



DEVELOPMENT PLAN

SEP 18 2001

**R.M. OF ROLAND**  
**DEVELOPMENT PLAN**

**Prepared for:**  
**Council of R.M. of Roland**

**Prepared by:**  
**Community Planning Services**  
**Intergovernmental Affairs**  
**April, 2001**

**ROLAND**  
**DEVELOPMENT PLAN**

**BEING SCHEDULE "A"**

**ATTACHED TO**

**By-Law No. 5-2001**

**of**

**The Rural Municipal of Roland**

**RURAL MUNICIPALITY OF ROLAND**

**BY-LAW NO. 5-2001**

BEING a By-law of the Rural Municipality of  
Roland to adopt a Development Plan

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

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

AND WHEREAS, pursuant to the provisions of Section 30 of said Planning Act, the Minister of Intergovernmental Affairs approved the Roland Development Plan on April 10, 2002;


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

1. THAT the Roland Basic Planning Statement By-law No. 13/80 and all amendments thereto is hereby rescinded;
2. THAT the Development Plan, attached hereto and marked Schedule "A", is hereby adopted and shall be known as: Roland Development Plan;
3. THAT the Development Plan shall take force and effect on the date of third reading of this by-law.

DONE AND PASSED by the Council of the Rural Municipality of Roland, in council duly assembled, in the Village of Roland, in the Province of Manitoba, this 14th day of May, A.D., 2002.

I, Dianne Toews, Chief Administrative Officer  
of the Rural Municipality of Roland, do hereby  
certify this to be a true and correct copy of  
By-law No. *5-2001* of the Rural  
Municipality of Roland.



  
W.M. (Bill) Whitehead, Reeve

  
Dianne Toews,  
Chief Administrative Officer.

Read a first time this 13th day of November A.D. 2001.  
Read a second time this 11th day of December A.D. 2001.  
Read a third time this 14th day of May A.D. 2002.

# TABLE OF CONTENTS

<b>PART 1: INTRODUCTION</b>		<b>Page No.</b>
1.1	AREA COVERED BY DEVELOPMENT PLAN	1
1.2	LEGAL AUTHORITY	1
1.3	PLANNING HISTORY	1
1.4	PURPOSE OF DEVELOPMENT PLAN	2
1.5	KEY CHARACTERISTICS OF R.M. OF ROLAND	2
1.5.1	Development History	2
1.5.2	Demographics	3
1.5.3	Transportation	3
1.5.4	Land Use Issues	3
 <b>PART 2: MUNICIPAL PRINCIPLES AND GOALS</b>		
2.1	INTRODUCTION	5
2.2	PLANNING PRINCIPLES	5
2.3	MUNICIPAL GOALS	6
2.4	EFFECT OF A DEVELOPMENT PLAN	7
 <b>PART 3: GENERAL OBJECTIVES &amp; POLICIES</b>		
3.1	INTRODUCTION	8
3.2	GENERAL OBJECTIVES	8
3.3	GENERAL POLICIES	9
3.3.1	Utilities	9
3.3.2	Hazardous Uses	10
3.3.3	Natural Areas & Environmental Conservation	10
3.3.4	Hazard Lands, Flooding & Erosion	11
3.3.5	Waterways and Groundwater	12
3.3.6	Transportation	12
3.3.7	Mineral Resources	14
3.3.8	Heritage Resources	15
3.3.9	Outdoor Recreational Resources	15

## **PART 4: RURAL AREA POLICIES**

<b>4.1</b>	<b>INTRODUCTION</b>	<b>16</b>
<b>4.2</b>	<b>OBJECTIVES</b>	<b>16</b>
<b>4.3</b>	<b>POLICIES</b>	<b>17</b>
	4.3.1 Agriculture	17
	4.3.2 Livestock	17
	4.3.3 Land Division	18
	4.3.4 Rural Residential	20

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

<b>5.1</b>	<b>INTRODUCTION</b>	<b>21</b>
<b>5.2</b>	<b>OBJECTIVES</b>	<b>21</b>
<b>5.3</b>	<b>POLICIES</b>	<b>21</b>
	5.3.1 Residential	21
	5.3.2 Commercial and Industrial	22
	5.3.3 Transitional and Institutional	23
	5.3.4 General Development	24

## **PART 6: IMPLEMENTATION**

<b>6.1</b>	<b>BASIC IMPLEMENTATION MEASURES</b>	<b>25</b>
	6.1.1 Adoption of this Development Plan	25
	6.1.2 Adoption of Zoning By-law	25
	6.1.3 Conditional Use Approvals	25
	6.1.4 Variation Orders	26
	6.1.5 Development Permits	26
	6.1.6 Development Officer	26
	6.1.7 Subdivision Approvals	26
	6.1.8 Development Agreements	26
	6.1.9 Review & Amendment	27
<b>6.2</b>	<b>ADDITIONAL MEASURES</b>	<b>27</b>
	6.2.1 Acquisition & Disposal of Land	27
	6.2.2 Adoption of Other By-laws	27
	6.2.3 Special Studies	27
	6.2.4 Public Works	27
	6.2.5 Capital Expenditure Program	27
	6.2.6 Strategic Plans for Economic Development	28
	6.2.7 Municipal Cooperation	28
<b>6.3</b>	<b>INTERPRETATION</b>	<b>28</b>

# **PART 1: INTRODUCTION**

## **1.1 AREA COVERED BY DEVELOPMENT PLAN**

This development plan applies to all the lands within the limits of the Rural Municipality of Roland, as shown on Map 1.

## **1.2 LEGAL AUTHORITY**

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

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

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

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

## **1.3 PLANNING HISTORY**

In 1980, the Rural Municipality of Roland prepared and adopted a basic planning statement. The basic planning statement was a simplified version of a development plan but it provided a statement of objectives and policies for future development and land use.

Since that time, several amendments were made to the basic planning statement to deal with a number of land use issues not addressed in the original document. No comprehensive review of the planning statement has ever been undertaken.

The intent of this by-law is to update the basic planning statement to meet current land use needs and improve the clarity of the document. The intent is to rescind the original basic planning statement and replace it with this new development plan for the municipality.

## **1.4 PURPOSE OF DEVELOPMENT PLAN**

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

- (a) to serve as a framework whereby the planning district or the municipality and the community as a whole may be guided in formulating development policies and decisions;*
- (b) to identify the factors relevant to the use and development of land;*
- (c) to identify the critical problems and opportunities concerning the development of land and the social, environmental and economic effects thereof;*
- (d) to set forth the desired timing, patterns and characteristics of future development of land and to determine the probable social, environmental and economic consequences thereof;*
- (e) to establish and specify the programs and actions necessary for the implementation of the development plan;*
- (f) to outline the methods whereby the best use and development of land and other resources in adjacent municipalities, districts, or affected areas immediately abutting thereto, may be co-ordinated; and*
- (g) to identify those matters of government concern which affect the use and development of land and other resources within the district or the municipality.*

## **1.5 KEY CHARACTERISTICS OF THE RURAL MUNICIPALITY OF ROLAND**

### **1.5.1 Development History**

The Rural Municipality of Roland is a prosperous agricultural community in south-central Manitoba. Over the years, this agricultural community was noted for its productive soils and specialty crops. Recent years have seen some growth in the livestock industry that will require policies to deal with further growth in the agricultural areas.

The Rural Municipality of Roland has within its boundaries the unincorporated Village of Roland, the settlement centre of Myrtle and several historical settlement areas. The Village of Roland is the only urban area within the Rural Municipality of Roland with full municipal services and as such it will require planning guidelines for future growth. The settlement centre of Myrtle contains some urban development but is primarily residential in nature. The other settlement centres identified on the map consist of only a few houses and are identified for historical or location purposes.

### **1.5.2 Demographics**

According to census data the population of the Rural Municipality of Roland has been relatively stable but did show a 2% increase between 1991-1996. While the overall population declined from 1,014 in 1986 to 970 in 1991, the population did rebound to 990 in 1996.

While the total population has stabilized, there appears to be a slight shift in the age categories. There was an increase in the 10-14, 35-44 and 45-54 age cohorts. This was matched with a decline in the 25-34 age range. This may indicate that the 25-34 age persons are leaving for job opportunities elsewhere and possibly being replaced with bedroom community residents. Planning policies will take these trends into account.

