved through the application of the following development policies in this By-Law. The policies in this section apply to all Urban Centres in the District, as generally identified on Maps 7-14. Additional and complementary policies for individual centres follow in subsequent sections.

4.4.1 Residential Policies (residential areas are designated 'R' in accompanying maps)

1. Residential

- a) Vacant serviced residential lots in urban areas shall receive the highest priority for residential development.

- b) The provision of options of housing types and locations for residents shall be encouraged.
- c) Development of new subdivisions shall be accomplished in an orderly and economic fashion so that the number of available lots does not greatly surpass demand.
- d) New residential areas shall be evaluated giving consideration to the following:
 - i) the cost and feasibility of providing sewer and water services;
 - ii) effect on existing and proposed streets in terms of pedestrian safety, traffic volume, flow patterns, etc.;
 - iii) storm drainage patterns and groundwater conditions (commentary from the Department of Water Stewardship may be solicited by the Board);
 - iv) adequate and conveniently located public open space;
 - v) schools and the distance to them;
 - vi) buffers between in-compatible land uses; and
 - vii) contiguity to compatible uses, e.g. other residential areas or open farm lands which are slated for future uses which do not create undue noise, odors, nuisance, etc.
- e) Multiple family development is included within the residential designation. Guidelines for the location of these sites within the residential category are as follows:
 - i) For multi-family residential developments proposed in new areas, specific site(s) will be determined at the subdivision design stage.
 - ii) For proposals in existing residential areas, site(s) will be finalized after consideration of such elements as density, building design, traffic flow, and privacy; so as to minimize the impact on the adjacent single family residences. Such proposals may require zoning amendments.
 - iii) Multiple family development may be situated in the CBD.
- e) The planning, development and standards of mobile home parks and subdivisions shall be similar to those for single family subdivision.
- f) Home-based businesses may be considered in residential areas. They shall be accessory to a primary residential use, be modest in scale and investment and should not generate significant levels of traffic or otherwise have adverse effects on neighbouring properties. For certain types of businesses, a home-based setting may be appropriate when first starting up; however, as the business grows and level of commercial activity increases, it may be more appropriate to relocate to a commercial area. Home-based businesses will be a Conditional Use in the respective Municipal Zoning By-Laws.

4.4.2 Commercial Policies

Central Business Districts (CBDs), designated 'C' on accompanying maps. A healthy and attractive Central Business District will be encouraged in each of the District's Urban Centres. Policies will recognize and promote the CBD through the following:

- a) The CBD will be developed and maintained as the main commercial, business and cultural centre of the community.
- b) CBD land uses shall be developed in a compact and efficient manner.
- c) Development design will be encouraged to incorporate attractive streetscaping (following local municipal standards or guidelines where adopted), nodes of open space, and architectural styles that are complementary to the character of the area.
- d) Through landscaping programs and/or such concepts as "mini-parks", open space in CBDs shall be planned in a manner so as to enhance the attractiveness of the communities' main commercial District.
- e) Existing land uses that are incompatible with the CBD due to noise, site area, hazardous uses, etc., will be encouraged to relocate to appropriate areas.
- f) New commercial development will be encouraged to locate in those areas of the CBD which are currently vacant, or alternatively, to expand the CBD in a contiguous manner wherever feasible.
- g) Certain types of institutional developments will be encouraged within the CBD, including government offices, museums, social and cultural facilities.

Highway Commercial - Areas may be designated as Highway Commercial (designated 'H' on accompanying maps) for those uses that cater to the traveling public. These include, but may not be limited to, service stations, roadside restaurants and cafes, motels and hotels, and those commercial uses requiring large sites and/or convenient highway access.

Transportation policies as enunciated in Section 2.3.5 of this By-Law will apply where appropriate to the consideration of Highway Commercial development and in addition, Highway Commercial uses shall be located only in areas which:

- a) are adjacent to and well serviced with regard to major traffic corridors;
- b) do not impede the efficiency and safety of the highway system; and
- c) do not detract from the viability of the CBD.

Neighborhood Commercial - Activities such as convenience stores or other services to the immediate area may be considered outside of the CBD commercial areas providing there is a demonstrated need, and:

- a) the development does not detract from the viability of the CBD; and
- b) design standards are employed which ensure the use is compatible with surrounding properties and neighbourhood.

4.4.3 Industrial Policies

- a) Industrial development shall be located within designated industrial areas (designated as 'I' on accompanying maps).
- b) Designation of industrial areas shall take into consideration availability of needed municipal services and ready access to major transportation routes.
- c) Incompatible industrial uses outside of the designated industrial areas shall be encouraged to relocate into these areas.
- d) Where an industrial area, or use, abuts a more restrictive land use, a buffer should be developed to minimize the impact on that use. Other measures to minimize any detrimental impact on adjoining uses may be required at the discretion of Council.
- e) Industries whose wastes are incompatible with the capabilities of existing municipal services may be held responsible to treat or safely dispose of their wastes.
- f) Designated areas, within industrially designated lands, for those types of industrial uses which may not require sewer hook-up (e.g. trucking depots, warehouses, etc.) may be considered in accordance with the policies of this plan and the accompanying Municipal Zoning By-Laws.

