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# RURAL MUNICIPALITY OF VICTORIA BEACH

## DRAFT DEVELOPMENT PLAN

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*\* This document is in DRAFT format and is intended only for consultative purposes as part of the Development Plan review process. The Draft Development Plan will continue to evolve further as a result of feedback gathered throughout the review process.*

*A public open house will be held on Saturday, September 3 from 10:00 am to 1:00 pm at the Seniors Scene. The purpose of this Public Open House is to allow interested parties to review the draft and to provide feedback regarding the plan.*

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# PART 1 INTRODUCTION

## Introduction

A Development Plan is a statutory planning tool used by local government to define the general objectives and land use policies of a community. The purpose of a Development Plan is to guide decision making respecting development, land use and conservation through policies for residential, commercial and industrial development, recreational activity, essential service and infrastructure provision, and environmental stewardship.

### 1.1 Purpose and Intent

Municipal land use planning has its basis in *The Planning Act* of Manitoba, which makes provision for the preparation and adoption of development plans and zoning by-laws to guide and promote growth within the Municipality. A development plan is a statement of objectives and policies designed to support the orderly physical, social, economic and environmental condition of a Municipality or Planning District. It contains policies on land use, transportation, recreation, economic activity, the environment and quality of life to guide this growth. As the strategic planning document for the Rural Municipality of Victoria Beach, this Development Plan provides clear direction to manage growth and development in a sustainable manner while honouring the identity and history of the community.

### 1.2 Enabling Legislation

The *Rural Municipality of Victoria Beach Development Plan* has been prepared in accordance with Section 42(1) of *The Planning Act*, which states 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.*

### 1.3 Planning Process

The planning process began with a review and analysis of all relevant information including the following:

- Demographics
- Mapping

- Servicing levels and capacities
- Municipal finance / budgeting
- Existing land use documents
- Matters of historical record
- Building statistics

The Planning team also undertook numerous site visits to provide additional context and analysis to the plan review process.

The Development Plan review process focused largely on input from a variety of stakeholders, including the Rural Municipality of Victoria Beach Council, Administration, residents, local property owner and cottage owner associations, and Provincial Government agencies and departments. The following consultation activities were undertaken during this time period:

#### *Council Workshop*

- Municipal officials were informed of the Development Plan project and provided local insight regarding the various aspects of land use and development in Victoria Beach. The purpose of the workshop was to engage Council in discussions of their vision for the future and to identify areas of land use interest.

#### *Consultation with Provincial Government*

- Representatives of the Province of Manitoba provided regulatory and technical information regarding land use and development within the municipality. The intent of the consultation was to identify areas of Provincial interest that will inform the Development Plan.

#### *Consultation with local Property Owner and Cottager Owner Associations*

- Vision building workshops were held in the winter of 2010. The purpose of the workshops was to engage residents and stakeholders in discussions of their vision for the future of Victoria Beach and to identify areas of land use concern.

#### *Project Open House and Survey*

- Project Open Houses were held in July and August of 2010. The intent of the open houses was to articulate awareness of the Development Plan review project and to engage residents and stakeholders to provide insight regarding the status of the Municipality today and how Victoria Beach should move into the future. A survey was provided to residents to define a comprehensive context and Vision for the Municipality.

#### *Open House on the Draft Development Plan*

- A public open house was held on September 3, 2011 to present the Draft Development Plan to the public and to invite feedback.

## 1.4 Context

This plan recognizes the distinct context, history and purpose of Victoria Beach. The Community Vision, Principles and subsequent Policy direction are cultivated in harmony with the profound character and uniqueness of Victoria Beach.

## *Regional Context*

The Rural Municipality of Victoria Beach is located along the southeastern shores of Lake Winnipeg in the “Eastern Beaches” area approximately 110 kilometers northeast of the City of Winnipeg. The community is part of Lake Winnipeg’s south basin. The Rural Municipality of Victoria Beach neighbours the Rural Municipality of Alexander, specifically, the communities of Albert Beach and Traverse Bay. The Municipality is serviced via Provincial Trunk Highway no. 59 and Provincial Road no. 504.

## *Historical Context*

Victoria Beach has developed due primarily to the desires of many people to create a particular quality of summer and permanent living environment. The physical and social patterns of the area have developed to reflect several objectives and policies which have been arrived at as a result of a close and harmonious understanding between all residents of the area

### *Before Development*

The isthmus on which Victoria Beach is located used to be an island called Little Elk Island. To its north sat Elk Island, which was called “*Isle à la Biche*” (literally *Doe Island*) by the Voyageurs who travelled on Lake ‘Winnipik’ during the Fur trade era. Called “Indian Portage”, the channel below Little Elk Island was a favourite short cut for the Voyageurs as they travelled from the Red River basin to, the Winnipeg River routes to the east.

Attracted by the fine-grained white sandy beaches, Elk Island was a favourite summering ground for the local indigenous peoples. Families would spend a few weeks collecting berries and fish for the winter. They tell the story of how Little Elk Island ceased to be an island in the mid 1800s. During two hot summers, with very low water levels, many pieces of driftwood became caught in the exposed sands of the channel south of the island. The following spring the ice broke up in Traverse Bay dragging a lot of sand which mixed in with the accumulation of driftwood. A sand bar developed and grew gradually until the bay was closed off. Even though it is now ‘connected’ to the mainland, the area has remained insular in character.

### *Developing Character*

Victoria Beach is known for its natural beauty, its tranquility and its heritage. These qualities, however, do not necessarily manifest an inability to adapt to change. When the Kennedy brothers formed The Victoria Beach Company in 1897, they envisioned the resort as a one-of-a-kind community. In its early days, the company only sold land to those committed to maintaining the family values and traditions of Victoria Beach. With new generations and increasing numbers of first time residents, Victoria Beach needs to find new ways to share its traditions while creating new ones together. The long held desire to preserve its unique character amid change will guide decision-making and ensure a legacy as a family-oriented resort destination for all ages.

While the founders of Victoria Beach had a “master plan” evidenced by the strong control over development held by their Victoria Beach Company, it could be argued that the natural character of the area also lent itself to certain restricted uses that played into the development of its present character.

Like the founders, every new generation to summer in Victoria Beach continues to see itself as progressive. Strongly held beliefs about how Victoria Beach should be or look like, were adopted by the municipality, who held on to these strong ideas of ‘place’. What resulted is an acute ability to foresee the threats to the desired development. Throughout its history, various restrictions were used to keep the area natural, family friendly, and tranquil.

## *Environmental Context*

The Rural Municipality of Victoria Beach functions within a larger environmental system that includes beaches, marsh lands, forests, natural green networks, flora and fauna, and abundant wildlife. This ecological system also includes an expansive and complex watershed that spans numerous jurisdictions. The Development Plan recognizes that the identity of Victoria Beach has largely been based upon the relationship between the environment and the people. The Development Plan will therefore, provide policy support for the sustainability of this relationship.

The environment and natural features of Victoria Beach are subject to internal and external threats as a direct or indirect result of local and regional development. Environmental risks include threats to air quality, water quality, wildlife, forested areas, beaches and marshes. Other threats include the encroachment of development into natural or green areas. Externally generated issues include lake water levels, algae blooms, and shoreline erosion. Internally caused issues include local pollution of land and water, resource depletion, loss of wildlife habitat and expansion of the built form into the natural environment. The environment is sensitive to the carrying capacity of the area, and as more people use the area, threats to the natural areas may increase and environmental resources may decline.

The natural lands of Victoria Beach are highly sensitive to environmental interventions and disruptions. Lives are also impacted by water levels and algae blooms. Residents value the natural landscape; they kept the natural and green areas relatively untouched, and access to motor vehicles is limited in the “restricted area”. The municipality is also home to an extensive wildlife population, including the piping plover, an endangered bird species on Elk Island.

One of the most significant challenges inherent in this Environmental Context is that there is little formal structure in place to address the extensive environmental issues that exist at varying scales and across multiple jurisdictions. This Development Plan will set forth a strategy that addresses the local situation at a local scale while articulating the Municipality’s awareness of the environmental context and their desire to work cooperatively across jurisdictions to address areas of concern and significance.

## *Community / Social Context*

Victoria Beach is a deeply valued sanctuary with a distinct sense of place. The community is known for its serene and beautiful environment, its traditional community life, and its rich ties to history, family and nature. Victoria Beach is not one homogenous community but rather a collection of communities, each with its unique values. Despite these differences, residents are proud of being ‘Victoria Beachers’ and put time and energy into caring for the community as a whole.