### **1.5.3 Transportation**

The Rural Municipality of Roland is located within 60 kilometers of the City of Winnipeg. Two major highways - the east-west PTH #23 and the north-south PTH #3, service the municipality. In addition, there are several provincial roads that connect the Rural Municipality of Roland with the neighbouring municipalities.

The Southern Manitoba Railway provides east-west service through the Village of Roland. The region is also serviced by a number of trucking firms and has regular bus service.

### **1.5.4 Land Use Issues**

It is the intent of this review to address some of the land use issues currently facing the municipality. Some of the major issues are as follows:

#### **a) Protection of Agriculture**

The Rural Municipality of Roland's primary economic industry is agriculture and the agro-business sector. The Rural Municipality of Roland is located in the rich farming area of the Red River Valley. Soil and weather conditions are ideal for specialty crops. These crops do not require large tracts of land to be economically viable. However, the smaller farm parcels create more farm and non-farm dwellings sites that can influence farming practices. Council will attempt to balance the farm size needs of the special crop farms without creating land use conflict with non-farm uses.

b) Rural Water Services

The Rural Municipality of Roland has a number of rural water coops and is part of the Pembina Valley Water Cooperative. This improved water service will enhance the agricultural sector but may also encourage non-farm development. Council will systematically provide this service to all residents but ensure that non-agricultural growth occurs within the Village of Roland or specifically designated areas where it can best be serviced.

c) Livestock Production Operations

The Rural Municipality of Roland has a few livestock operations but the recent growth in the hog industry may increase the need for hog operation sites and Council wants to ensure livestock operations comply with provincial guidelines. The majority of the hog operations in the Rural Municipality of Roland are smaller farm based operations. While the clay soils in the municipality can accommodate earthen manure storage, the real challenge is the placement of these operations within a municipality. This plan review will reflect this concern and attempt to find a balance between accommodating livestock operations and the growing concern for their impact.

d) Agro-Commercial Development

Certain agro-related industrial/commercial developments require a rural location due to the land area requirements or the adverse effects they may have on other uses. This may include commercial operations that directly serve farming activities or which process or store agricultural products. These uses are generally on a single-lot basis, near or adjacent to transportation corridors and do not require piped water and sewer services. However, these uses need to be planned and linked with municipal and provincial transportation corridors, be properly located and readily serviceable. Compatibility with other uses such as rural residential developments, recreational areas and environmentally sensitive areas is also critical.

e) Residential Development

Residential development in the Rural Municipality of Roland has averaged five new dwelling units per year over the last ten years. Unless future residential development is related to the agricultural sector the residential development will be directed towards the Village of Roland or the settlement of Myrtle.

## **PART 2: MUNICIPAL PRINCIPLES AND GOALS**

### **2.1 INTRODUCTION**

This document is the Rural Municipality of Roland Development Plan. The goals, objectives, and policies of this document were derived from a review of other relevant reports, historical subdivision and land use activities, guidance from the Council and a program of public consultation.

This development plan document is characterized by three major considerations:

- (1) To be proactive in anticipating, to the fullest practical extent, land use and development activity within the municipality and to provide a decision-making basis for maximizing the economic benefits to the community, minimizing unnecessary expenditures and to promote wise stewardship of the land base and its associated resources.
- (2) This development plan has been prepared on the basis of the Provincial Land Use Policies (PLUPs). When this development plan receives provincial approval, it will be used in lieu of the Provincial Land Use Policies for the evaluation of land use proposals.
- (3) The concept of sustainable development has become an integral part of the decision-making environment. This development plan has been prepared with a view to incorporate the principles of sustainable development to the fullest practical extent.

### **2.2 PLANNING PRINCIPLES**

Development in the R. M. of Roland will be guided by the following planning principles:

- (1) Agriculture is the dominant land use within the municipality. Agricultural production and the rural lifestyle will be preserved and strengthened.
- (2) The Village of Roland provides an essential residential and service function in the municipality, which contributes to the prosperity and well being of the municipality and will therefore, be preserved and strengthened.
- (3) Rural non-farm residences and other rural non-agricultural uses are alternatives, which will only be considered where they will not be in conflict with the primary agricultural and rural lifestyles of the municipality.
- (4) The resources of the community will be managed so that they can produce the greatest benefit to present and future residents of the municipality.

## **2.3 MUNICIPAL GOALS**

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

### **Goal 1: Preserve Agricultural Land Base**

To preserve farmland, open space and the rural character of the municipality by directing non-agricultural development to appropriate areas.

### **Goal 2: Promote Agriculture**

To maintain and enhance the agricultural capability of the municipality. In areas where agriculture is the dominant land use, the widest possible range of agricultural activities will be promoted consistent with appropriate management practices. In areas where agricultural practices may conflict with existing or planned development, it is recognized that the widest range of agricultural activities may not be allowed.

### **Goal 3: Settlement Centres and Non-Farm Residential**

To direct the development of non-farm residences and other non-agricultural uses to established settlement centres or areas specifically designated for this use and to avoid unplanned expansion of the settlement centres in a manner which prematurely requires the conversion of agricultural land or conflicts with existing agricultural activities.

### **Goal 4: Municipal Services Strategies**

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

### **Goal 5: Rural Development and Sustainable Development**

To establish policies and designate lands to ensure that all forms of rural development undertaken within the municipality conform to the principles of sustainable development.

### **Goal 6: Hazard Lands and Restricted Development Areas**

To protect people and property from damages which could result from flooding, erosion, soil instability and other natural hazards. In addition, to restrict certain developments in environmentally sensitive areas.

### **Goal 7: Promote Economic Diversification**

To promote and encourage the development of agro-related industrial and commercial uses in appropriate locations in order to diversify the economic base of the community.

### **Goal 8: Livestock Production Operations**

To support the growing livestock production industry in a manner which is compatible with adjacent uses and the environment.

### **Goal 9: Implementation**

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

## **2.4 EFFECT OF A DEVELOPMENT PLAN**

The adoption of the development plan establishes goals and policies for growth and although Council need not immediately implement programs and projects toward these goals and policies it cannot take any action which would be contrary to the Plan. Section 32(1) of *The Planning Act* states this as follows:

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

The most immediate effect of adoption of the plan is that, in keeping with Section 32(3) of *The Planning Act*, the Council must amend the existing zoning by-law within six months of the date on which the development plan comes into effect. This zoning by-law is the principal means by which the policies of the development plan are translated into specific rules for development within the municipality. The Council has the authority to adopt and amend a zoning by-law provided that such a by-law is not contrary to the development plan.

## **PART 3: GENERAL OBJECTIVES & POLICIES**

### **3.1 INTRODUCTION**

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

### **3.2 GENERAL OBJECTIVES**

- 3.2.1** To provide well planned areas for living, working, shopping and recreation that are visually attractive, efficient of land and public services, with a minimum of incompatibility both within areas and between areas.
- 3.2.2** To ensure that development does not occur on lands which are not suitable for the proposed development, unless appropriate mitigative measures are taken to reduce any potential negative impacts and/or enhance the capability of the land to support the proposed development.
- 3.2.3** To minimize risks to people and property that are associated with natural hazards or human-made features.
- 3.2.4** To encourage use and development of land in a manner that is consistent with the principles and guidelines of sustainable development, pursuant to *The Sustainable Development Act*.
- 3.2.5** To preserve and manage the natural resources of the municipality, including water, wildlife, gravel and natural treed areas in a way that provides the greatest benefit to present and future residents.
- 3.2.6** To promote wise use of renewable and non-renewable resources including aggregates, minerals, forests, soils and water.
- 3.2.7** To preserve and enhance areas which have natural beauty, scenic value, recreational potential, or historic/cultural significance.
- 3.2.8** To ensure that new development is compatible with existing and anticipated land uses, utility and transportation networks, and minimizes the risks to quality of life, public health and safety.
- 3.2.9** To provide and maintain an economical, safe and efficient municipal road system which is integrated with the provincial highway system to provide the most safe and effective service.

- 3.2.10 To identify, preserve and protect Roland's heritage resources and to encourage public awareness and appreciation of these resources.
- 3.2.11 To provide a measure of protection for past, present and future investments in public and private infrastructures, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.
- 3.2.12 To promote inter-municipal co-operation and consensus in order to undertake joint land use planning, municipal servicing and sustainable development initiatives that will benefit the community-at-large.

### **3.3 GENERAL POLICIES**

The policies outlined in this section address issues, which may arise throughout the municipality.