4.4.4 Streets and Transportation Policies

- a) The local transportation system shall be efficiently designed and maintained to:
 - i) meet present and future traffic volumes;
 - ii) provide for adequate parking, access and loading; and
 - i) provide for safety.
- b) Where deemed appropriate, a hierarchy of streets (e.g. Local, Collector, & Arterial) may be established to assist in developing an efficient vehicular traffic system.

- c) Rights-of-way for future street extensions should be designated and protected in order to provide for an efficient use of land and to ensure a proper alignment with the existing street system.
- d) Urban Centre streets and transportation systems and related developments shall also comply with Part 2.3.5 Transportation Policies of this Development Plan.

4.4.5 Institutions, Open Space and Parks (designated as ‘P’ on accompanying maps)

- a) Planning and development of open space and parks in the urban communities shall accommodate the respective needs of individual neighbourhoods, the community as a whole and the region served by the community.
- b) The use of the shorelands and riverbanks as part of an overall strategy for Open Space and Parks systems shall be encouraged through this By-Law; accompanying Zoning By-Laws; and where deemed appropriate and feasible, public-ownership. Uses along the shorelands and riverbanks must however reflect the guidance provided elsewhere in this Plan for the protection of these shoreland and riverbank environs.
- c) Areas in concept plans shall be designated to accommodate present and future land requirements for schools, health care facilities, and community recreation facilities.
- d) The locations of institutions shall be guided by their compatibility with the surrounding neighbourhoods in terms of convenience to users, traffic, noise, architectural design and proposed landscaping.

4.4.6 Fringe Area Development

- a) Within the fringe areas of Urban Centres, the Planning District shall seek to identify lands as designated reserves for future development.
- b) Lands located at the periphery of the built-up areas shall not be developed in a manner that may unduly restrict the expansion of urban uses.
- b) In areas that are urbanizing or urbanized adjacent to existing incorporated communities, programs of inter-municipal cooperation, such as tax-sharing, joint-servicing, or boundary adjustments, will be encouraged so that orderly and efficient growth can be accommodated when demand warrants.

4.4.7. Municipal Services

- a) In instances where new development is proposed, information to be provided by, and at the expense of, the developer may be required in order to address the potential impact of the proposed development on existing or planned municipal

or provincial infrastructure. This information shall include, but not be limited to, an analysis of the proposal's implications to sewer and water treatment, collection/distribution systems; storm water and surface drainage matters; and soil suitability.

- b) All urban development shall be connected to municipal services such as sewer and water where available.
- c) The availability and timing of the municipal servicing system extensions shall help direct the staging of future developments.
- d) In areas along Lake Winnipeg (see also Part 2.3.8 Municipal Sewer and Water Service and Part 3.3.4 Residential and Resort Serviced Area Policies) consideration of existing and/or planned regional sewer and water systems shall be taken into account when new or expanded land use developments are being considered or municipal service investments are being contemplated.
- e) The scheduling of necessary improvements and expansion to the municipal sewage and water systems shall be implemented taking into consideration such items as updated population projections, building activity and industrial development trends, in order that the system is not suddenly overburdened.
- f) Sewer and water system maintenance and expansion shall generally be in accordance with municipal 5-year capital budget plans.
- g) Reserve land for the potential expansion of the sewage lagoons in the District shall be maintained through appropriate setbacks, etc.
- h) Provision shall be made for the environmentally acceptable disposal of all community and industrial wastes.

4.4.8 Rural and Agriculture

Lands presently used for agricultural purposes within the Urban Centres shall be allowed to continue until such time as these lands are required for urban development. The interim use and development of these lands shall be regulated through Zoning By-Laws on issues such as lot sizes and configurations so as to facilitate economic conversion to urban uses when demand warrants and in the interim, to minimize any current adverse impacts they may have on urban areas. New livestock operations shall not be allowed in Urban Centres.

4.4.9 Flood Prone Areas

See 2.3.3 Hazard Lands, Flooding & Erosion Policies and 2.3.4 Water & Shoreland Policies for guidance.

4.5 Urban Policies for Designated Urban Centres & Their Environs

The objectives and policies stated for the Urban Centres and their environs eventually involve the use of land. In working toward fulfillment of these objectives and policies it is useful to indicate the general pattern of land development anticipated. The land use classification maps, discussion and policies presented below for each Urban Centre are intended to be complementary to and interpreted in concert with Part 2.3 General Policies and Part 4.4.1 General Urban Policies of this plan.

4.5.1 The Town of Arborg and Environs

Map 7 provides detail on the land use classifications within and around the Town of Arborg.

Over the 1991-2006 period, Arborg has been relatively static in terms of overall population totals and this circumstance is projected into the near future. As a result, the land use classifications within the Town boundaries remain nearly unchanged in this updated Development Plan.

In the environs adjacent to the Town in the municipality of Bifrost, several changes in classification have occurred. These changes primarily reflect the existing land use pattern in the area. The changes include expansions in the Highway Commercial area, Institution /Open Space/ Park areas, and large-lot Residential areas. In addition, the establishment of an RA buffer area around the Town boundaries reflects the Planning District and Provincial policies regarding the location of new livestock operations.