The Rural Municipality of Victoria Beach has a unique population demographic by virtue of a resident population that fluctuates significantly from summer to winter, and a rapidly growing permanent population. In the 2001-2006 census period, the permanent population of Victoria Beach grew from 265 to 388, a growth of 46% (or 9% per annum). In the 10 years prior to this, growth was steady at 15%. The current permanent resident population is estimated to be about 500. Many new permanent residents are retirees who converted cottages into permanent homes. Increasing permanence in the restricted area has led some stakeholders to express concerns about higher service needs, increased vehicle traffic and the building of large, out-of-character homes.

According to the property assessment roll there are nearly 2000 dwellings in the municipality, whereas the number of permanent dwellings associated with the census is around 200. The difference represents the extent of seasonal cottages, and indicates the amount of room for expansion if summer cottagers became permanent residents.

It is difficult to make a population projection for the future of Victoria Beach as there is no reliable data on the number of cottagers that visit Victoria Beach in the summer. An anecdotal estimate is around 10,000. Using the occupancy rate for permanent dwellings, a low end estimate for summer season population would be around 5,000. Slow growth in the number of new buildings each year indicates a steady, incremental population growth. These changes may put pressure on the municipality's services, infrastructure and operational costs. Creating more services may allow for greater population increases.

The RM of Victoria Beach is unique in that it does not require growth to sustain itself. During consultations, residents said that the growing number of permanent residents is not a major concern because the actual number is small. They do, however, agree that new developments in the municipality should be limited.

## 1.5 Development Plan Context

It shall be the policy of the Rural Municipality of Victoria Beach to ensure that all development will take place in accordance with the land use designations and policy statements of the adopted plan. The Zoning By-law shall generally conform to the Development Plan.

Many of the fundamental principles and directions of the Development Plan flow from community consultation and discussions with Council and administration. The Development Plan shall be part of an overall set of plans and by-laws used by the Municipality to manage and guide change within the Rural Municipality of Victoria Beach. The principle intent of the plan is to establish and re-establish the physical layout and design of the Municipality while rationalizing the social, environmental and economic implications arising from the community's development and land use pattern.

The Development Plan shall provide direction for future secondary plans while providing the fundamental basis and guidance for the Municipality's Zoning By-law. While these plans must be consistent with the Development Plan, the precise application of the Development Plan direction must be sensitive to the location, timing and conditions of the local environment.

## 1.6 Plan Format and Interpretation

The Rural Municipality of Victoria Beach Development Plan is comprised of two major elements, namely, the written text and conceptual land use plan. The text sections of the Development Plan consist primarily of development principles, objectives and policies, supported by a land use concept map that correlates designated areas to the appropriate policies.

As a strategic planning document the Development Plan is to be interpreted based upon the land use concept, stated guiding principles and defined objectives and policies. Key to the development review process is determining the designated land use for the subject lands which are shown on the attached Map: *Land Use Concept*. A proposed development shall be assessed based upon its consistency with the Development's Plan Guiding Principles and the General Plan Objectives and Policies as defined in Part 2 and Part 3 respectively. The proposed development shall than

be evaluated in light of objectives and policies that are defined for specific land use areas as established in Part 4 herein.

Developments that are compatible with the spirit and intent of the development plan can be given further consideration. Development proposals that are not in conformance with development plan policies and land use concept cannot be implemented unless it is deemed that the proposal should be accommodated through an official amendment to the Development Plan. A Development Plan can be amended on an as-required basis or after review, expected to be required every five years, provided the amendments are in conformance with the balance of the Development Plan document, reflect sound land use planning practices, and do not contravene any of the Provincial Land Use Policies.

## 1.7 General and Non Conforming Use

In general, where the designation or description of land in the Development Plan differs from the existing use of the land, and where such use is not deemed to be undesirable by virtue of fulfilling the general intent of this Plan, the property may be zoned in the subsequent Zoning By-law to reflect its existing use. Any land use change, however, shall be in conformity with the Plan.

## 1.8 Land Use Concept

The attached Map: *Land Use Concept* designates a land use concept for the Municipality based upon the principles of creating a sustainable community. This defined land use pattern is intended to uphold the Vision and Guiding Principles of the Rural Municipality of Victoria Beach Development Plan. The land use concept informs the decision making process related to Growth Management and Built Form through a pre-defined Limits of Acceptable Change Land Use Scenario.

Land Use Areas demarcated within the Development Plan include the following:

- Residential and Cottage Areas
- Community Areas
- Conservation Area
- Open Space Area



## PART 2 – VISION AND GUIDING PRINCIPLES

*Victoria Beach will be a well planned, thriving community that, as a leader in environmental stewardship and community life, maintains and conserves natural spaces for future generations. Victoria Beach will continue to strive for a better quality of life that is reflected in its vibrant history, unique sense of place and distinct natural setting.*

### 2.1 Preamble

Bounded by the shores of Lake Winnipeg, Victoria Beach is a relaxing and peaceful get-a-way - a haven for some - rich in recreational and natural resources. The community was founded in 1910 and over the years it has developed a remarkable history. This special place is also the setting for many strong memories. One cannot miss noticing the importance of family, of generations coming together, and of course, its natural beauty. These have all contributed to Victoria Beach's unique character. At its core are a set of guiding values that have emerged over the years: Community, Conservation, and Tradition.

### 2.2 Principal Aim

The Development Plan is intended to serve as a land use strategy for the Rural Municipality of Victoria Beach. The Plan begins with an expression of the desired outcome for the community in the form of a Vision Statement and subsequent Guiding Principles. The Vision and Guiding Principles create a framework for the plan and are qualified by a series of objectives and policies designed to inform and guide future decision making respecting land use, land management and development.

#### *PRINCIPAL AIM*

To maintain the unique history, character and lifestyle of Victoria Beach while protecting the community's sensitive ecosystems and biophysical characteristics.

### 2.3 Guiding Principles

The following Guiding Principles were identified during the public consultation process. These principles are used to develop the principles, objectives and policies found in this Development Plan. The following Guiding Principles have been identified to rationalize the vision:

#### *COMMUNITY*

There is a need to value and build upon the community's unique identity and sense of place. The intent is to support a self-sustaining environment based upon both traditional and contemporary ideals of community and place making. This includes the following:

*Creating a Sustainable Community:* Refers to growth and conservation that addresses the economic, social and environmental health of communities over the long term. When specifically applied to planning communities, sustainable

development is referred to as smart growth. The smart growth planning perspective prioritizes the importance of people, the liveability of their environment and the need to take a holistic approach to building place.

*Built Form or Development Pattern:* Is the “on-the-ground” physical characteristics of the municipality, its layout and design. Issues relevant to development pattern include land use diversification and compatibility, density, street patterns, municipal servicing, community design and social/civic development. A community’s development pattern is directly related to its functionality as a civic or community environment and the sense of place enjoyed by residents.

The priorities and policies contained herein shall ensure a desirable approach to growth management and built form that supports the creation of a Sustainable Community that is reflective of the community Vision and aspirations. This plan establishes the overall growth management and land use strategy for the Municipality based on the community’s threshold to accommodate change in light of specific development demands.

*Diverse Local Economy:* Supporting a vibrant, diverse local economy that encourages self-sufficiency, uses resources efficiently, and creates inter-generational opportunity.

*Community Identity:* To be a community with a strong sense of place that celebrates progressive tradition, respects the distinct natural environment and embraces human and family spirit.

*Community of Communities:* Victoria Beach has a strong sense of community. Within this shared sense of place there are smaller neighbourhoods that express unique character, interests, values, and issues. Victoria Beach is not a homogeneous community but rather a collection of communities each with its own unique character and values. It is essential to address this uniqueness while balancing the collective vision for Victoria Beach.

*Embracing Community Life:* References the support and development of civic or communal areas that are accessible from all residential areas of the community for the purpose of supporting commercial, recreational and institutional land uses and opportunities which are essential to the well-being and satisfaction of all members of the community;

*Emerging Demographics:* Refers to a liveable community that offers a reasonable range of community services and opportunities to enhance the quality of life of all by supporting and responding to the demographics of an aging population and increasing instances of permanent residency.

*Active Lifestyle:* Maintaining and enhancing opportunities for passive and active recreation including, public recreation facilities, green space, public reserves and walking trails.

## CONSERVATION

The natural environment offers the serene atmosphere and sense of enjoyment that characterizes place for all Victoria Beachers. The preservation and enhancement of the natural environment are central to the identity and quality of life of all residents.