#### **3.3.1 Utilities**

- 3.3.1.1 Essential activities of government and public and private utilities will be permitted in any land use designation subject to requirements in the zoning by-law. Such uses should be located and developed in a manner, which will minimize any incompatibility with neighbouring land uses.
- 3.3.1.2 Cooperation will be encouraged with Manitoba Hydro, Centra Gas, Manitoba TeleCom Services and other similar utilities to ensure the provision of their services in the most economical and efficient manner possible.
- 3.3.1.3 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses, which may threaten or adversely affect their operation.
- 3.3.1.4 To ensure a safe and constant supply of potable water for the citizens of Roland and due to the limited capacity of the current major water source, the Winkler Aquifer, Council will explore options and develop a water strategy for the provision of potable water to the Village of Roland and the rural areas of the Rural Municipality of Roland.
- 3.3.1.5 To provide for future solid waste management and disposal, Council will, in the next 2-3 years, examine the options of closure or expansion of the existing facility, the establishment of a new facility, and the possibility of joining an existing regional waste management facility.

**3.3.1.6** To ensure future capacity for growth in the Village of Roland, Council will proceed with a program to reduce the hydraulic loading of the lagoon.

### **3.3.2 Hazardous Uses**

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

- (a) wherever possible, new facilities should be separated from urban areas and buildings used for human occupation;
- (b) hazardous facilities should not be located closer to dwellings than permitted or recommended by the Department of Conservation;
- (c) where new development of a potentially hazardous use is proposed, information may be required relating to the nature of any potential discharges into the air, soil or water; the nature of outside storage requirements; the compatibility of surrounding land uses; and plans for buffering such activities from adjacent uses.

### **3.3.3 Natural Areas & Environmental Conservation**

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

- (a) rare or endangered flora and fauna have received provincial designation and protection under *The Endangered Species Act*;
- (b) lands have received provincial designation and protection under the Protected Area Initiative;
- (c) lands have been identified as Wildlife Management Areas;
- (d) private lands have been voluntarily protected by landowners.

**3.3.3.2** The identification and protection of natural areas and wildlife and fisheries habitats will be encouraged within the municipality.

**3.3.3.3** Public access to natural areas and wildlife and fisheries habitat will be encouraged to foster appreciation for and enjoyment of nature but such access should not lead to levels of activity which will exceed the capability of the area to sustain the environment and ecosystem integrity.

### **3.3.4 Hazard Lands, Flooding & Erosion**

**3.3.4.1** 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;
- (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 – those lands where actual effects of such hazards have occurred or have been predicted.

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

**3.3.4.3** Consistent with Policy 3.3.4.2 above, any development to be permitted on or near hazard lands shall:

- (a) minimize property damage, public expenditures and danger to public health and safety;
- (b) maintain the natural capability of waterways to convey flood flows; and
- (c) prevent the acceleration or promotion of environmental damage.

**3.3.4.4** For waterways where flood level or erosion information is not available, the following policies shall be implemented:

- (a) development shall generally not be permitted within the meander belt of the waterway; and
- (b) any fill, deposit, obstructions, excavations, storage or materials, structures or development shall be located at least 200 feet from the ordinary high water mark or a distance equal to the top width of the watercourse, or 10 times the height of the bank, whichever is greatest.

**3.3.4.5** Development within the limits described in Policy 3.3.4.4 or known hazard areas shall be permitted only where a detailed analysis of a specific site has shown that development is feasible. The analysis shall show how potential hazards will be eliminated or protected against.

**3.3.4.6** Where more intensive development, including structures, is proposed on potential hazard land, Council may require a proponent to provide environmental, geotechnical or hydrological reports to determine if the land has potential hazardous slopes or land is subject to potential flooding and to specify mitigation measures to eliminate the risk, satisfactorily reduce it or determine if the use would be compatible with the risk.

**3.3.4.7** Development proposals that are potential sources of pollutants shall provide for safeguarding hazard areas susceptible to surface and groundwater pollution. These include intensive livestock production operations, lagoons, waste disposal grounds, septic systems, commercial and chemical fertilizer storage facilities, fuel tanks and similar uses.

### **3.3.5 Waterways and Groundwater**

**3.3.5.1** Development will be encouraged in a manner, which ensures that waterways and groundwater resources are sustained.

**3.3.5.2** Council shall encourage the retention of wildlife habitat and the preservation of native vegetation in the form of natural treed areas or uncleared land or along creeks, drains, unused road allowances or other areas which are not suitable for agriculture or which may create more benefit when left in a natural state.

**3.3.5.3** 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 Licence. Approval may be withheld until a licence is issued.

**3.3.5.4** Development or activities that may cause pollution under normal operating conditions or by accident will be directed away from groundwater sensitivity areas (eg. Winkler Aquifer). Where this is not feasible or practical, development or activities, which could cause pollution, may be considered in groundwater sensitivity areas provided:

(a) the proponent can prove by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the groundwater supply; or,

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

### **3.3.6 Transportation**

**3.3.6.1** Private and public airstrips within the municipality should be protected from incompatible or potentially incompatible land uses that may adversely impact their operation and/or endanger public safety.

- 3.3.6.2** New development should have access to an all-weather road of sufficient standard and capacity, unless the proponent makes an agreement with the municipality to upgrade an existing road or develop new road access to a standard agreed upon by the municipality. The proponent may be responsible for part or all of the costs of this roadway construction.
- 3.3.6.3** A setback distance for all buildings, structures, hedges or similar obstructions adjacent to roads, shall be specified in the zoning by-law for the purpose of protecting the safety and efficiency of the road system. This setback shall apply to all roads in the R.M. of Roland except on provincial highways where the Province establishes setback regulations. Setbacks for buildings and structures and access to Provincial Trunk Highways and Provincial Roads shall be in accordance with *The Highways Protection Act* and *The Highways and Transportation Department Act*.
- 3.3.6.4** Development near a provincial trunk highway or a provincial road shall conform to the following criteria:
- (a) strip development along the highway whereby direct connection to the highway are continuously relied upon for providing access to abutting properties, shall not be permitted;
  - (b) the kind of development that would generate traffic in an amount or of a type that would unduly impair the present and potential capacity of the adjoining highway to carry traffic safely and efficiently, shall not be permitted;
  - (c) the local road or street network associated with any type of proposed development shall be designed to be in accord with both the existing and planned road and street system of the neighbouring area; and
  - (d) subdivisions/development will not be permitted in areas designated for highway widening or expansion unless provisions suitable to the Province are made to accommodate future widening or expansion.
- 3.3.6.5** Map 1 identifies the provincial highway system within the municipality. Municipal roads are intended to complement the provincial highway system as major traffic carriers and as such will be subject to the following considerations:
- (a) access to the provincial highway system should be via the municipal road system, if, in the opinion of Council, the level of development next to these roads may reduce their safety and efficiency;
  - (b) major municipal roads shall receive priority consideration for maintenance and snow removal;
  - (c) major municipal roads shall be designed to carry heavy farm traffic although restrictions may be placed on these roads at certain times of the year.

- 3.3.6.6 Satisfactory storm drainage must be provided to service any development adjacent to the provincial trunk highways and provincial roads. Permission must be obtained from Manitoba Transportation and Government Services to drain any water/liquid into the highway drainage system.
- 3.3.6.7 Where an area of development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, new development should, where appropriate, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
- 3.3.6.8 Where there are existing or anticipated high volumes of truck traffic, the municipality may designate certain roadways as truck routes, in order to limit deterioration of the local road system and to minimize safety problems and nuisance factors within communities.
- 3.3.6.9 Land uses that generate significant amounts of regional vehicular traffic and/or significant truck traffic should be encouraged to locate in proximity to major roadways, including provincial roads and provincial highways. Direct access to the provincial highway system will be discouraged. Access to the provincial highway system should be via the municipal road system for these land uses.
- 3.3.6.10 Any development that is to occur within the control areas of provincial roads and provincial trunk highways under Provincial authority will be subject to approval by Manitoba Transportation and Government Services and the Highway Traffic Board respectively.

### 3.3.7 Mineral Resources

- 3.3.7.1 Existing aggregate, mineral, oil or gas operations should be protected from incompatible and potentially incompatible land uses.
- 3.3.7.2 In areas with known aggregate, mineral, oil or gas resources, or areas having high discovery potential for these resources, uses should be limited to non-intensive agriculture (eg, grazing, cropping, forestry), temporary uses or other uses that will permit access to the resource.
- 3.3.7.3 The exploration, development, production and termination of all aggregate, mineral, oil or gas resources shall be undertaken in a manner that is environmentally safe, stable and compatible with adjoining lands.