In applying the General Urban Policies in Arborg, the following shall be taken into account:

- a) Residential Areas
 - i) In addition to vacant serviced residential lands, areas designated for future residential development within the Town boundaries are:
 - the area in the east and northeast section of the Town, due to the close proximity of schools, recreational facilities and the feasibility of extending municipal services
 - the area in the west of the Town, south of the Icelandic River and the area in the west and northwest section of the Town
 - ii) Lands designated for residential development just outside of the Town boundaries are also identified on Map 7.

The area northeast of the Town reflects the fragmented land use pattern and development that occurred prior to the incorporation of Arborg. The area west of the Town recognizes land fragmentation that has already occurred and the existence of remnant parcels south of the

Icelandic River and north of PTH No. 68. The remnant parcels are not suited for agricultural use by their size and configuration and are desirable for large lot residential use. All development proposals will be subject to policies regarding development within possible flood prone lands and will need to incorporate protection standards in accordance with this Plan and its supporting Zoning By-Laws.

The new areas and the potential provision of services therein, are in accordance with the “Sewer and Water Services Agreement” between the R.M. of Bifrost and the Town of Arborg. The agreement came into effect in June of 2008. The agreement encompasses the installation and maintenance of services, the billing for services, cost recoveries by Bifrost and the sharing of tax revenues from those properties serviced within the defined area of the agreement. As noted in their 5-year capital budget, Bifrost contemplates an extension of these services over the next several years, in accordance with the terms of the agreement.

Design of development proposals on either side of the Arborg/Bifrost boundary shall not preclude the future efficient and economic provision of municipal infrastructure services to these areas.

b) Commercial

Two types of commercial designations are provided in this Plan; Central Business District, and Highway Commercial. The designated areas represent a continuance of the status quo, with the exception of additional Highway Commercial development in the south-east quadrant lying immediately outside of Arborg in the R.M. of Bifrost. This newly designated area reflects current uses in the area.

c) Industrial

- i) The areas designated for industrial development are unchanged from the prior Development Plan By-Law.
- ii) The area south of the Town of Arborg in the R.M. of Bifrost is intended as a General Industrial District. This area shall provide for the location of service, commercial and industrial activities such as manufacturing, agro-sales and repairs, lumber yards, farm supply depots and bulk oil dealers, and the like, but shall not accommodate uses more appropriate for the CBD unless the Board deems such uses as fitting within the intent of this policy.
- iii) The area in the northwest section of the community shall provide for light industrial uses. This area is intended to accommodate light industrial uses due to the lack of direct highway access and to increase compatibility with surrounding land uses.

d) Streets and Transportation

- i) Concept plans may be required of development proponents to accommodate safe and efficient future street alignments in new residential areas.

e) Institutions, Parks and Open Space

- i) New areas in the south-east quadrant, within the R.M. of Bifrost, have been established to acknowledge the site of the Heritage Village Museum and the nearby development of new church facilities.
- ii) The shoreland adjacent to the Icelandic River shall be protected in accordance with the policies of this plan and shorelands may be acquired and designated as open space where deemed desirable and economically feasible.

f) Municipal Services

- i) Recommendations as per engineering reports will be considered for future renewals and upgrades of the Town's water and sewer utility system.

4.5.2 The Village of Riverton and Environs

Riverton has seen a declining population in recent years and few adjustments have therefore been made in this By-Law in the land use designations in and around the Village. Recognition is provided for Highway Commercial and Industrial land uses already in place on the west of the community, as well as larger lot residential developments to the south and east of the urbanized area. Land uses within Riverton and Environs will be guided as appropriate by Parts 2 and 3 of this By-Law and the General Urban Policies in this Part, as outlined on Map 8. Special attention will be paid to the following additional considerations:

a) Residential

The unserviced, subdivided area in the southwest portion of the Village has a low priority for development at this time, due to the supply of existing serviced lots.

Outside of the Village, small additional areas for un-serviced Rural Residential development have been designated, in recognition of the existing development pattern and the fragmentation of land.

b) Commercial

Two types of commercial designation are illustrated on the Development Plan Map 8, the Central Business District and Highway Commercial.

Expansion of the Highway Commercial into the R.M. of Bifrost in the northwest, along PTH No. 8 recognizes the existing land use pattern.

c) Industrial

- i) The designated site adjacent to the Icelandic River in the southern part of the community is intended to accommodate an existing industrial use and should not be redeveloped for any industrial use that would create an adverse impact on the surrounding areas more than is presently experienced.
- ii) An area west of PTH No. 8, in the R.M. of Bifrost, has been designated as Industrial. Light industrial uses will be considered in this area.

d) Institutions, Parks and Open Space

The shoreland adjacent to the Icelandic River shall be protected in accordance with the policies of this Plan and shorelands may be acquired and designated as Open Space where deemed desirable and feasible.

e) Rural

Due to the amount of vacant serviced lands already available in the community, the area in the northwest of the community shall not be developed for urban-density uses, until such lands are required.