*Environment:* Addresses the need to integrate the fundamentals of environmental stewardship in recognition of its intrinsic value and importance for quality of life. Managing the environment, natural areas, lakes and resources in a manner that respects ecological processes and sustainability is critical to the Municipality. Equally as important is the ability to empower every generation to entrench environmental sustainability in education and stewardship.

*Community Development and Growth Management:* Decisions on development, land use, infrastructure, energy and transportation shall be integrated to minimize the ecological footprint. Growth Management is the process of accommodating growth, new and old, and guiding land uses in a manner that is consistent with the principles, objectives and policies of this Development Plan. A lack of coordinated growth management can lead to land use conflicts, environmental degradation and inefficient servicing patterns. A lack of growth management can also create development patterns that detract from the community's overall quality of life.

### **TRADITION**

There is a need to value and build upon the community's unique identity and sense of place. The intent is to support a self-sustaining environment based upon both traditional and contemporary ideals of community and place making.

*Key to this peaceful getaway is the lack of car traffic in the restricted area during the summer months. Residents fought for this ban and say this tradition is vital to the character of the municipality. Another valued tradition is the mutually beneficial relationship between permanent residents and seasonal cottagers. While tourist oriented business is not desired, services that meet the needs of the cottagers are supported by both the municipality and the community. Victoria Beach is committed to maintaining these unique characteristics.*

The physical and social patterns which have developed at Victoria Beach in the past reflect several objectives that have been arrived at as a result of a harmonious and close understanding between all residents. The long held desire to preserve the unique character amid change will guide decision making and ensure a legacy as a family-oriented community.

*Limits of Acceptable Change:* The Limits of Acceptable Change model looks at the desired environmental and social conditions and determines what limits are needed to maintain them. Limits of Acceptable Change is based on two fundamental realizations. The first is that the carrying capacity for an environment or community could not be simply expressed as a number beyond which the natural, social or physical environment would deteriorate. The second is that Victoria Beach residents are actively expecting to play an active role in decision making relating to land use and land management.

The simple premise of the Limits of Acceptable Change concept is that change (environmental, physical and social) is a natural, inevitable consequence of land use. Acceptance of this premise immediately redefines the traditional question about carrying capacity from "How much use is too much?" to "How much change is acceptable?". Rather than defining a carrying capacity for development, the focus is on what kind of environmental, social and physical conditions are to be maintained. Benefits of applying the Limits of Acceptable Change planning model include improved mutual learning, improved transfer of knowledge, better utilization of participants' personal knowledge, acceptance of divergent viewpoints, and a shared commitment to the plan

*Community Based Land Use Policies:* Key to the effectiveness of this Development Plan is the ability to reasonably integrate land use policies into local decision making respecting land management, growth pressures and conservation. Community Based Land Use Policies acknowledge that different neighbourhoods in the municipality have diverse histories, demographics and built forms, decisions unique to these communities should, therefore, be contextually specific.

## PART 3 – GENERAL OBJECTIVES AND POLICIES

The following defines the general principles, objectives and policies respecting all land use areas within the Rural Municipality of Victoria Beach.

### *PRINCIPLE: STRATEGIC APPROACH TO LAND USE, DEVELOPMENT AND ENVIRONMENTAL MANAGEMENT*

#### 3.1 General Objectives

- 3.1.2 To prepare and adopt a Development Plan that is a user-friendly document and to ensure that the use and development of land is consistent with the vision the community has regarding its future.
- 3.1.3 To encourage community economic development initiatives that utilize the land base in a manner that contributes positively to the physical, social and economic vitality of the municipality.
- 3.1.4 To promote and diversify service provision, recreational development, and commercial development as viable and vital components of the municipality.
- 3.1.5 To ensure that land use and development conflicts are minimized to the fullest practical extent.
- 3.1.6 To ensure that development does not occur on unsuitable lands, unless appropriate mitigation measures are taken to eliminate any potential negative impacts or enhance the capability of the land to support the proposed development while not compromising the utility of other lands in the general area.
- 3.1.7 To ensure the sustainability of the environment, and promote compatible relationships between the environment, resources and the use of the land.
- 3.1.8 To identify and conserve significant environmental areas, ecosystems and natural features through sustainable land and environment management.
- 3.1.9 To integrate the protection of sensitive natural areas and green spaces as a tool to manage growth sustainably within the Municipality.
- 3.1.10 To ensure development does not compromise or adversely impact the environmental character of the area.
- 3.1.11 To preserve and enhance areas characterized by natural beauty, scenic value, recreational potential, historic and cultural significance.
- 3.1.12 To provide a measure of protection for investments in public and private infrastructure, including utilities and transportation networks in order to maintain cost-effective operations of new, upgraded or extended infrastructure services.
- 3.1.13 To ensure that new development is desirable, sustainable and complimentary to the community in response to recent increases in growth pressures and the proliferation of permanent residential land uses.
- 3.1.14 To identify areas for future conservation, residential, cottage and community land uses;

- 3.1.15 To retain all lands adjacent to the edge of waters on Lake Winnipeg in the form of public reserves of public rights-of-way in order to assure unimpeded pedestrian and public use of the shoreline.
- 3.1.16 To preserve the community's natural heritage in order to help create a sense of place and maintain community identity.

### 3.2 Provincial Land Use Policies

The *Provincial Land Use Policies*, as set out in the regulations to *The Planning Act*, will be utilized as broad policy guidelines when undertaking amendments or statutory reviews of the Rural Municipality of Victoria Beach Development Plan.

### 3.3 Objectives and Policies

The following provides policy direction respecting all land use areas within the Rural Municipality of Victoria Beach.

#### Hazardous Uses

*PRINCIPLE: BUILT FORM AND DEVELOPMENT PATTERN - LAND USE COMPATIBILITY*

**Objective:**

- 3.3.1 To prevent and reduce adverse and nuisance impacts of land use and development.

**Policy:**

- 3.3.2 Hazardous uses refer to facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials. New hazardous use facilities are generally not encouraged. Any contemplated hazardous use should be separated from incompatible uses such as areas of community activity and lands or buildings used primarily for human occupation.
- 3.3.3 Where development of a potentially hazardous use is proposed, information may be required relating to the adverse impacts of the use such as the nature of any potential discharges, the nature of outside storage, the compatibility of surrounding land uses, and plans for buffering such activities from adjacent uses and human activities.

#### Natural Environment

*PRINCIPLE: ENVIRONMENT - CONSERVATION AND SUSTAINABLE LAND MANAGEMENT*

Victoria Beach is a committed steward of the environment through the conservation of natural areas and the protection of natural features and environmentally sensitive areas as to maintain environmental quality and character for future generations. Environmental management entails consideration of how to establish a harmonious relationship between existing development and ecological systems.

**Objective:**

- 3.3.4 To identify, protect, enhance and articulate the importance of local and regional natural areas, ecosystems and habitats.

**Policy:**

- 3.3.5 The Municipality shall require the protection and conservation of natural areas, environmentally significant lands and ecosystems by the following means:

- (i) Designation of lands as **Conservation Area**
- (ii) Public Reserve dedication;
- (iii) Environmental Reserve easements;
- (iv) Conservation easements; and,
- (v) Acquisition through purchase, land trades, donations and bequests.

- 3.3.5 Development that has, or may have, a significant detrimental impact on the environment will not be permitted.

- 3.3.6 The Municipality shall encourage the protection and retention of trees upon private and public lands. Tree conservation and replacement shall be considered in the review of applications for rezoning, subdivision and development to rationalize the impact the proposed development may have on the character and enjoyment of the general area. The municipality may require proponents to submit tree surveys in support of the development review process at the developer's expense.

- 3.3.7 Lands dedicated as public reserve shall remain in their natural state and/or be used as part of the public trail system where necessary to ensure a continuous, integrated trail system or as means of access to areas of community importance such as the beaches.

- 3.3.8 Development and land use shall be encouraged to minimize the resulting ecological footprint. An Environmental Impact Assessment (EIA) is recommended for any proposed development that may have an environmental effect or the potential of altering natural systems. The EIA shall be prepared by a qualified engineer and shall include, but not necessarily be limited to, the following:

- (i) A description of the proposed development, including its purpose, alternatives, and staging requirements;
- (ii) A description of the biophysical environment that would be affected;
- (iii) A prediction of the effects (positive and negative) that the proposed undertaking may have on the environment;

- (iv) An indication of the limitation of the study, criteria used in determining effects, and interests consulted;
- (v) Recommended measures to mitigate any negative effects identified; and
- (vi) Presentation of the results in a plain language format that can add transparency and participation to the decision making process.