### **3.3.8 Heritage Resources**

- 3.3.8.1** The identification of heritage resources should be encouraged within the municipality.
- 3.3.8.2** Heritage resources should be protected where:
- (a) buildings or landscapes have received municipal, provincial and/or federal heritage designation;
  - (b) buildings or landscapes are in the process of receiving or are being considered for municipal, provincial and/or federal heritage designation; and
  - (c) buildings or landscapes have been developed and operate as heritage sites.
- 3.3.8.3** Existing heritage resources should be protected from incompatible or potentially incompatible land uses that may threaten their integrity or operation.
- 3.3.8.4** 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.
- 3.3.8.5** Sites and groupings of sites with heritage potential will be considered for designation as municipal heritage sites under *The Historic Resources Act*, and/or municipal heritage conservation zones under *The Planning Act*.
- 3.3.8.6** As a condition for the approval of a subdivision, demolition permit or the issuance of a development permit, the Council may require the applicant to show that a significant heritage resource is not being endangered.

### **3.3.9 Outdoor Recreational Resources**

- 3.3.9.1** Areas with high recreational capability, interesting and/or rare natural features should be protected for outdoor recreation and related uses.
- 3.3.9.2** Existing outdoors recreational uses and areas should be protected from incompatible or potentially incompatible land uses that may threaten their integrity and/or operation.
- 3.3.9.3** Proposed recreational development should not preclude access to and use of public resources (eg, lakes and streams).
- 3.3.9.4** Proposed recreational developments will be encouraged to carefully match the activity and its intensity to the capability of the land and its ability to sustain the use over an extended period.

# **PART 4: RURAL AREA POLICIES**

## **4.1 INTRODUCTION**

Agriculture represents the cornerstone of the Rural Municipality of Roland's economy, history and social fabric. The importance of agriculture is also reflected in the dominance of agriculture on the physical landscape of the municipality. Maintaining and strengthening agriculture is of paramount importance to the municipality. This will be achieved through balanced development and wise land use decisions that recognize the need for both a strong local economy and a healthy environment as key components of a sustainable agriculture sector.

This part of the development plan addresses issues and provides direction for future development in the General Agricultural Area of the Rural Municipality of Roland. In addition to policies that are intended to protect and strengthen agriculture, this part provides for growth in the livestock sector in a compatible and environmentally safe manner. The subdivision of land to provide for agro-related industrial and commercial activity and to accommodate the needs of specialized agriculture will be guided by the policies in this part.

## **4.2 OBJECTIVES**

- 4.2.1** To protect agricultural land for present and future production and to foster growth and development in the industry.
- 4.2.2** To encourage growth and diversification in the agricultural economy and to support the development of agro-related industrial and commercial activity in a manner that is compatible with municipal servicing capabilities and sensitive to the environment and the provincial highway system.
- 4.2.3** To direct the establishment of livestock production operations, or any potentially environmentally harmful agricultural-related development, to areas of the municipality where the environmental impact and the nuisance will be minimized.
- 4.2.4** To develop policies which will promote the orderly efficient and environmentally sound development of lands within the fringe area of the Village of Roland.
- 4.2.5** To maintain the rural and agricultural heritage and character of the municipality and to promote a healthy and sustainable environment.

## 4.3 POLICIES

### 4.3.1 Agriculture

4.3.1.1 The preservation of prime agricultural land or lower class land on which agricultural uses are dominant, and the fostering of the agricultural industry will be given the highest priority. All development proposals shall be evaluated in light of this policy. The General Agricultural Area is identified on Map 1.

4.3.1.2 All lands within the General Agricultural Area shall be preserved or utilized for the widest range of agricultural activities unless provided for herein. The required minimum parcel size will be stipulated in the zoning by-law, but generally should reflect the agricultural characteristics and capabilities of the area.

4.3.1.3 Some non-agricultural uses will be permitted in the General Agricultural Area. These uses may include, but are not limited to, golf courses, recreational developments, cemeteries, churches, etc. These uses would be subject to the necessary approval of council as conditional uses established in the Zoning By-law.

4.3.1.4 Activities in the General Agricultural Area must be cognizant of the natural environment and the built human environment, although agriculture is the dominant land use in the R.M., steps should be taken to ensure that other important areas are protected from potentially harmful conflicting uses (i.e. close to settlement centres and over the Winkler Aquifer).

### 4.3.2 Livestock

4.3.2.1 New or expanding livestock operations will be allowed to set-up within the General Agricultural Area. Livestock operations will be evaluated based upon the following policy guidelines:

- (a) proponents, owners and operators of livestock production operations must develop facilities and conduct their operations in a manner which reduces the production of offensive odours and reduces the potential for pollution of soils, groundwater and surface water;
- (b) livestock production operations must be located where they will be compatible with surrounding land use and where they will not pose a pollution risk to soils, groundwater or surface water;

**AMENDED BY  
5-2008**

- (c) livestock production operations exceeding the determined number of Animal Units specified in the zoning by-law will be conditional uses and subject to the procedures and requirements for conditional uses specified in *The Planning Act* and in the zoning by-law;
- (d) a mutual separation distance will be maintained between major livestock production operations and residences not accessory to the operation. Council may, pursuant to Section 55 of *The Planning Act*, vary the separation distance as provided for in the zoning by-law; and
- (e) council and proponents of livestock production operations will be encouraged to have regard to the advice of provincial technical advisors respecting the proposed siting and development of major livestock operations. Also, the *Farm Practices Guidelines for Hog/Poultry/Dairy and Beef Producers in Manitoba* should be observed when making decisions regarding livestock operations and the 'Livestock Manure and Mortalities Management Regulation' of the *Environment Act* must be adhered to.

### **4.3.3 Land Division**

- 4.3.3.1** The subdivision of land for specialized agriculture will be permitted in the General Agricultural Area providing conflict with other uses is minimized. Specialized agricultural uses may be established on parcel sizes less than the minimum area recommended under Policy 4.3.1.2 if a reduced acreage is warranted.
- 4.3.3.2** The subdivision of land for agro-commercial purposes, which directly serve the agricultural industry, such as farm machinery sales and service or seed plants, or which are hazardous in a settlement centre, such as bulk fuel or crop protection warehouses, will be permitted in the General Agricultural Area providing conflict with other uses is minimized.
- 4.3.3.3** The subdivision of land in the General Agricultural Area for farm residential purposes may be permitted in accordance with the following criteria:
  - (a) a retiring farmer who wishes to retain his/her farm residence for retirement purposes;
  - (b) a bona fide farmstead site, that is, a farmstead site that has previously existed and was occupied by a farm residence but has been rendered surplus due to the amalgamation of farm operations or similar circumstances and the continued existence of the farmstead site will not have a negative impact on the adjacent agricultural operations. The farmstead site must have contained a livable farm residence at some point and be located within a well defined and mature shelterbelt;

- (c) where a farm is incorporated and it is necessary to establish a separate residential site from the farm corporation;
- (d) the land is not subject to flooding or may be safely flood proofed under the Water Resources Branch criteria. The land is not subject to erosion;
- (e) land division for the creation of a new farm residence should take place along existing all weather roads where service improvements and/or extensions are minimized to the fullest practical extent; and
- (f) minimum lot sizes for farmstead subdivisions shall be determined in the zoning by-law. Farmstead subdivisions should not include cultivated land, should be confined to an existing shelterbelt, be efficiently and effectively serviced to a rural standard and include those buildings and facilities normally associated with a farming operation.
- (g) the residual parcel must comply with the minimum area recommended under Policy 4.3.1.2 and established in the zoning by-law.

**4.3.3.4** The subdivision of land in the General Agricultural Area may be permitted where a parcel of land is isolated by way of a creek, drain, road or natural land feature and is of the size or shape that makes farming difficult. Subdivisions proposed under this policy shall comply with the following:

- (a) the small lot subdivision must comply with the mutual separation distance for livestock operations. The new lot cannot reduce the options for the future establishment of a livestock operation by increasing or creating new mutual separation distances unless a variation to the mutual separation distance is approved by Council;
- (b) the proposed use will not restrict agricultural cropping practices such as working fields, crop spraying, harvesting of crops or the operation of irrigation equipment;
- (c) the proposed subdivision will not require services (eg. roads, drainage or other infrastructure services) beyond the municipal standard for the area;
- (d) the proposed subdivision should not be wasteful of land but should include all the land area isolated by the road, creek or natural land feature. Resubdivision of said land will not be allowed;
- (e) the subdivision must comply with all other policies of this by-law pertaining to such matters as road access, flooding, use regulations; and
- (f) the residual parcel must comply with the minimum area recommended under Policy 4.3.1.2 and established in the zoning by-law.