4.5.3 Gimli and Environs Urban Area

Lands within the Gimli and Environs Urban Area, as identified on Gimli Urban Area Maps 10-12, comprise the most urbanized parts of the Rural Municipality of Gimli. Included in these areas are the lands that once were incorporated as the Town of Gimli and subsequently, for a time, as a Local Urban District within the R.M. In this Development Plan, the Gimli and Environs Urban Area has been expanded to include several adjoining areas that have been developed, or are being developed, to an urban density. Land uses in these areas include primarily residential, commercial, industrial (including the Gimli Business Park), institutional and park and open space uses, as well as scattered areas that remain in agricultural uses, or are currently undeveloped.

In the Gimli and Environs Urban Area, several changes in classification have occurred. These reflect historical and projected land use trends and development demand. The changes include expansions in the residential and commercial designated areas as well as bridging the area between the old townsite and the Business Park. In addition, the

establishment of a Restricted Agriculture (RA) buffer area around the area reflects the Planning District Policy regarding prohibiting new livestock operations in the immediate vicinity of designated areas.

The policies below apply within the Gimli and Environs Urban Area. Areas designated for the various land uses are outlined on accompanying Maps 10-12.

a) Residential

In addition to the vacant serviced residential lands, areas designated for new residential development are:

- 1) the undeveloped portion of the Vesturland subdivision;
- 2) the major portion of the S.E. $\frac{1}{4}$ of Section 17-19-4E., immediately west of P.T.H. No.9; and
- 3) the major portion of the N.E. $\frac{1}{4}$ of Section 8-19-4E., immediately west of P.T.H. No. 9.

b) Commercial

Two categories of commercial designation exist, the Central Business District and Highway Commercial. These areas are identified on the maps and their land uses will be guided by the General Urban Policies in this Plan.

c) Industrial

Within the R.M. of Gimli, there are 2 land areas designated for Industrial uses. One area lies immediately north of the townsite and its single purpose is to encompass the stand-alone distillery property. The other area is referred to as the Gimli Business Park. Additional detail on this Park follows below.

The 1,500 acre Gimli Business Park is located west of the central urbanized area. The Park is a multi-use complex encompassing manufacturing industries, a landing strip, as well as, institutional, recreation, housing and conference facilities. It is a major employment centre for the District. The Park is operated by the Gimli Industrial Development Group, established by the R.M. of Gimli.

The complex has a relatively complete infrastructure system consisting of central water and sewage facilities, along with a hydro grid. Additional lands are available for expansion purposes.

The history, scale, and mix of land uses have generated a need for specific objectives and additional policies to guide development in the area. These are specified below.

Objectives

- 1) To promote greater utilization of the substantial investment and infrastructure in the Gimli Business Park, to create area employment and foster greater diversification of the local economy.
- 2) To ensure sites within a serviced business industrial park setting are available to accommodate present and future business uses within the region.
- 3) To maintain the multi-use character of the Gimli Business Park.
- 4) To prevent land use conflicts between industrial activities and other uses within the park.

Business Park Policies

- 1) The utilization of the Gimli Business Park's facilities and infrastructure shall be promoted as appropriate in cooperation with the various stakeholders, including the municipal authority, senior levels of government, park tenants and owners, the local business community and local area economic development organizations.
- 2) Development standards should be established to ensure the various uses within the park are appropriately located, and impacts on adjoining properties are minimized.
- 3) Institutional and recreational uses should continue to be accommodated within the Gimli Business Park where compatible with adjoining uses.
- 4) Programs to improve visual quality within the Gimli Business Park shall be encouraged.
- 5) Any proposed expansion of the Gimli Business Park should be in accordance with an overall land use concept plan.

d) Institutions, Parks and Open Space

Land uses in these areas will be guided by the General Urban Policies in this Plan. Further, the shoreland adjacent to water bodies shall be protected in

accordance with the policies of this Plan and shorelands may be acquired and designated as Open Space where deemed desirable and feasible.

e) Municipal Services

The provision of municipal services in the Gimli and Environs area will be guided by the General Urban Policies in this Plan and the following:

- 1) Consideration shall be given to upgrading deficiencies in the water supply and distribution system before significant urban expansion is contemplated.
- 2) Maintenance and further development of sewer and water services shall be planned within the context of the proposed regional sewer and water system.

4.5.4 The Town of Winnipeg Beach and Environs

In 2008 the Town of Winnipeg Beach joined the Eastern Interlake Planning District. This Development Plan will update and replace Winnipeg Beach By-Law 6/2000, which came into effect in April of 2004. In light of the recent vintage of By-Law 6/2000, many of the Objectives and Policies from that Plan are considered still valid and are brought forward into this EIPD plan, reformatted as necessary to fit the EIPD standard.

In addition to the guidance outlined in Part 2, General Issues and Policies, and the Urban Objectives and Policies in the preceding sections of Part 3, the issues and policies below will be taken into account in applying this Plan to the Winnipeg Beach jurisdiction.

Issues:

- 1) A limited vacant land inventory exists to accommodate future residential, commercial and industrial growth.
- 2) The provision of shared services such as water, sewer, and protective services on a regional basis with other area communities is desirable due to a limited financial base in the municipality.
- 3) Flood and erosion protection for residents and businesses adjacent to Lake Winnipeg and other water bodies are critical in this recreation-oriented community.
- 4) Managing community development within the area of the municipal sewage lagoons is problematic due to the location of the lagoons.