- 3.3.9 Natural areas and habitats should be protected from incompatible or potentially incompatible uses where rare or endangered flora and fauna have received federal or provincial designation and protection under the federal *Species at Risk Act* or the provincial *Endangered Species Act*; lands have received provincial designation and protection under the Protected Area Initiative; lands have been identified as Wildlife Management Areas; lands identified as Provincial Park; or private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.
- 3.3.10 Access to natural areas and wildlife and fisheries habitats 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.
- 3.3.11 Within natural areas, there shall be minimal impact resulting from development on aquatic ecosystems, wetland environments and riparian areas.
- 3.3.12 To ensure their sustainability, Provincial Crown lands that have been designated as provincial park, wildlife management area, ecological reserve or protected area shall be recognized and protected from unwarranted uses or any other use that may unduly or materially compromise the integrity of the area.

## Flooding, Erosion & Slope Stability

*PRINCIPLE: ENVIRONMENT AND GROWTH MANAGEMENT - PROTECTING PROPERTY FROM THE ADVERSE EFFECTS OF NATURAL AND MAN-MADE INFLUENCES.*

### **Objective:**

- 3.3.13 To ensure that development does not occur on unsuitable lands unless appropriate mitigation measures are taken to reduce any potential negative impacts or enhance the capability of the land to support the proposed development while not compromising the utility of other lands in the general area.

### **Policy:**

- 3.3.14 Development or intensified use of land is prohibited in hazard areas susceptible to flooding, erosion or slope instability without a proper geo-technical, engineering or environmental assessment that defines the nature and extent of the hazard and the required measures or actions necessary to eliminate or mitigate the hazard without materially interfering with or unduly compromising the character, enjoyment or sustainability of private or public property. Additional or alternative requirements may be included in specific agreements

pursuant to *The Planning Act* to address specific scenarios and may require engineering investigation to determine appropriate limits. Development and use of land will be prohibited in instances where mitigating strategies are not possible.

- 3.3.15 Specific land use limitations shall be identified through the review of a development or land use application and after a site inspection by the appropriate authorities has been completed. Areas with constraints or limits to development that may be addressed through engineering and other technical support may include the following:
- (i) Lands subject to flooding;
  - (ii) Areas of erosion or slope instability; and,
  - (iii) Areas possessing known or definitive natural or environmental significance.
- 3.3.16 For lands subject to periodic or seasonal flooding, structural development shall be discouraged unless the constraints to development can be overcome to the satisfaction of the Municipality and/or the Provincial authority holding jurisdiction.
- 3.3.17 For steep slopes, existing vegetation shall be substantially retained on all slope faces. If vegetation cannot be substantially retained or proven effective at preventing erosion and/or slope instability, then an Environmental Impact Assessment (EIA) that addresses specific mitigation measures shall be required by the Municipality and/or the Provincial Authority holding jurisdiction. The EIA may also address the visual and environmental integrity of such lands, among other matters.
- 3.3.18 Development will generally be directed away from lands subject to a 100 year flood, or a recorded flood exceeding the 100 year flood; and lands which would within a 50 year period be eroded or become unstable due to the action of water contained in an adjacent waterway or water body.
- 3.3.19 Activities that alter existing slopes and may accelerate or promote erosion or bank instability should be prohibited unless appropriate mitigation measures are taken to eliminate the potential of such erosion or bank instability. Mitigating measures shall be defined through the appropriate geo-technical, engineering or environmental assessment.
- 3.3.20 The Zoning By-law may establish building setbacks from the margins of unsuitable lands if, in the opinion of the Municipality, the extent of severity of the constraint warrants it. All development upon limited use lands shall be integrated into the landscape while protecting and/or enhancing the natural feature.
- 3.3.21 Any proposed development of significance may require an Environmental Impact Assessment (EIA) as part of the application process, to the satisfaction of the Municipality and/or the Provincial authority holding jurisdiction.



## Water & Shore Land Objectives

*PRINCIPLE: ENVIRONMENT AND GROWTH MANAGEMENT - PROACTIVE MANAGEMENT OF WATER AND SHORELAND AREAS*

### **Objective:**

3.3.22 To ensure that development does not compromise sensitive water, shore land and wetland areas.

### **Policy:**

3.3.23 The preservation and rehabilitation of native vegetation will be given priority in sensitive environmental areas such as the riparian zones associated with the shorelines of lakes, rivers, creeks and streams in order to stabilize banks, filter run-off and to promote better surface water quality.

3.3.24 For development proposals requiring the diversion of water, the proponent will be required to investigate the need for a Water Rights License. Development approval may be withheld until such time as a development authorization or groundwater exploration permit is issued.

3.3.25 A minimum 30 metre wide buffer of undisturbed native vegetation from the ordinary high water mark shall be retained for the protection of the wetland aquatic ecosystem, water quality and provide wildlife cover. Where indicator fish species (walleye, pike, suckers etc.) are present or the watercourse provides spawning, nursery, feeding or migratory habitat, a 30 metre buffer from the ordinary high water mark will be encouraged. Within these buffer areas, it is recommended that shoreline alterations for public use such as pathways, docks etc., shall be no more than 25% of the total area. Alteration within this public reserve, including the removal of near shore or stream aquatic habitat, will not occur unless the activity conforms to a Department of Fisheries and Oceans Canada Operational Statement or the activity is reviewed by the Department of Fisheries and Oceans;

3.3.26 Riparian areas adjacent to waterways shall be protected to maintain and enhance fish and aquatic habitat. Maintaining the quality and quantity and ensuring continued protection of class 3 to 5 seasonal, semi-permanent and permanent wetlands, promotes the filtering of incoming fertilizers, pesticides and sediment, the slowed release of storm water into waterways (therefore mitigating flooding effects), and the continued protection of waterfowl and wildlife habitat

3.3.27 Development or activities that may cause pollution under normal operating conditions or by accident will be directed away from groundwater sensitivity areas and major surface water bodies such as Lake Winnipeg. Where this is not feasible or practical, development may be considered in these environmental sensitivity areas provided it can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the potable water supply or that appropriate precautionary measures have been or will be taken to sufficiently safeguard the potable water supply and surface waters.

3.3.28 All proposed developments adjacent to waterways and water bodies or having the potential to impact waterways and water bodies must be forwarded to Manitoba Water Stewardship Water Quality Management Section and Fisheries Branch, and Fisheries and Oceans Canada for review.

## Heritage Resources

*PRINCIPLE: TRADITION - CONSERVATION OF HERITAGE RESOURCES*

### **Objective:**

3.3.29 Land use and development activities shall protect known heritage resources.

### **Policy:**

3.3.30 Heritage resources should be protected from incompatible or potentially incompatible land uses that may threaten their integrity or operation.

3.3.31 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.

3.3.32 Sites and groupings of sites with heritage potential will be considered for designation as municipal heritage sites under *The Heritage Resources Act*.

## Outdoor Recreational Resources

*PRINCIPLE: ENVIRONMENT AND COMMUNITY - SUSTAINABLE RECREATIONAL DEVELOPMENT*

### **Objective:**

3.3.33 To ensure that the development of recreational resources and facilities is consistent with the overall intent of this Development Plan.

### **Policy:**

3.3.34 Existing recreational uses and areas should be protected from incompatible or potentially incompatible land uses that may threaten the ongoing viability of these areas as recreational developments.

3.3.35 Proposed recreational development should not unduly restrict the access to, and the use of, natural resources such as water bodies, forests and trails.

3.3.36 As part of any secondary plan or subdivision process, sustainable natural areas shall be integrated into the design of new development areas to form part of the linked and integrated open space system.

3.3.37 Proposed recreational developments will be evaluated with respect to balancing the scale and intensity of an intended recreational use with the capability of the land base to support the proposed use in a sustainable manner.

- 3.3.38 Abandoned railway lines should be protected from developments and land uses that may negatively impact their recreational capability. Should any transportation or utility corridor become redundant, consideration shall be given to converting such lands to public uses that may include or support multi-use recreational trail development.
- 3.3.39 Festival sites and recreational facilities will be required to address and/or provide remediation of any environmental and servicing impacts as a condition of development and/or future expansion.

## Aggregate and Mineral Resources

### *PRINCIPLE: ENVIRONMENT - SUSTAINABLE AGGREGATE AND RESOURCE DEVELOPMENT*

#### **Objective:**

- 3.3.40 To ensure that development does not compromise areas of known aggregate and mineral resource value.