#### 4.3.4 Rural Residential

4.3.4.1 Rural residential development will be permitted in the General Agricultural Area on the basis of the following criteria:

- (a) non-farm residential development must be directed towards sites with low potential for agriculture due to adverse topography or poor soil conditions or other physical constraint or where existing fragmentation of land encumbers farm operations and where the proposed development will not unduly interfere with nearby agricultural operations;
- (b) where rural residential development is considered appropriate, it will be developed in a pattern which efficiently uses land, infrastructure and public services;
- (c) new rural residential development will be discouraged at the periphery of existing settlement centres;
- (d) new dwellings and developments will be located where there is an adequate supply of potable water;
- (e) where new residential development proposes on-site waste treatment, the location and size of building lots should reflect the capability of local soils to adequately support an approved on-site waste treatment;
- (f) rural residential developments must not be located where potential for groundwater contamination exists; and
- (g) infill of any existing rural residential developments should take priority over new residential developments.
- (h) rural residential development should not be permitted in the vicinity of a major provincial highway and should not rely on direct access to a provincial highway.

# **PART 5: SETTLEMENT CENTRE POLICIES**

## **5.1 INTRODUCTION**

Roland's settlement centres represent a concentration of population within the municipality, and function as service areas for both urban and rural residents. Despite the fact that growth pressures within the settlement centres are minimal, it is in the best interest of the municipality to encourage effective, sustainable future growth patterns, and to ensure that the important role the settlement centres play within the municipality is maintained.

## **5.2 OBJECTIVES**

- 5.2.1** To sustain and strengthen existing settlement centres by encouraging new residential development, revitalization and renewal.
- 5.2.2** To provide an area for the establishment of residential, commercial, industrial, recreational and community facilities and services to the residents of the municipality.
- 5.2.3** To promote development that is compatible with adjacent land uses, both existing and anticipated.
- 5.2.4** To promote and sustain the role and functions of the Village of Roland as the principle service centre for the rural municipality.
- 5.2.5** To promote the settlement centres as the principle locations for new residential development within the municipality.

## **5.3 POLICIES**

### **5.3.1 Residential**

- 5.3.1.1** Residential development in the Village of Roland shall be permitted only in those areas designated on Map 2 as a residential policy area. Sufficient lands have been designated on the map to provide an adequate supply of serviced lots and locational choice for the near future
- 5.3.1.2** Wherever possible, single family detached dwellings, and other styles of dwellings, shall be developed in such a way that a compact, dense urban form results.
- 5.3.1.3** Additional areas shall only be considered for residential development when the supply and locational choice of vacant lots cannot, in the opinion of Council, reasonably meet short term demand (5 years) for housing lots. This will ensure that the municipality is maximizing its returns on investment for existing services and infrastructure in the settlement centres.

**5.3.1.4** When considering proposals for development of residential lands of 3 new lots or greater, Council may require that the developer prepare a detailed concept plan illustrating lot structure, street systems, and associated community infrastructure such as parks and playgrounds.

**5.3.1.5** Institutional uses that are, in the opinion of Council, compatible with residential development might be considered on the basis of policies contained in Section 5.3.3 of this plan. Specific uses shall be listed in the zoning by-law.

**5.3.1.6** Home occupations have the potential to be a viable and important part of the community. However their size and method of operation must be kept in harmony with the residential areas in which they are located. The zoning by-law shall specify maximum square footage, standards of operations, signage, etc., to ensure that the integrity of the residential area is maintained.

### **5.3.2 Commercial and Industrial**

**5.3.2.1** The development of suitable commercial and industrial uses that would strengthen both of the settlement centres shall be encouraged. However, larger scale commercial and industrial uses should be directed toward the Village of Roland

**5.3.2.2** The commercial core area of settlement centres shall be promoted as the principle location for specialized retail, professional offices, financial institutions, as well as government offices, cultural and indoor recreation amenities.

**5.3.2.3** Commercial and industrial uses that have the potential to pose safety, health or nuisance hazards, that may require large tracts of land or that require reduced levels of service shall generally be encouraged to locate in the General Agricultural Area.

**5.3.2.4** Commercial and industrial development in any settlement centre shall occur in such a manner as to minimize conflicts with adjacent land uses. Where commercial and industrial uses are adjacent to residential developments, adequate buffering and screening shall be encouraged and outlined in the zoning by-law.

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

**5.3.2.6** New commercial and industrial area designations shall be based on the aforementioned policies as well as the following criteria:

- a) the area to be designated is best suited for commercial or industrial type development; and
- b) the area to be designated provides for a logical extension of existing commercial or industrial development and municipal services.

**5.3.3 Transitional and Institutional**

**5.3.3.1** Despite the provisions of Sections 5.3.1 and 5.3.2, there may be existing residential uses within an area that is primarily commercial/industrial and vice versa. Ideally, uses within a particular land use area will conform to the suggested uses for that area. Therefore, where possible, non-conforming uses in a transitional area, shall gradually become part of the land use area that is creating the greatest demand for new development at a given time.

**5.3.3.2** Council shall use the following policies to guide the location and development of future institutional uses:

- a) social and cultural institutions serving a settlement centre or the municipality shall be encouraged to locate in or close to the central business district so that these facilities are easily accessible to the entire community and minimize any negative impacts on residential areas;
- b) major institutional facilities requiring large tracts of land or major service extensions shall be required to undertake site location studies;
- c) site area development requirements shall be established in the Zoning By-law where practical;
- d) neighbourhood institutional uses which are more appropriately located in residential areas shall give due consideration to minimizing any adverse impact on the surrounding residential environment;
- e) the design of institutional buildings shall be in keeping with the character of the area; and
- f) in the best interest of the community, in terms of minimizing capital expenditure, a co-ordinated effort will be taken to provide future school sites in order to maximize the advantages of joint use.

**5.3.3.3** Redevelopment of former commercial/industrial sites or 'brownfield' sites within the settlement centres shall be encouraged provided that any potentially harmful contamination of the site is addressed prior to new development. The proponent shall undertake the necessary studies to determine the suitability of a brownfield site for different uses, including residential.

**5.3.4 General Development**

**5.3.4.1** Within the settlement centre of Myrtle, development that is appropriate for small settlement centres shall be encouraged in the areas designated as General Development on Map 3. This includes residential and small-scale commercial/industrial development. Specific uses and requirements are outlined in the zoning by-law.

**5.3.4.2** In order to minimize conflicts with surrounding areas and to promote compact settlement centres, infill-style development shall be encouraged in the General Development area.

**5.3.4.3** Any new development proposed in the urban centres of Roland and Myrtle should use the existing municipal roads or an internal road system and not rely on PTH 23 for direct access.

## **PART 6: IMPLEMENTATION**

### **6.1 BASIC IMPLEMENTATION MEASURES**

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

#### **6.1.1 ADOPTION OF THIS DEVELOPMENT PLAN**

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

#### **6.1.2 ADOPTION OF ZONING BY-LAW**

Following adoption of the development plan, the municipality is required to enact a zoning by-law 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 and development standards are prescribed for each zone.

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

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

#### **6.1.3 CONDITIONAL USE APPROVALS**

Within a zoning by-law, there will be provisions for the approval of various types of development as a conditional use in each zone. This will provide the council with the flexibility to review specific development proposals, to receive public input from nearby landowners, and to make decisions either approving or denying the proposals. In addition, this process provides council with the opportunity to establish conditions of approval appropriate for each proposal. In utilizing the conditional use process, council will have an opportunity to influence the location of some types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community. The development plan policies and objectives provide guidance for the conditional approval process.

#### **6.1.4 VARIATION ORDERS**

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

#### **6.1.5 DEVELOPMENT PERMITS**

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

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

#### **6.1.6 DEVELOPMENT OFFICER**

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

#### **6.1.7 SUBDIVISION APPROVALS**

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

This process provides an opportunity for development proposals to be evaluated in accordance with the provisions of the development plan.

A subdivision proposal cannot proceed without the approval of municipal council and the provincial approving authority.

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

#### **6.1.8 DEVELOPMENT AGREEMENTS**

Municipal approval of subdivisions and zoning amendments can be conditional on development agreements 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.