Policies:

The limited lands available for development, the predominance of residential uses and the importance of maintaining the recreation/resort character of the community are all contributing factors to the policies which follow for this community. Maps 13 and 14 indicate the spatial relationships of the designated land use areas.

a) Residential Area Policies

- 1) The primary intent of the Residential Areas designation is to promote, protect and enhance existing neighbourhoods through the accommodation of a mix of residential and community service developments. In addition, a subordinate role of the Residential Areas is to accommodate limited opportunities for neighbourhood commercial initiatives, subject to design and development criteria as spelled out in the Winnipeg Beach Zoning By-Law.
- 2) In designing residential subdivisions, developers shall incorporate the following design criteria:
 - i) significant tree stands and vegetation areas shall be protected to create forest parks; and
 - ii) provisions shall be made for such trail systems as cross-country ski trails, biking and walking trails and other community and recreation facilities.
- 3) In order to prevent piecemeal land fragmentation and to ensure that buildings, municipal services and facilities are properly located and planned, a concept plan for proposed developments south of Kernstead Road shall be prepared prior to any subdivision being approved by Council.

b) Commercial Area Policies

Two types of commercial designations are utilized in Winnipeg Beach; a Central Business District and a Highway Commercial District. The designated areas represent a continuance of the status quo spatially.

c) Central Business District Policies

The Central Business District in Winnipeg Beach represents a land use vision that reflects the unique resort character and relatively small size of the community. In addition to CBD policies in Section 4.4.2 of this plan, the local policies emphasize the desire to accommodate the neighbouring Residential and Open Space uses in a seamless fashion. Specific local policies are presented below:

- 1) New commercial and commercial resort developments shall be designed to:
 - i) encourage safe pedestrian movement linking shopping, parking and recreation services with residential neighbourhoods, open space/park areas and Lake Winnipeg;
 - ii) protect significant tree stands, vegetation areas and

- shorelands; and
- iii) accommodate appropriate transition space, such as berms, walls, fencing, landscaping, planting or a combination thereof, between incompatible land uses.

d) Highway Commercial Policies

- 1) Highway commercial developments shall be restricted to the PTH No. 9 corridor.
- 2) Permitted and conditional uses in the Highway Commercial District shall reflect the demand for a variety of land uses, including the existing residential uses within the District.

e) Recreation and Open Space Policies

The Town of Winnipeg Beach wishes to build on its heritage of being an integral social and economic component of Manitoba's recreation, leisure and tourism industry. While the Town has taken advantage of its location along Lake Winnipeg, the intent of the Recreation and Open Space Areas is to further emphasize and recognize the social and economic potential that recreation and leisure can play in the community in terms of improving its quality of life. The following policies and development criteria shall be used to guide and evaluate development proposals in the Recreation and Open Space Areas:

- 1) Recreation and Open Space Areas include such land uses as: parks, recreation facilities, community and government facilities, curling clubs, arenas, schools and accessory buildings or structures, golf courses, swimming pools and marinas. These uses shall be subject to design and other criteria that are included in the Winnipeg Beach Zoning By-Law.
- 2) All new major recreation and institutional facility developments shall:
 - i) be attractively designed and well landscaped;
 - ii) protect significant tree stands and vegetation areas;
 - iii) encourage safe pedestrian movement linking shopping and parking services with residential neighbourhoods and Lake Winnipeg;
 - iv) accommodate appropriate transition space, such as berms, walls, fences, landscaping, planting or a combination thereof, between incompatible land uses.

f) Restricted Development Area Policies

The Restricted Development Area is established for the area surrounding the Winnipeg Beach wastewater treatment facilities (sewage lagoons). The

intent of this designation is to protect the viability and safe operation of the lagoons, to minimize land use conflict with surrounding land uses and activities and to protect public health. The area is generally comprised of those lands lying within 1,500 feet of the lagoons. This distance represents the minimum separation between a lagoon site and a built up urban area, as determined by the Province of Manitoba – Environmental Management, and is measured from the centreline of the nearest dike. That portion of the existing downtown commercial area lying within the separation area and fronting on Hamilton Avenue will be exempt from the Restricted Development Area.

The following policies apply within the Restricted Development Area designation:

- 1) The long-term viability of the municipal sewage lagoons shall receive the highest priority in the evaluation of all land use and development proposals.
- 2) Intensive land uses and developments that would conflict with or threaten the viability of the sewage lagoons will not be allowed. Intensive land uses and developments are defined as places of human habitation or employment (work locations) which require employees to be on site for extended periods of time and places where food is prepared and/or served. These uses would include new residential, institutional, most commercial (offices, hotels, restaurants and retail stores) or intensive recreational uses (arenas, auditoriums and community centres).
- 3) Non-intensive and low intensity land uses and developments that would be compatible with the sewage lagoons may be considered for approval. Non-intensive and low intensity land uses are defined as places of casual or occasional human occupation. These uses would include open space or passive recreational areas, parking lots, public works facilities (telephone exchange, communications tower, hydro substation, garbage, transfer station, public works yard), outdoor storage and certain non-intensive commercial and/or industrial uses (landscape/garden supplies, car wash and contractors' establishments where the work is mainly done off-site).
- 4) Land uses and development that existed prior to the adoption of the Development Plan will be regulated as follows:
 - i) Existing residences will be recognized as permitted uses and, subject to the Zoning Bylaw regulations and building codes, may be structurally altered, increased in size, rebuilt or replaced with a new structure;
 - ii) Intensification of the use of an existing single-family dwelling to a two-family or multi-dwelling will not be permitted;
 - iii) Existing commercial, industrial and recreational uses will be recognized as permitted uses and may continue as established;