#### **Policy:**

- 3.3.41 Areas of significant aggregate potential and valid mineral disposition shall be protected. Conflicting uses will be allowed based upon the value of the aggregate area as identified. Development proposals in these areas under the authority of *The Mines and Minerals Act* shall be reviewed according to ensure the following:
- (i) Protection of those aggregate deposits of high value;
  - (ii) Integration of the extraction and reclamation of aggregate deposits into the overall planning process to minimize land use and environmental conflicts, to reduce safety hazards and to enhance the potential for alternate land uses after extraction; and,
  - (iii) The best intended use of land underlain by non-renewable aggregate resources.
- 3.3.42 In accordance with the Goals and Objectives of the Development Plan, medium and high quality aggregate and mineral resources are to be protected from conflicting surface land uses and protected for present and future exploration, development and extraction.
- 3.3.43 The use of land with High or Medium aggregate potential shall be limited to general agricultural practices, and may be identified accordingly in the subsequent Zoning By-law until such time as the resource has been exhausted and subsequently rehabilitated.
- 3.3.44 Pursuant to the Zoning By-law, a permit will be required prior to aggregate resource extraction in the District. The permit will require and ensure the rehabilitation of the site after resource extraction has been completed, ensuring the land is left in a useful condition, reduce health and safety hazards and prevent the lowering of adjoining property values. Enforcement of the regulations will be achieved through the conditional use process identified in the Zoning By-law. Aggregate extraction will be allowed in all designated areas and will be listed as a conditional use in the appropriate zones.

- 3.3.45 In areas where an aggregate deposit lies adjacent to an existing development which would be sensitive to the impact of extraction (including noise, dust or traffic), site planning controls such as suitable buffers, and/or additional setback requirements in order to limit the extent of the operation may be enacted in consultation with appropriate government bodies. Site planning controls intended to alleviate undue land use conflicts and environmental impacts shall be implemented through subsequent zoning by-laws.
- 3.3.46 Land uses that are sensitive to and conflict with the inherent characteristics of aggregate extraction shall not be allowed within an appropriate distance of the existing anticipated limits of the extraction operation. Such a distance(s) shall be determined through consultation with the Mines Branch and identified in the zoning by-law.

## Utilities and Municipal Services

*PRINCIPLE: COMMUNITY DEVELOPMENT AND GROWTH MANAGEMENT - ESSENTIAL SERVICE PROVISION*

### **Objective:**

- 3.3.47 To ensure the sustainable provision of essential infrastructure and services in relation land use and development.
- 3.3.48 To prevent the creation of scattered populations and to encourage growth that efficiently uses land, infrastructure and public services.

### **Policy:**

- 3.3.49 Essential activities of government and public and private utilities may be allowed in any land use designation subject to requirements set forth in the Zoning By-law. Such uses should be located and developed in a manner that will minimize any incompatibility with neighbouring land uses. Special consideration will be given to reviewing siting requirements associated with such uses as communications towers and maintenance compounds to ensure no adverse impacts on adjacent land uses.
- 3.3.50 Development will be promoted in locations where public and private services will be optimized. Similarly, development will be encouraged where services can be provided most economically.
- 3.3.51 Cooperation will be encouraged with appropriate utility companies to ensure the sustainable provision of services.
- 3.3.52 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses that may threaten or adversely affect their operation.
- 3.3.53 Where municipally operated water or wastewater services are provided within any developed area, new developments shall be required to connect to these services in accordance with applicable Provincial Regulation.

- 3.3.54 Where piped water or sewer services are not available, development should be planned so as to be able to accommodate efficient and economical piped water and sewer services in the future.
- 3.3.55 The extension and/or improvement of piped water and wastewater services should be implemented so as to efficiently and economically service proposed development areas. Development patterns shall be established, and developments approved in a manner that supports regional solutions to water and wastewater service delivery.
- 3.3.56 All development shall protect drinking water sources within the Municipality.
- 3.3.57 Water supply and wastewater management systems, where provided, must be developed and operated in accordance with *The Environment Act*, *The Public Health Act* and *The Drinking Water Safety Act*.
- 3.3.58 Development is prohibited in areas where essential services such as potable water supply, wastewater collection and disposal, storm water and drainage systems, public roadway access and communications cannot be provided or extended in a sustainable manner.
- 3.3.59 The level of servicing and infrastructure provision shall not disrupt or adversely impact natural systems, habitats or the environment.
- 3.3.60 Land use patterns and development concepts that promote sustainable infrastructure provision shall be prioritized.
- 3.3.61 Where new development is proposed, additional analysis may be required to determine the impact of development on existing and future infrastructure systems and related servicing requirements. This analysis may include, but is not limited to, storm water management plans, drainage study, soil suitability analysis, water modeling and treatment analysis, sewer capacity and / or sewage lagoon capacity analysis.

## Transportation Policies

*PRINCIPLE: GROWTH MANAGEMENT - SAFE AND EFFICIENT TRAFFIC NETWORK*

### **Objective:**

- 3.3.62 To ensure that roadway networks support safe and efficient vehicular access and traffic circulation within the Municipality and in conjunction with the Provincial highway system.

### **Policy:**

- 3.3.63 A safe, convenient, efficient and economical road transportation system will be promoted for the movement of people and goods by aiming to ensure the nature and location of development takes into account the availability of suitable transportation facilities and is sensitive to the constraints imposed by the safe and efficient operation of transportation facilities.

- 3.3.64 The primary function of Provincial Trunk Highway No. 59 is the high speed movement of traffic. Access is to be limited accordingly in a manner which consolidates local traffic at major points of entry.
- 3.3.65 The design and organization of development shall minimize disruptions to the flow and to the present or potential capability of the adjoining highway to carry traffic safely and efficiently.
- 3.3.66 Local road or street networks associated with approved developments shall be designed to be compatible with both the existing and planned road and street patterns and networks of the neighbouring areas.
- 3.3.67 Notwithstanding the provisions of this Development Plan, development adjacent to, and access onto, a Provincial Trunk Highway (P.T.H.) and / or Provincial Road (P.R.) shall comply with provincial regulations adopted under *The Highways and Transportation Act* and *The Highways Protection Act*. Municipal roads are subject to the regulations and standards adopted by the municipality.
- 3.3.68 Where development is proposed to be linked to the provincial highway system, additional studies may be required to identify the need for improvements to accommodate the proposed development. All costs related to a development are to be borne by the proponent;
- 3.3.69 Permits are required from Manitoba Infrastructure and Transportation for any structure or construction proposed within the control area adjacent to provincial roads and any new, modified or relocated access. Permits are required from the Highway Traffic Board for any structure or construction proposed within the control area adjacent to a provincial trunk highway and for any new, modified or relocated access, including a change in use of an existing access or land. A change in use of an existing access or land is only required when proposed adjacent and onto a provincial trunk highway.
- 3.3.70 For all land uses and proposed development allowed in close proximity to the provincial highway system, the following development, design and siting criteria shall be applied:
- (i) Where a developed area is bordered on one side by a major transportation corridor such as a highway or railway, new development should (where appropriate) be directed to the same side to avoid the need for local traffic to cross the highway;
  - (ii) Strip development along the highway, whereby direct connections to the highway are continuously relied upon for providing access to abutting properties, will not be permitted;
  - (iii) Development that would generate traffic in an amount or of a type that would unduly impair the present and potential capability of the adjoining highway to carry traffic safely and efficiently, shall not be permitted unless adequate measures, to the satisfaction of Manitoba Infrastructure and Transportation, are undertaken to remedy the problem and a conceptual plan has been prepared for the area;
  - (iv) The local road or street network associated with any type of proposed development must be designed to be in accordance with both the existing and planned road and street system of neighbouring areas;
  - (v) Developments and related uses that may generate hazards, such as anhydrous ammonia storage, are prohibited within 100 metres (328 feet) from the edge of a right-of-way of a provincial highway;

- (vi) New development is to be sited as to have legal access onto an all weather road, or where the road is not of all weather status, the affected member municipality may require the developer to enter a development agreement to construct the road to municipal standards. In addition, where the level of road maintenance and / or standard must be increased as a result of increased traffic load generated by aggregate or peat extraction, topsoil removal or major construction activity, the company or agency contributing to said increase may be required to contribute wholly, or in part, to the increased cost;
- (vii) Subdivision and development will not be approved in areas designated for highway widening or expansion unless provisions suitable to Manitoba Infrastructure and Transportation are made to accommodate the future widening or expansion;
- (viii) It is the responsibility of the landowner / developer to obtain approval from Manitoba Infrastructure and Transportation to utilize the highway ditch system as a means of providing storm drainage for adjacent development. Drainage and storm water flows shall be encouraged to remain at pre-development flow rates. The cost of any revisions required to the existing drainage system, which are directly associated with the development, is the responsibility of the developer;
- (ix) The kind of land use and development that would generate traffic in an amount or of a type that would unduly impair the present and potential capability of the adjoining highway to carry traffic safely and efficiently will not be permitted unless adequate measures are undertaken to remedy the problem and a conceptual plan has been prepared for the area. The proponent may be required to provide traffic analysis or traffic impact study to the appropriate Provincial Departments to determine any traffic safety and operation issues and what, if any, mitigating measures are to be incorporated into the proposed development to alleviate noted concerns; and,
- (x) The following development criteria, in addition to those above, shall apply in reviewing applications for commercial / industrial developments:
  - i. Commercial and industrial development shall be clustered to take advantage of existing development patterns including points of access / egress, land grading and existing municipal services where applicable; and,
  - ii. Commercial and industrial development shall be supportive of other land uses and demands of the area as to promote the viability of the district in general;

## Community Development

### *PRINCIPLE: CREATING A SUSTAINABLE COMMUNITY*

#### **Objective:**

- 3.3.71 To create a land base comprised of mixed uses in a manner that is reflective of the community and is responsive to community interests.