### **6.1.9 REVIEW & AMENDMENT**

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

## **6.2 ADDITIONAL MEASURES**

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

### **6.2.1 ACQUISITION & DISPOSAL OF LAND**

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

### **6.2.2 ADOPTION OF OTHER BY-LAWS**

The municipality has the capability to adopt and administer other by-laws concerning the use, development and maintenance of land. This can include measures such as the adoption of a building by-law, property maintenance by-laws, access approval by-laws, drainage by-laws and other types of by-laws affecting the use of land.

### **6.2.3 SPECIAL STUDIES**

Proponents may be required to undertake and submit special studies as part of the approval process for certain types of development proposals. Engineering, traffic or other professional studies may be required for development proposals. Lands affected by flooding hazards, endangered species, potential for groundwater/surface water pollution, and general risk to health and the environment will be most impacted by this requirement.

### **6.2.4 PUBLIC WORKS**

The capital works program and public improvements of the municipality should conform to the policies set out in this development plan. This is an important implementation tool since a municipality may influence the rate and direction of growth through the provision of municipal services to land.

### **6.2.5 CAPITAL EXPENDITURE PROGRAM**

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

## **6.2.6 STRATEGIC PLANS FOR ECONOMIC DEVELOPMENT**

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

## **6.2.7 MUNICIPAL COOPERATION**

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

## **6.3 INTERPRETATION**

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

# APPENDIX

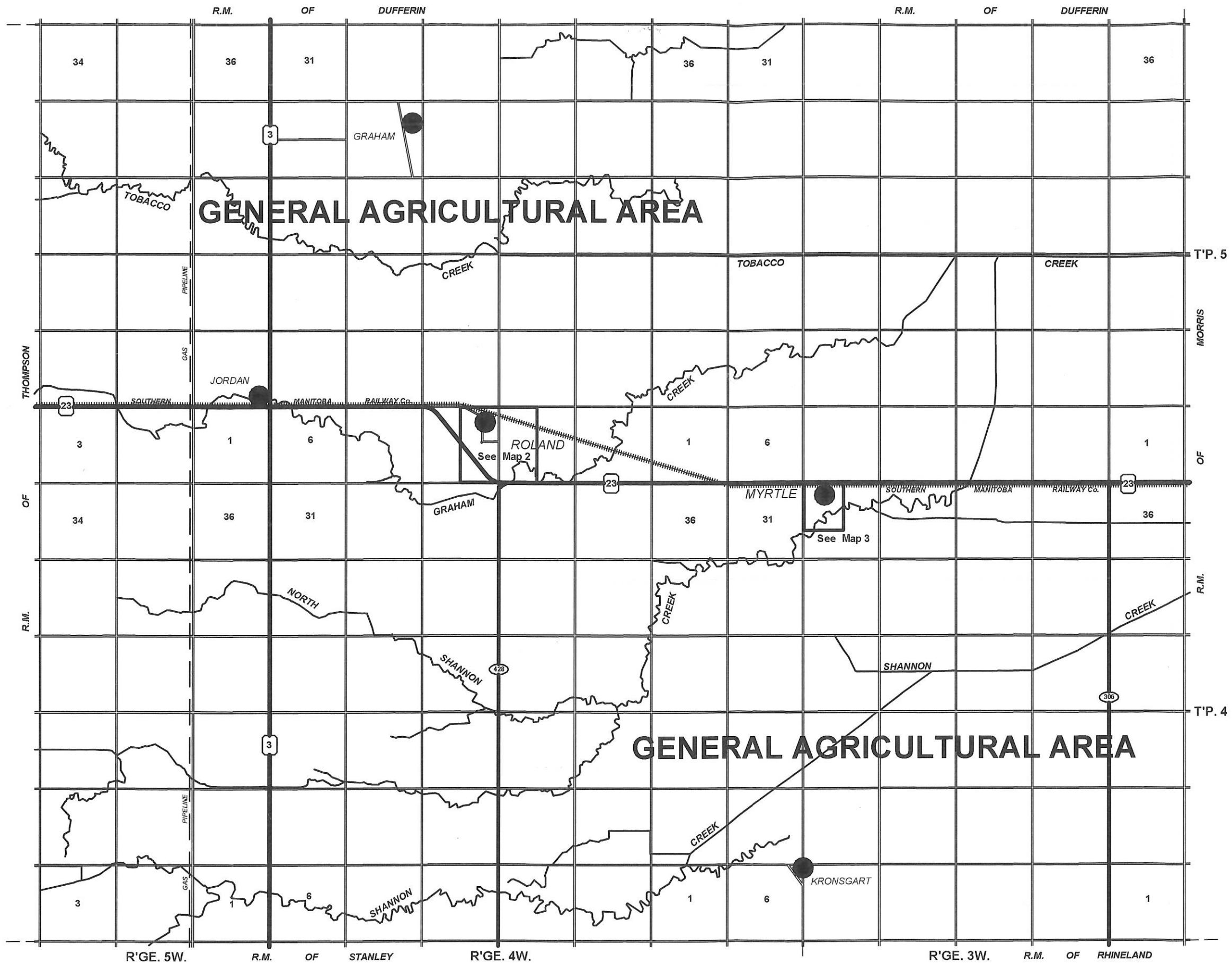
R.M. OF ROLAND

DEVELOPMENT PLAN

Schedule "A"  
To By-law \_\_\_\_\_

Legend:

-  General Agricultural Area
-  Settlement Centre



**ROLAND  
R.M. OF ROLAND**

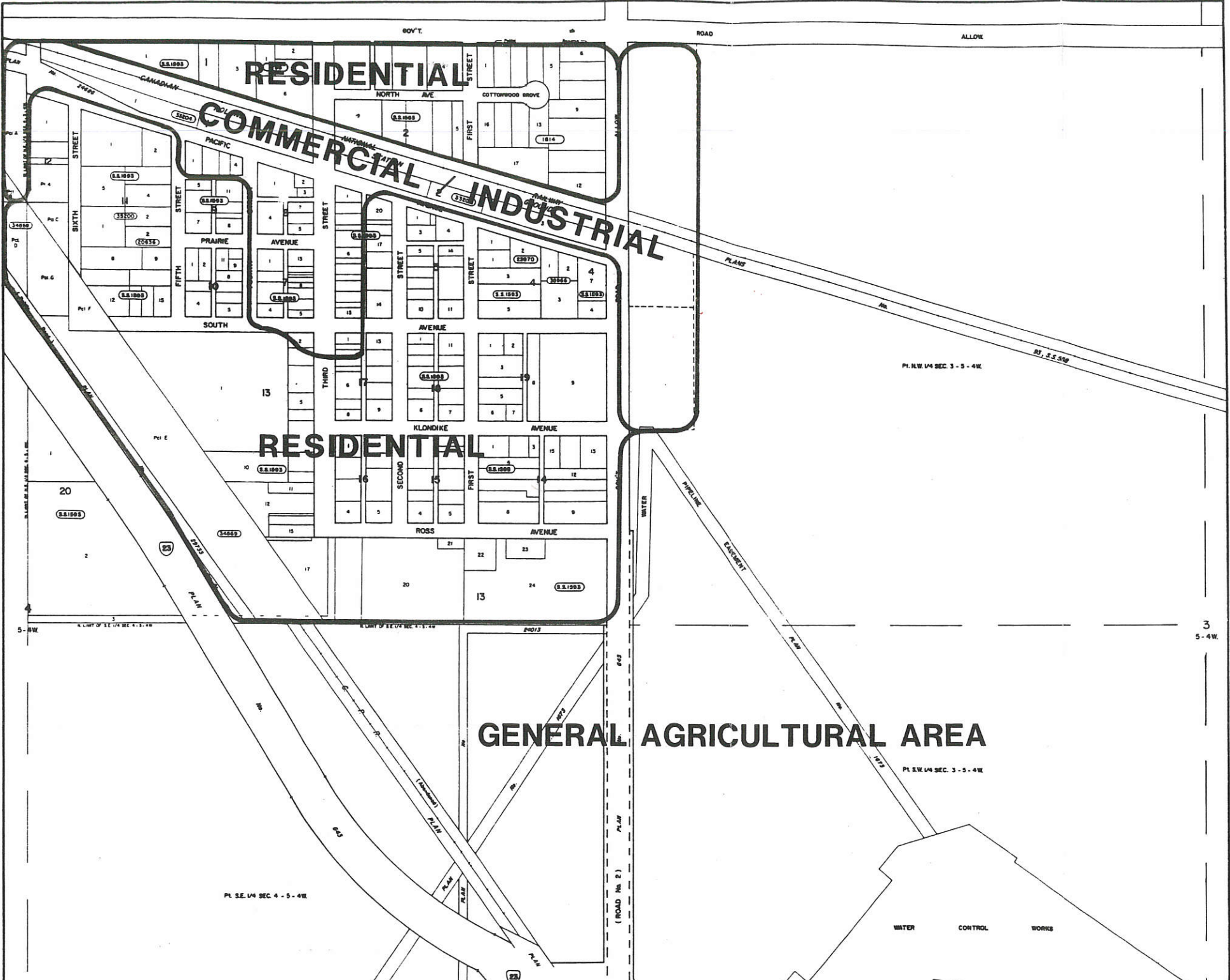
**DEVELOPMENT PLAN**

**Schedule "A"**

To By-law \_\_\_\_\_

 Development Limits

**AMENDED BY  
2-2009**



P.T.H. 23

PLAN

641-M.