- iv) Existing commercial, industrial and recreational uses may only change the use, intensify, or diversify if approved through the development review process in Policy 7 of this Section.
- 5) The subdivision of land within the Restricted Development Area shall be evaluated and approved based on the following:
- i) The subdivision of land for the purpose of creating new or additional residential lots, or for the purpose of intensifying the residential use, will not be permitted; and
 - ii) The subdivision of land for public works, boundary alteration or the creation of new sites for uses and development approved in accordance with the policies herein may be permitted.
- 6) Notwithstanding the policies contained in this Section, the subdivision of land for the purpose of creating additional residential lots and the construction of new single-family dwellings may be permitted in the Restricted Development Area south of Kernstead Road and west of PR 232 (Churchill Road).
- 7) Within the Restricted Development Area a development review will be required to ensure that any change in the use of land or buildings will be compatible with the sewage lagoons and in keeping with the policies and guidelines of this section. In determining the compatibility of a proposed use or development consideration shall be given to the type, size and intensity of the use or development and the separation distance from the lagoon. An application for approval of a proposed use or development will be treated as a Conditional Use and reviewed in accordance with the policies herein.
- 8) If the Municipal sewage lagoons and/or the method of sewage disposal are, in future, changed or modified in a manner so as to reduce or negate the separation distance the planning authority may review and adjust the area designation and policies accordingly.

General Policy on Building Setbacks

In addition to the policies provided earlier in this plan regarding hazard lands, shorelines and waterways, the Winnipeg Beach Zoning By-Law may provide additional setback requirements from waterways where such action is deemed warranted by Council.

Part 5: Implementation

5.1 Basic Implementation Measures

The following measures and methods will implement the policies outlined in the Eastern Interlake Development Plan:

5.1.1 Adoption of this Development Plan

Adoption of this Development Plan by By-Law will give the plan the force of law. Once adopted any development or land use change must be generally consistent with the Development Plan (See Section 65, *The Planning Act*). Section 65 of the *Act* also states that adoption of a Development Plan does not require a board or council to undertake any proposal suggested in the plan.

5.1.2 Adoption of Zoning By-Law

Following adoption of the Development Plan, the member municipalities will enact Zoning By-Laws, which will set out specific regulations for land use and development.

Zoning By-Laws designate areas for certain types of development. Permitted and conditional uses 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.

5.1.3 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.

Where conditional use applications for small scale industries and home based occupations occur within ½ mile of provincial highways, a copy of the conditional use

notice and application will be circulated to the Department of Infrastructure and Transportation for their consideration.

5.1.4 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 various ways that a Zoning By-Law may be varied are outlined in *The Planning Act*. Council may attach conditions to a variation order in order to maintain the intent and purpose of the Development Plan or the Zoning By-Law.

5.1.5 Development Permits

New development generally requires a development permit issued by the municipal council.

Before a permit is issued, proposals will be reviewed to determine their conformance with the Development Plan and Municipal Zoning By-Laws.

5.1.6 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 District approving authority, the municipal council, and other relevant entities (Part 8 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 District approving authority.

Council and/or the District approving authority may attach conditions to a subdivision approval in accordance with Section 135 of *The Planning Act*.

5.1.7 Development Agreements

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

5.1.8 Review & Amendment

The Development Plan should be reviewed periodically and revised if necessary to anticipate and respond to changing conditions within the District. The Development Plan may be amended at any time when considered appropriate or necessary by the District. Section 43 of The Act provides that the Development Plan may set out the date by which the board must complete a review of it or within 5 years in accordance with Section 59(1).

5.2 Additional Measures

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

5.2.1 Acquisition & Disposal of Land

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

5.2.2 Adoption of Other By-Laws

A municipality has the capability to adopt and administer other By-Laws concerning the use, development and maintenance of land. This would include measures such as the adoption of a building By-Law, property maintenance By-Laws, access approval By-Laws, drainage By-Laws and other types of By-Laws affecting the use of land.

5.2.3 Special Studies

Proponents may be required to undertake and submit special studies as part of the approval process, including the accommodation of recommendations received from Provincial departments, 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, traffic impact and general risk to health and the environment.

5.2.4 Public Works

The capital works program and public improvements of a member 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.

5.2.5 Capital Expenditure Program

Councils should consult the Development Plan when revising their annual five (5) year capital expenditure program.

5.2.6 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.

5.2.7 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.

5.3 Interpretation

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

Appendix A

DEFINITIONS

For purposes of this Development Plan, the definitions provided below and in the Provincial Land Use Policies shall normally apply. Further guidance may be obtained as necessary by reference to additional definitions provided as part of The Planning Act.