3.3.72 To provide lands for limited commercial use as a means of accommodating economic development opportunities, meeting the needs of a complete community, expanding the local tax base and reducing land use conflicts associated with home based businesses and existing commercial operations.

**Policy:**

3.3.73 Site plan and design control may be required for all major development and redevelopment projects, including all commercial, residential, cottage and institutional uses, to ensure the protection of the natural environment and the enhancement of community character as it relates to existing structural development and community design.

3.3.74 New uses or interests in land will be compatible with:

- (i) Other legally existing land uses in the vicinity so as to ensure the continued operation of such uses and to allow expansion where feasible and appropriate; and
- (ii) The type and character of the community or area in which the use is being proposed.

3.3.75 The established land use pattern shall meet the need for community and essential service provision to respond to the emerging demographic of an aging population and the increasing trend towards more permanent residency in Victoria Beach.

3.3.76 The land use concept for the Municipality shall provide opportunities for limited Commercial development and land use as part of the **Community Area** designation. The designation of Community Areas and subsequent commercial development shall be determined based upon the following:

- (i) Existing and potential land use incompatibilities and conflicts;
- (ii) The ability to provide diverse land uses that meet the needs of a growing and diverse population;
- (iii) Compliance to Part 3: *General Objectives and Policies* of this Plan; and
- (iv) The ability to ensure that subsequent commercial development is consistent with the overall intent of this Development Plan.

3.3.78 New and infill development shall represent a logical extension or infill of the existing development pattern in the area with respect to the following:

- (i) Types and arrangements of land use;
- (ii) Density and intensity of use;
- (iii) Roadway alignments;
- (iv) Accessibility to essential services; and,
- (v) Accessibility to community services.



- 3.3.79 Where larger parcels of undeveloped lands may be considered for future development, an overall concept plan should be prepared for the area in order to rationalize a land use and development pattern for the specific area based upon the following:

## Community Identity

### *PRINCIPLE: COMMUNITY - PROGRESSIVE TRADITION AND SENSE OF PLACE*

Community character is not static, but continues to evolve over time, adapting to new circumstances. The direction that this evolving change takes needs to be managed to ensure that the essential features of the community are not lost. Character is what defines community and provides its sense of identity. Character is linked to physical features, architectural form, the natural setting and the community history. It is important to recognize the distinct character and to ensure that future development is compatible with and enhances the existing character.

### **Objective:**

- 3.3.80 To preserve the historical and traditional principles of Victoria Beach.
- 3.3.81 To recognize and embrace the characteristics that define community.
- 3.3.82 To maintain the seasonal vehicle restriction and promote opportunities for active transportation.

### **Policy:**

- 3.3.83 Development and land use shall respect the historical and traditional significance of Victoria Beach with respect to the following:
- (i) Architectural features;
  - (ii) Historical community design and physical layout consisting primarily of residential and cottage uses;
  - (iii) Established access to natural areas and Lake Winnipeg; and,
  - (iv) Vehicle restriction.
- 3.3.84 Proposed development and land use shall conform to the Vision and Guiding Principles defined herein as a means to support and enhance the sense of place and community character that exists in Victoria Beach. Development and land use shall support the following as a means of protecting and enhancing community identity:
- (i) Existing land use arrangements and property layouts;
  - (ii) Existing architectural and community design features;
  - (iii) Linkages to and relationships with the natural environment;

- (iv) Planned civic and public spaces; and,
- (v) Matters of historical or traditional significance.

3.3.85 Development shall be designed in a manner that supports the following local transportation tendencies specific to Victoria Beach:

- (i) Municipal vehicle restriction;
- (ii) Active transportation; and,
- (iii) Connections to adjacent neighbourhoods and other community focal points.

### Livestock Operations Policy

3.3.86 The Council of the Rural Municipality of Victoria Beach recognizes the potential land use conflicts associated with Livestock Operations and related uses. Given the recreational and communal nature of land uses, and the unique environment within the Municipality, there shall be no livestock operations permitted within the corporate boundaries of the R.M. of Victoria Beach.

## PART 4 – LAND USE AREAS

### 4.1 RESIDENTIAL AREAS AND COTTAGE AREAS

Residential areas encompass most of the developed lands within the ‘Unrestricted Area’ of the Rural Municipality of Victoria Beach. Residential uses have developed in either smaller lot neighbourhoods or communities or on larger lots within the original homestead areas. Residential uses are limited to low density, single detached dwellings with permitted accessory structures. The residential areas include primarily larger, more modern year round uses that differ from the traditional cottage areas in design, bulk and scale.

The residential areas take form in either suburban type clusters or in back lot alignment. Cluster development consists of a group of residential units where lots or units are set back from the shoreline or any other focal point such as a central open space area, with the focal area being maintained as communal open space.

Back lot development consists of residential units which are physically separated from the shoreline by a legally conveyable parcel of land which has development potential. Back lots are usually located in a linear fashion along a road which generally runs parallel to the shoreline, but back lots may also be located on a road which runs perpendicular to the shore.

The Cottage Area is characterized as those residential areas within the Victoria Beach *Restricted Area*. The area has developed physically with a predominating grid layout extending from the shores of Lake Winnipeg. The Cottage Area has been long built out with only minimal infill development opportunities remaining as the majority of undeveloped lands are under municipal ownership and/or possess a significant natural, environmental, civic or recreational purpose that requires conservation as per the Vision and Guiding Principles of this plan.

The Cottage Area has developed with a rich history and unique character. Profoundly important elements of the cottage area include the central Community Green, vehicle restriction, golf course, active transportation and beach accessibility. The lands and a majority of the cabins or residences have been situated harmoniously with the natural environment demonstrating contextually appropriate design, use and scale. The Cottage Area is quaint, serene and very much reflective of its history as a traditional resort community.

#### *PRIMARY OBJECTIVES*

##### **Objective:**

- 4.1.1 To create pleasing living and recreating environments comprised of both residential and cottage uses that are reflective of their specific community.
- 4.1.2 To ensure that the environmental capability and character of designated Residential Area and Cottage Area are not compromised by increasing land use demands and development pressures.
- 4.1.3 To ensure that lands designated Residential Area and Cottage Area are suitable for development.

*PRINCIPLE: GENERALLY SOUND PLANNING FUNDAMENTALS*

**Objective:**

- 4.1.4 To support development, land management and conservation efforts based upon sound planning principles, the unique environmental and rural qualities and capabilities of the municipality.

**Policy:**

- 4.1.5 Use or development of land designated Residential Area and Cottage Area shall conform to Part 3: *General Objectives and Policies* of this Plan.
- 4.1.6 Residential and Cottage Areas are depicted on the attached Map: *Land Use Concept*.

*PRINCIPLE: DESIRABLE, COMPATIBLE AND FUNCTIONAL LAND USE AND DEVELOPMENT PATTERN*

**Objective:**

- 4.1.7 To discourage scattered permanent populations so as to encourage the sustainable and efficient provision of essential services including protective and public utility services.
- 4.1.8 To prescribe land uses and a general direction for subsequent zoning requirements for lands designated Residential Areas and Cottage Areas.
- 4.1.9 To recognize the increasing trend towards permanent residency while recognizing seasonal recreational or Cottage uses.
- 4.1.10 To support active transportation through the provision of walkways and pathways as to ensure adequate access to public and private properties.
- 4.1.11 To create integrated residential and cottage neighbourhoods that are liveable and sustainable.