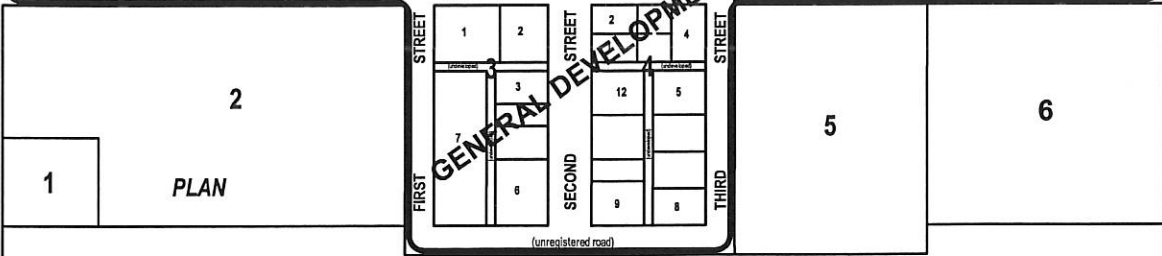
SOUTHERN MANITOBA RAILWAY Co.

PLAN 758-M.

STATION

GROUNDS

STREET (undeveloped)



GENERAL DEVELOPMENT AREA

### GENERAL AGRICULTURAL AREA

Pt.8

W.C.W.

2348-M.

PLAN

1507-M.

Pt.8

32  
4-3W.

Pct. A

Pct. B

W.C.W.

## R.M. OF ROLAND

### DEVELOPMENT PLAN

Schedule "A"

To By-law \_\_\_\_\_.

Legend:

 Development Limits



NOT TO SCALE

MANITOBA  
Intergovernmental Affairs



DATE:

DRAWING No. 169-70-108

REVISED:

MYRTLE

# RURAL MUNICIPALITY OF ROLAND

## BY-LAW NO. 5-2008

### Being a By-law of the R.M. of Roland To Amend Development Plan By-law No. 5-2001, as Amended.

**WHEREAS**, Section 56(1) of *The Planning Act* gives the council of a municipality the power to amend a development plan by-law;

**NOW THEREFORE**, the Council of the R.M. of Roland, in meeting duly assembled enacts as follows:

**THAT: PART 4 of Development Plan By-Law No. 5-2001 for the RM of Roland is amended to replace Policy 4.3.2 Livestock of the Development Plan By-Law No. 5-2001 with the following:**

#### **4.3.2 Livestock**

- 4.3.2.1 For the purpose of this by-law a livestock operation means a permanent or semi-permanent facility or non-grazing area where at least ten (10) animal units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities.
- 4.3.2.2 Proponents, owners and operators of livestock production operations must develop facilities and conduct their operations in a manner which minimises the production of offensive odours and minimises the potential for pollution of soils, groundwater and surface water.
- 4.3.2.3 Livestock production operations must be located where they will be compatible with surrounding land use and where they will not pose a pollution risk to soils, groundwater or surface water.
- 4.3.2.4 The RM of Roland will be divided into the following areas for the purposes of accommodating and evaluating livestock operations:
- (1) General Agriculture Area: New or expanding livestock operations will be allowed within the agricultural area, shown on Map 1. In general, new or expanding livestock operations must be sited so as to minimize conflict with existing or planned urban, recreational or residential developments. All proposed new or expanding livestock operations involving 30 or more animal units must be processed as a conditional use.
  - (2) Settlement Centre: New or expanding livestock operations will not be allowed within the Settlement Centre areas. The Settlement Centre areas are intended to prevent the establishment of new livestock operations and will apply to the following areas:

within the settlement centre of the village of Roland shown on Map 1  
within the settlement centre of Myrtle shown on Map 3

- 4.3.2.5 Within the Agricultural area, the replacement (modernisation or fire replacement) of livestock operations, established prior to the adoption of this by-law, at the same size and location may be permitted and the expansion of existing livestock operation will be considered based on the size and separation distances established in the Zoning By-Law.
- 4.3.2.6 In accordance with Section 92 (1) (b) of *The Planning Act*, Council is unable to approve a variance to increase the number of animal units in a livestock operation, if it is an existing non-conforming use.
- 4.3.2.7 A mutual separation distance will be maintained between major livestock production operations and residences not accessory to the operation. These mutual separation distances will be established in the Zoning By-Law and will be consistent with those identified in the Provincial Land Use Policies (PLUPs). Council may, pursuant to Section 169 (4) of *The Planning Act*, vary the separation distance provided in the Zoning By-Law. Additionally, all livestock operators must be generally consistent with the siting and setback requirements from property lines, designated development areas, watercourses and wells as outlined in the Provincial Land Use Policies (PLUPS) and *The Environment Act*.
- 4.3.2.8 No person shall develop or expand a livestock operation unless Council or the designated employee or officer has approved the establishment or expansion.
- 4.3.2.9 An application for approval of the establishment or expansion of a livestock operation must be made to Council, by the owner of the operation or by a person authorized by the owner, in a form and accompanied by any material and any fee established by Council.
- 4.3.2.10 Council shall refer all applications involving 300 or more animal units to the Minister and request that a Technical Review Committee be appointed to review the proposed application. For applications involving between 30 and 300 animal units, a Technical Review may be requested at Council's discretion. Once the Technical Review Report has been received a hearing date shall be set consistent with the provisions contained in *The Planning Act*. After the hearing, the Council may approve the application with or without conditions, only if:
- (1) the Technical Review Committee has determined, based on the available information, that the proposed operation or expansion will not create a risk to health, safety or the environment, or that any risk can be mitigated through the use of appropriate practices, measures and safeguards;
  - (2) that the land that the proposed livestock operation or expansion is being located on has a soil suitability for agricultural rating of Class 1 through 5 based on detail soil survey information;

- (3) that Council is satisfied that:
- a) the proposed operation or expansion will be compatible with the general nature of the surrounding area;
  - b) the proposed operation or expansion conforms with the Development Plan;
  - c) approval of the proposed operation or expansion would be consistent with the Livestock Operating Policies contained in the Development Plan; and
  - d) the proposed operation or expansion conforms with the applicable provisions contained in the Municipality's Zoning By-Law;
- (4) As part of the conditions of approval of a livestock operation or expansion application, Council may impose the following:
- a) Measures to ensure conformity with the applicable provisions of the Development Plan and Zoning By-Law of the Municipality;
  - b) Measures to implement recommendations made by the Technical Review Committee such as obtaining all necessary approvals from the appropriate authorities;
  - c) Measures intended to reduce odours from livestock operations which could involve requiring covers on manure storage facilities, and / or requiring that shelter belts be established; and
  - d) Requiring the applicant to enter into a Development Agreement which may deal with one or more of the following matters:
    - i. The timing of construction of any proposed building or structure;
    - ii. The control of traffic;
    - iii. The construction and maintenance of roads, fencing, landscaping, shelter belts and covers on manure storage facilities or site drainage works by or at the expense of the owner or applicant;
    - iv. The payment of a sum of money to Council to be used by Council to construct anything mentioned in clause (iii);
    - v. As part of any Development Agreement, Council may require that no development takes place until all approvals and conditions have been met. Council may revoke their approval for violation of the Development Agreement on any condition imposed by it.