“agricultural operation” means an agricultural, aquacultural, horticultural or silvicultural operation that is carried on in the expectation of gain or reward, and includes:

- (a) the tillage of land,
- (b) the production of agricultural crops, including hay and forages,
- (c) the production of horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs and greenhouse crops,
- (d) the raising of livestock, including grazing,
- (e) the production of eggs, milk and honey,
- (f) the raising of game animals, fur-bearing animals, game birds, bees and fish,
- (g) the operation of agricultural machinery and equipment,
- (h) the process necessary to prepare a farm product for distribution from the farm gate,
- (i) the application of fertilizers, manure, soil amendments and pesticides, including ground and aerial application, and
- (j) the storage, use or disposal of organic wastes for farm purposes;

“animal unit” means the number of animals of a particular category of livestock that will excrete 73 kg of total nitrogen in a 12 month period.

“aquifer” means a water bearing geological formation that is capable of producing water to wells or springs in quantities that are economically useful;

“Canada Land Inventory” means a series of maps prepared by the governments of Canada and Manitoba showing an evaluation of the capability of the land to support agriculture, forestry, wildlife (including ungulates and waterfowl), and recreation;

“development” means

- (a) the carrying out of the construction, erection or placing of any building or excavation or other operation on, over or under land, or
- (b) the making of any change in the use or intensity of use of any land or buildings or premises;

“Development Plan” means a plan, policy and program, or any part thereof, approved under The Planning Act, covering any area of land defined therein, designed to achieve stated objectives and to promote the optimum economic, social, environmental and physical condition of the area, and consisting of the texts, maps or illustrations describing the program and policy;

“exploration” means a search for minerals or oil and gas by prospecting, by geological, geophysical or geochemical surveys, by trenching, stripping, excavating or drilling or by any other method;

“farmstead” means that portion of the land of an agricultural operation on which is located the residence of the operator;

“gas” means natural gas that

- (a) contains methane and other paraffinic hydrocarbons, and might contain nitrogen, carbon dioxide, hydrogen sulphide, helium or minor impurities,
- (b) is recovered or recoverable through a well from a reservoir, and includes any fluid hydrocarbon, before and after processing, that is not oil or condensate;

“groundwater” means water below the surface of the ground;

“group camp” means a property consisting of a tract of land and any tents, vehicles, buildings or other structures that may be pertinent to its use, and any part of which may be occupied by persons for the purpose of **outdoor or indoor organized activities**.

“heritage resource” means,

- (a) a heritage site,
- (b) a heritage object, and
- (c) any work or assembly of works of nature or of human endeavour that is of value for its archaeological, palaeontological, prehistoric, historic, cultural, natural, scientific or aesthetic features, and may be in the form of sites or objects or a combination thereof;

“highway commercial” – includes land uses such as service stations, roadside restaurants and cafes, motels and hotels and uses of like character that provide essential uses to the highway user.

“land use plan” means a basic planning statement, Development Plan, Zoning By-Law, conservation District management plan, Crown land plan, park plan, street or highway plan, utility plan, subdivision plan or any other plan adopted by a municipality, District, the Province or a Crown corporation that directs land use in a specified area;

“livestock” means animals or poultry not kept exclusively as pets, excluding bees.

“livestock operation” means a permanent or semi-permanent facility or non-grazing area where at least 10 animal units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities, but does not include an auction mart.

“metallic mineral” means a mineral deposit from which a metal or metals can be extracted;

“mine” means an opening or excavation in the ground that is established or maintained for the purpose of mining and includes:

- (a) a quarry,
- (b) machinery, plant, buildings, premises, stockpiles, storage facilities, waste dumps or tailings, whether below or above ground, that are used for, or in connection with mining,
- (c) a crusher, mill, concentrator, furnace, refinery, processing plant or place that is used for, or in connection with, washing, crushing, sifting, drying, oxidizing, reducing, leaching, roasting, smelting, refining, treating or conducting research on mineral bearing substances, and

(d) an abandoned mine and abandoned mine tailings;

“mineral” means a non-living substance that is formed by natural processes and is found on or under the surface of the ground, irrespective of chemical or physical state and before or after extraction, and includes peat, peat moss and substances that are prescribed as minerals for purposes of The Mines and Minerals Act but does not include agricultural soil, oil, natural gas or any other gas, any surface or ground water or other substance that for purposes of The Mines and Minerals Act is prescribed not to be a mineral;

“mobile home” means a portable dwelling which is designed or used for residential occupancy, built upon or having a frame or chassis to which wheels may be attached by which it may be moved upon a highway, whether or not such structure actually has at any time such wheels attached, or is jacked up or skirted and which conform to the structural standards of the “Buildings and Mobile Homes Act”, Chapter B93, CCSM and amendments thereto.

“mobile home park” means an area of land upon which mobile home spaces are provided and have been approved by the Council.

“oil battery” means a facility to remove impurities, such as water and sand, from heavy oil. Oil is either flowlined or trucked into the battery facility.