**Policy:**

- 4.1.12 New neighbourhoods will be planned and designed as interconnected neighbourhoods supported by parks, open spaces, community services and recreation areas.
- 4.1.13 As alternatives and additions to those uses found in designated Cottage Areas, the Zoning By-law shall identify residential uses as large lot Residential Estate or smaller lot Single-Family Residential. Specific land uses shall be determined by desired character of the area, the intended mode of servicing and the compatibility with nearby uses.
- 4.1.14 As alternatives and additions to those uses found in designated Residential Areas, the Zoning By-law shall identify residential uses for Cottage Areas as smaller lot Single-Family Residential in support of the desired and established character of the Cottage Areas.

- 4.1.15 Commercial, Institutional and intensive Recreational uses shall be directed away from designated Residential and Cottage Areas to more appropriately designated Community Areas.
- 4.1.16 Residential and Cottage lot sizes will vary as determined by the intended character of the use. Cottage and residential uses are intended to develop in a planned manner to a maximum density of 3 units per acre. Parcel sizes and resultant development densities may vary depending upon pre-existing development densities established in the general area, site planning considerations, the geo-physical and environmental characteristics of the area, and servicing opportunities and constraints of the subject lands.
- 4.1.17 Residential and Cottage development forms shall include backlot development and cluster development.
- 4.1.18 Septic fields may only be permitted for residential parcels that are 2 acres in size or greater. All other residential uses with a site area less than 2 acres in size are to be serviced via pump out holding tank. The use of septic fields along lake Winnipeg and environmentally sensitive areas such as marshes is strongly discouraged.
- Where on-site servicing is proposed, engineering studies may be required to determine suitability of systems on a particular site and take into consideration existing soil conditions, drainage and the effect on adjacent water bodies and natural areas. As well, an engineering review of existing sewage lagoons may be required to confirm the ability of the existing infrastructure to accommodate additional loads and to determine costs attributable to servicing of new developments.
- 4.1.19 All Residential and Cottage developments shall have or make suitable arrangements for an adequate supply of potable water.
- 4.1.20 All new or redeveloped building sites shall be of such dimension as to assure adequate protection against fire, pollution and loss of privacy.
- 4.1.21 New and Infill residential and cottage development shall be located in areas so that:
- (i) Intended residential or cottage use is compatible in function and character with adjacent uses;
  - (ii) Essential services and supportive community services can be provided with reasonable efficiency and without undue cost to the Rural Municipality; and,
  - (iii) Social, recreational and commercial facilities are available in supportive proximity to the proposed development;
- 4.1.22 Infill and new Residential and Cottage development will be reflective of the general character of existing neighbourhoods with respect to:
- (i) Street layout, open space layout and natural features;
  - (ii) General size of developed uses and established lots;
  - (iii) Foot print of similar uses in the area;
  - (iv) Heights, massing, scale and siting of existing uses and those uses permitted in the zoning bylaw;

- (v) Established lot sizes and development densities;
- (vi) Setback of buildings from the street or streets, side and rear yard setbacks;
- (vii) Continuation of special landscape or built form features that contribute to the unique character of the adjoining lands;
- (viii) Conservation of the natural environment:
- (ix) Significant natural areas and green spaces that fit within the wider community network;
- (x) Land use compatibility;
- (xi) Community services and essential infrastructure; and,
- (xii) Compatibility with the historical character of the community.

4.1.23 Residential and Cottage developments are to be designed as to: provide for future expansion / connectivity of roads, walkways, open space with adjacent lands or development; ensure that adequate internal and external drainage systems are provided; and ensure the construction of year-round infrastructure meets municipal standards as determined by appropriate development agreements. The internal road system is to be integrated with the existing municipal road system so that, where practical, there shall be at least two (2) points of access. Pathways shall be prioritized to support active transportation throughout the Municipality.

4.1.24 Where development is proposed to be linked to the provincial highway system, additional studies may be required to identify the need for improvements to accommodate the proposed development. All costs related to a development are to be borne by the proponent.

4.1.25 It is the responsibility of the proponent to demonstrate that the land is suited for the purpose for which the development is intended. The following criteria are to be used in evaluating the suitability of specific sites for Residential or Cottage development, re-development or intensification of development:

- (i) The geotechnical or geo-physical suitability of the site for development;
- (ii) Intensity and/or density of the use;
- (iii) Accessibility to the shore land and Lake Winnipeg;
- (iv) Impact on the natural environment;
- (v) Provision of open space or natural areas;
- (vi) Conservation of the natural environment:
- (vii) Provision and capacity of essential infrastructure relating to wastewater, potable water supply, drainage, access and supporting utilities;

- (viii) Provision of pathways and trails as part of the local and regional active transportation network
- (ix) Presence of archaeological and / or historical sites; and,
- (x) Compatibility with adjacent land uses.

4.1.26 The subsequent zoning by-law shall establish, in addition to specific bulk use requirements, specific criteria for the following to ensure the established character of Residential and Cottage Areas is maintained in relation to the intent of this plan as defined in the Vision, Principles and Objectives:

- (i) Development densities;
- (ii) Design guidelines for designated Cottage Areas;
- (iii) Building footprint restrictions; and,
- (iv) Any other site planning requirements deemed necessary by Council

4.1.27 Residential and Cottage development shall not unduly or materially compromise the environment.

4.1.28 Pursuant to *The Planning Act*, a public open space reserve dedication may be required as a condition of approval of subdivision development in order to:

- (i) Preserve the natural environment and protect wildlife and high quality fisheries habitat;
- (ii) Provide space for recreational opportunities such as playgrounds, tennis courts, sports fields, etc.;
- (iii) Support a network of open spaces, trails and natural corridors that enhance the environmental character and well being of the district;
- (iv) Provide suitable buffer zones between intensive recreational development and neighbouring land uses, roadways, etc.;
- (v) To maintain and support public access to the shores of Lake Winnipeg; and,
- (vi) Council may require the preparation and submission of designs for the development of park and open space areas as part of any new development.

4.1.29 Where lands containing shore land are to be subdivided, the following may be required:

- (i) Public shoreline reserve, measured from the top of the bank, being a minimum of 125 feet and either have additional land to accommodate the 50 year erosion rate or include the provision of acceptable shoreline protection as determined through an appropriate and professional geotechnical and/or environmental assessment;

- (ii) Provision for access to the shoreline at suitable locations in the proposed development; and,
- (iii) The establishment and maintenance of a public reserve of 30 metres with undisturbed native vegetation from the high water mark adjacent to all surface waters. A purpose of the public reserve is to establish a functioning riparian area of undisturbed native vegetation which helps stabilize banks, provides aquatic and wildlife habitat and protects water quality. In circumstances where native vegetation is limited or absent, re-establishment of this vegetation shall occur through natural succession or assisted through planting vegetation that is native to the area.
  - i. Alteration within this public reserve is limited to a maximum of 25% of the shoreline length of each lot for accessory or incidental uses such as boat houses, pathways, docks etc.
  - ii. Alteration within this public reserve, including the removal of near shore or stream aquatic habitat, shall not occur unless an activity conforms to a Department of Fisheries and Oceans Canada Operational Statement or an activity is reviewed by the Department of Fisheries and Oceans Canada.

## 4.2 Community Areas

The Community Area has developed as a centralized area for communal civic, commercial and recreational uses. Minimal development pressures are evident and therefore, only the most generalized policy approach to guide land use decision-making is required. Community Areas are intended to enhance the physical, social, cultural, and environmental wellness of the district.

Areas designated as Community Area include a mix of commercial, institutional and formalized parks / open space uses. The civic and communal nature of Community areas are intended to support an integrated, livable and sustainable community. Designated Community Areas reflect the communal functions of the Municipality including limited commercial uses and recreational and/or open space uses. Community Areas support active transportation, emerging demographics, reflections of community character and the need for community resources and facilities.

### *PRIMARY OBJECTIVE*

#### **Objective:**

- 4.2.1 To foster and enhance the character and sense of place by ensuring that cultural, residential and recreational aspects of the area retain their civic prominence, character and sustainability through land use diversification.



*PRINCIPLE: TO SUPPORT GENERALLY SOUND PLANNING FUNDAMENTALS*

**Objective:**

- 4.2.2 To support development, land management and conservation efforts based upon sound planning principles, the unique environmental and rural qualities and capabilities of the municipality.

**Policy:**

- 4.2.3 Use or development of land designated Community Area shall conform to Part 3: *General Objectives and Policies* of this Plan.
- 4.2.4 Community Areas are depicted on the attached Map: *Land Use Concept*.