- 4.3.2.11 New or expanding livestock operations shall be prohibited on lands with a soil suitability rating of Class 6 and 7 and unimproved organic soils based on detailed soil survey. These lands may be used for grazing and / or haying and agricultural uses consistent with the carrying capacity of the land.
- 4.3.2.12 Applications for the expansion of existing livestock operations involving less than 30 animal units may be considered throughout the Agricultural area provided they meet the siting and setback requirements consistent with PLUPs and that the siting and management of the operation will not create an unacceptable risk to health, safety or the environment, and that any risk can be mitigated through the use of appropriate measures, practices and safeguards. Proponents may be required to provide any information Council deems necessary to make this decision.
- 4.3.2.13 On sites where the Technical Review Committee or the Province has identified a potential risk of pollution of soils, groundwater and / or surface water, proposed livestock operations should be required to incorporate measures that will lower the risk to acceptable levels.
- 4.3.2.14 In addition to the provisions contained in the Livestock Operation Policies, when evaluating the establishment, expansion or subdivision of livestock production operations, the following factors shall be taken into consideration:
- (1) The PLUPs separation setback distances necessary to minimize potential conflicts with non-agricultural land uses will apply;
  - (2) The amount and type of soil conditions and classification, the water source and water quality, the direction of prevailing winds, surrounding natural landscape features, and neighbouring land uses;
  - (3) The potential for groundwater pollution, and the means by which ground and surface water will be protected from possible contamination;
  - (4) The necessary mutual separation distances between the livestock facility / manure storage facility and single residences and designated residential / recreational areas. These should be consistent with the recommendations in the PLUPs, and shall be applied to new and expanding livestock production operations;
  - (5) Non-farm developments shall be sufficiently separated from existing agricultural operations to ensure they will not cause conflicts. The Zoning By-Law will establish separation distances consistent with those specified in the PLUPs;
  - (6) Technical Reports of the Technical Review Committee;
  - (7) Environmental requirements must be met as per the Province's Livestock Manure and Mortalities Management Regulation of *The Environment Act* (MR 42/98).

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

4.3.2.16 Where any livestock operations larger than 300 animal units are proposed within the vicinity of a provincial highway, a copy of the proposal should undergo a review by Manitoba Infrastructure and Transportation.

DONE AND PASSED this 8th day of September A.D. 2009.

*"W.M. Whitehead"*

W.M. (Bill) Whitehead  
Reeve

*"Dianne Toews"*

Dianne Toews  
Chief Administrative Officer

READ A FIRST TIME this 11<sup>th</sup> day of March A.D. 2008

READ A SECOND TIME this 12<sup>th</sup> day of May A.D. 2009

READ A THIRD TIME this 8<sup>th</sup> day of September A.D. 2009

RURAL MUNICIPALITY OF ROLAND

BY-LAW NO. 2-2009

Being a By-law of the R.M. of Roland  
To Amend the Development Plan By-Law No. 5-2001, as Amended.

**WHEREAS**, Section 56(1) of *The Planning Act* gives the Council of a municipality the power to amend a development plan; and

**NOW THEREFORE**, the Council of the R.M. of Roland, in meeting duly assembled enacts as follows:

That the RM of Roland Development Plan No. 5-2001, and Map 2, be amended to show the re-designated area:

Pt. of the NW 1/4 of Section 4-5-4W, being Pt. of  
Parcels A, B & D of Plan 34869 MLTO

as shown outlined in a heavy line on the map attached hereto as Schedule "A", and forming part of this By-law, be re-designated from partly Agriculture General Area and partly Commercial/Industrial to Residential, in the unincorporated Village of Roland.

DONE AND PASSED by the Council of the Rural Municipality of Roland, in the Village of Roland, in the Province of Manitoba, this 13th day of October, A.D., 2009.

"W.M. Whitehead"

W.M. (Bill) Whitehead  
Reeve

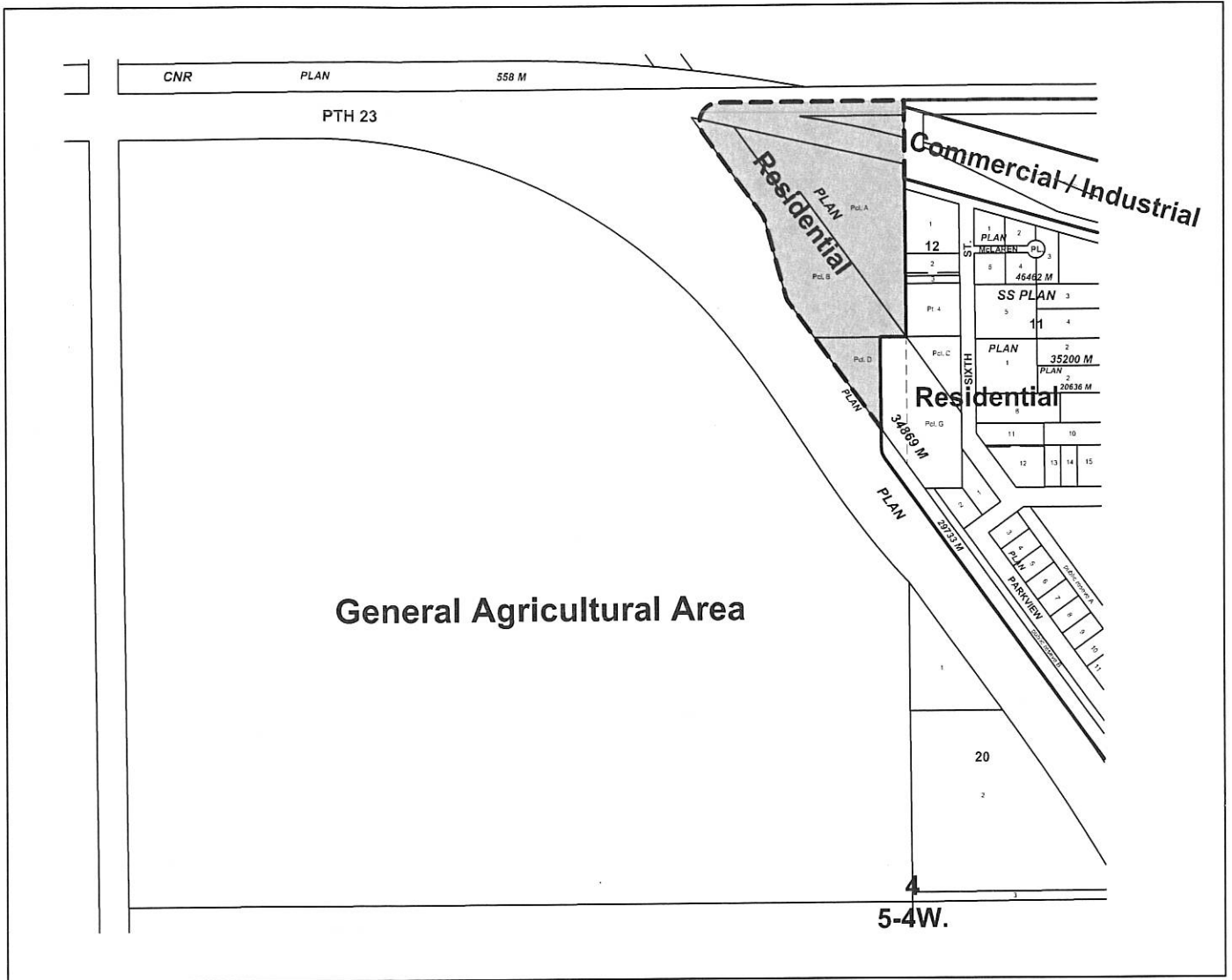
"Dianne Toews"

Dianne Toews  
Chief Administrative Officer

Read a first time this 14<sup>th</sup> day of April A.D. 2009

Read a second time this 9th day of June A.D. 2009

Read a third time this 13<sup>th</sup> day of October A.D. 2009




**SCHEDULE "A"**

Attached to and forming part of  
 BY-LAW No. **2-2009**.  
 Amending Map No.2, being Schedule "A"  
 of the R.M. of Roland  
 Development Plan By-Law No. 5-2001.

**R.M. OF ROLAND  
 (ROLAND)  
 Development Plan Amendment  
 Pt. N.W. 1/4 Sec. 4-5-4W. being;  
 Pt. Pcl's A,B&D, Plan 34869 MLTO**

**LEGEND:**

 Portion to be redesignated

**FROM:** Ptl. General Agricultural Area & Commercial / Industrial  
**TO:** Residential