“one hundred year flood” means a flood that can be expected to occur, on average, once in 100 years, or specifically a flood that has a one percent chance of being equalled or exceeded in any year;

“ordinary high water mark” means the level at which the water in a water body or waterway has been held for a period sufficient to leave a mark on the vegetation and/or soil along the bank; the line identified in a plan of survey as “O.H.W.M.” or “Ordinary High Water Mark”, or the line on a plan of survey delineating the bed of a water body or waterway;

“prime agricultural land” means land composed of mineral soil determined by Manitoba Agriculture to be of dryland Agricultural Capability Class 1, 2 or 3 and includes a land unit of one quarter section or more or a river lot, 60% or more of which is comprised of land of dryland Agricultural Capability Class 1, 2 or 3. In certain circumstances, land composed of organic soil determined by Manitoba Agriculture to be of dryland Agricultural Capability Class 01, 02 or 03 or land determined by Manitoba Agriculture to be of Irrigation Suitability Class 1A, 1B, 2A or 2B may also be considered prime agricultural land;

“provincial highway system” means highways declared to be provincial trunk highways and highways declared to be provincial roads, under The Highways and Transportation Act, and that have not been abandoned;

“public services” includes potable water; sewage and solid waste collection, handling, storage, treatment and disposal; storm and other surface water drainage; electrical generation, transmission and other distribution facilities; telephone and other public communication facilities; pipelines; roads, airports and other public transportation facilities; parks and other recreational facilities; schools; health and social services; police, fire protection and other emergency services;

“quarry minerals” means minerals (contained in either surface or subsurface deposits or both surface and subsurface deposits) obtained by quarrying including aggregate (sand, gravel, crushed rock) shale, kaolin, bentonite, gypsum, clay, silica-rich sand, peat, salt, coal, and rock or stone used for any purpose other than as a source of metal, asbestos, potash, oil and natural gas;

“recreational development” means a development of a recreational nature, including campground development, canoe routes, cottages, summer resorts, and trails;

“rehabilitate” means, in respect of a project site or an aggregate quarry, the actions taken for the purpose of:

- (a) protecting the environment against adverse effects resulting from operations at the site or quarry,
- (b) minimizing the detrimental impact on adjoining lands of operations at the site or quarry,
- (c) minimizing hazards to public safety resulting from operations at the site or quarry, and
- (d) leaving the site or quarry in a state that is compatible with adjoining land uses and that conforms, where applicable, to a land use plan and to the specifications, limits, terms and conditions of a license issued under The Environment Act in respect to the project;

“residential development” means dwellings used permanently or occasionally including cottages unless otherwise specified;

“renewable resources” includes living things such as fish, wildlife, trees and other plants, and surface and groundwater;

“resource-related use” means a use or development that is directly dependent on the land’s resource base including agricultural operations, mining, forestry, fishing and trapping;

“rural areas” means all areas other than Urban Centres;

“rural residential” means Non-farm, single family residential development in rural areas excluding cottages;

“shoreland” means land within 300 m of the ordinary high water mark of a water body, or land within 90 m of the ordinary high water mark of a waterway;

“significant natural features” means landforms, flora and fauna that are unique to or characteristic of a region and are in danger of becoming scarce (for example, tall grass prairie in the Winnipeg area, Carberry Sandhills, and small prairie wetlands);

“sustainable use” means a level of use that a resource can permanently sustain without degradation;

“threatened or endangered plants and animals” means plants and animals indigenous to Manitoba declared endangered species or declared threatened species under The Endangered Species Act;

“Urban Centre” means incorporated cities, towns, villages, unincorporated village Districts and includes any settlement recognized as an Urban Centre by the government of Manitoba;

“viable lower class land” means land that is not prime agricultural land but that is used for agriculture or has the potential to be used for agriculture.

“water body” means a lake, pond or reservoir either naturally or artificially created that intermittently or continuously contains water;

“waterway” means open, defined channel, river, stream, drain or ditch, either naturally or artificially created, that intermittently or continuously contains moving water;

“wetlands” means depressional lowlands one-half acre or more in area including sloughs, potholes, marshes, oxbows and fringed open water containing temporary, seasonal or permanent water and supporting emergent vegetation such as cattails, bulrushes, bluejoint, whitetop and phragmites and submerged and floating aquatic plants such as water milfoil, bladderwort, pondweeds and waterlily;

“wildlife” means a vertebrate animal of any species or type that is wild by nature in the province, but does not include fish.

Appendix B

List of Maps

Map 1 - Regional Setting

Map 2A - Rural Base Map – R.M. of Bifrost

Map 2B - Rural Base Map – R.M. of Gimli

Map 3A - Aggregate Resources – R.M. of Bifrost

Map 3B – Aggregate Resources – R.M. of Gimli

Map 4 - R.M. of Bifrost (North Half) - Land Use Classification

Map 5 - R.M. of Bifrost (South Half) - Land Use Classification

Map 6 - R. M. of Bifrost (Part 22-2E)

Map 7 - Town of Arborg and Environs - Land Use Classification

Map 8 - Village of Riverton and Environs - Land Use Classification

Map 9 – R.M. of Gimli – Land Use Classification

Map 10 – R.M. of Gimli (Urban Area A) – Land Use Classification

Map 11 – R.M. of Gimli (Urban Area B) – Land Use Classification

Map 12 – R.M. of Gimli (Urban Area C) – Land Use Classification

Map 13 – Town of Winnipeg Beach (North Half) – Land Use Classification

Map 14 – Town of Winnipeg Beach (South Half) – Land Use Classification