*PRINCIPLE: CIVIC AND COMMUNAL WELLNESS OF COMMUNITY*

**Objective:**

- 4.2.5 To encourage the continued development of central community focal points that offer a mix of commercial, civic and recreational uses and opportunities as to enhance the livability of the municipality.
- 4.2.6 To provide opportunity for compatible economic and social activities within the Municipality.
- 4.2.7 To integrate land uses in a manner that does not compete with or infringe upon existing uses and natural areas.
- 4.2.8 To provide for recreational activities and open space amenities for the enjoyment and benefit of all residents and visitors.
- 4.2.9 To ensure that open spaces are developed in a manner that contributes towards recreational needs and enhancement of the environment, as well as the livability and attractiveness of the area.
- 4.2.10 To preserve lands for the enjoyment of present and future residents and to preserve those areas which have aesthetic and civic value and scenic and environmental character.
- 4.2.11 To utilize open space and landscaped buffer areas as a means of separating incompatible land uses, thereby protecting each use from potential adverse and undesirable effects.
- 4.2.12 To ensure that institutional uses are developed in a manner harmonious to the environment and in keeping with the character of the area and demographic needs.
- 4.2.13 To guide development of institutional uses in order to promote developments whose location and character will maximize their positive impact upon the community and the general public.

**Policy:**

- 4.2.14 The Community Areas shall be focal points of Victoria Beach providing the social and recreational capital necessary to complete communities. Critical to the success of this area are planned, centrally located mixed use nodes.
- 4.2.15 The Community Areas shall provide the Municipality with a cohesive fabric that supports the residential, social and recreational nature of the area. The importance of this designation is predicated on the ability to complement residential / recreational, communal, environmental and open space uses, by strengthening the sustainability of the Municipality through mutually beneficial mixed land uses.
- 4.2.16 Development will be designed to promote active transportation and universal accessibility.
- 4.2.17 All buildings shall be designed to support or enhance blend in with the desired and established character of the area.
- 4.2.18 The architecture of buildings in the Community Areas shall incorporate natural exterior finishes and façades with varied pitch roofs and other architectural features. The architecture will relate to the hierarchy of elements and relationships to such key elements as the Village Green and established cottage resort aesthetic.
- 4.2.19 Community Areas as identified in this Section shall generally be zoned for the broadest range of general municipal uses that are supportive of communal and residential / recreational areas within the Municipality. Uses would include the following:
- (i) Civic, medical, educational or religious institutions;
  - (ii) Social and cultural establishments such as community buildings, churches and cemeteries;
  - (iii) Personal community service facilities such as day care centres and seniors centres;
- Detailed land uses are to be prescribed on a site specific basis in the Zoning By-law. Site area development requirements shall be established in the Zoning By-law where practical. Where it is deemed impractical to establish such requirements, provision should be made for reviewing the impact on municipal services, accessibility and surrounding area before development is permitted.
- 4.2.20 Community Areas shall develop in harmony with surrounding residential land uses and located a manner which minimizes the potential for land use conflicts between adjacent uses. These areas shall permit the following uses:
- (i) General, low order commercial uses that complement the various residential uses within the Municipality such as a general store, bakery or restaurant;
  - (ii) Parks and open space uses that are ideally situated for a variety of passive and active recreational activities while offering a unique environmental setting that adds to the overall character of the area and quality of life that is enjoyed by the residents;

(iii) General community oriented institutional and recreational uses that provide a public or semi-public service including but not limited to the following:

- Medical, educational or religious institutions;
- Social and cultural establishments such as libraries, churches and civic buildings;
- Personal community services such as daycare centres and senior centres;
- Facilities and designated areas for passive, active and formalized recreation; and,
- Essential services such as public administration, fire halls and public works structures;

4.2.21 Community Areas, as essential community focal points, are intended to contribute and support the overall livability of the community as an environment for both summer and permanent living and are therefore to be sited in the most central and accessible areas of the Municipality. Priority will be given to development that is contiguous with existing development in the area.

4.2.22 Prior to approval of a Community land use, the proponent may be required to prepare a site plan showing conceptual design, landscaping, servicing requirements, and potential land use conflicts;

4.2.23 Residential and Industrial uses are not permitted within designated Community areas.

4.2.24 Detailed land uses are to be prescribed on a site specific basis in the Zoning By-law. Site area development requirements shall be established in the Zoning By-law where practical. Where it is deemed impractical to establish such requirements, provision should be made for reviewing the impact on municipal services, accessibility and surrounding area before development is permitted.

### 4.3 CONSERVATION AREA

The Conservation Area includes lands that are currently undeveloped or remain in a natural state and are not subjected to current or projected development pressures. Lands designated as Conservation Areas are depicted on the attached Map: *Land Use Concept*. The municipality recognizes that development pressures can lead to unwanted development patterns including increased densities, increased pressure on essential services and a general over-use of the land. As such, Conservation Areas are intended to remain in their natural and/or existing state for the purpose of promoting environmental stewardship and ensuring the RM is able to manage growth, development and land use in a manner consistent with the desires of the residents and the history of the community.

*PRIMARY OBJECTIVE:*

**Objective:**

4.3.1 To support natural areas as the green heart of the community.

*PRINCIPLE: NATURAL LANDS AND THE “GREEN HEART” OF VICTORIA BEACH*

**Objective:**

- 4.3.2 To promote environmental stewardship in land use and land management.
- 4.3.3 To recognize and articulate the importance of natural areas to the community.

**Policy:**

- 4.3.4 Conservation Areas having features of natural or environmental significance or value shall remain in their undeveloped or natural state.
- 4.3.5 Use or development of land designated Conservation shall conform to Part 3: *General Objectives and Policies* of this Plan.
- 4.3.6 Conservation Areas are depicted on the attached Map: *Land Use Concept*.

*PRINCIPLE: GROWTH MANAGEMENT AND THE LIMITS OF ACCEPTABLE CHANGE*

**Objective:**

- 4.3.7 To ensure that Victoria Beach continues to manage land use and development in a manner consistent with the desires of the residents and the history of the community.

**Policy:**

- 4.3.8 Development shall be directed away from Conservation Areas to lands designated and zoned for the specific use.
- 4.3.9 Future development within Conservation Areas shall be permitted subject to the following requirements or considerations, as deemed necessary:
  - (i) A land use re-designation and amendment to this Development Plan;
  - (ii) An assessment of supply and demand respecting the proposed use to ensure an adequate supply of appropriately designated land and a reasonable balance of land uses within the Municipality;
  - (iii) A servicing study to confirm the ability for essential service provision including but not limited to, wastewater collection, potable water, drainage, road access and electric service;
  - (iv) Environmental Impact Assessment; and,
  - (v) Demonstrated compatibility with the form and function of existing land uses in the general area;
- 4.3.10 Following a land use re-designation and pursuant to *The Planning Act*, Council may require the proponent to enter into a development agreement at the time of re-zoning to establish specific requirements or limitations respecting use of the land and site planning matters as permissible in the act and as deemed necessary by Council.

4.3.11 Conservation Areas shall be zoned as Open Space or Natural Area in the Zoning By-law. Zoning shall prescribe non-intensive uses such as the following:

- Passive and active recreation;
- Environmental education; and
- Naturalized area.

Existing uses in the Conservation Area shall be recognized in the Zoning By-law.

## 4.4 OPEN SPACE AREA

Providing organized open space is an important element of creating livable and complete communities that respects the formalized function of green space and natural areas. Open Space Areas are intended to enhance the social, cultural, and environmental wellness of the district. Open Space areas are primarily public lands whereby uses may fall within one of the following groups:

- Formal areas for passive and active recreation such as parks, trails and pathways;
- Open areas for communal use and gathering; and,
- Beaches and Shoreline areas.

Open Space Areas will enhance and support the livability and character of the Municipality. Open Space Areas have two primary functions. Firstly, Open Space Areas are considered to be those areas whose size, shape, location or physical characteristics are such that their primary use is restricted to passive activities or visual effects. These include environmental areas, buffer strips separating and providing visual barriers between conflicting land uses, and other incidental amenity areas.

Secondly, Open Space Areas are those areas which have developed more formally with their primary use being that of active recreation. These areas may be appropriately landscaped or left in a “natural” state and can include beaches, active recreational facilities, green corridors and nodes, and formal parks.

*PRIMARY OBJECTIVE:*

**Objective:**

4.4.1 To meet the civic, social, cultural, recreational and environmental needs of the Municipality.

*PRINCIPLE: TO SUPPORT GENERALLY SOUND PLANNING FUNDAMENTALS*

**Objective:**

4.4.2 To support open space planning, land management and land use compatibility efforts based upon sound planning principles.

**Policy:**

- 4.4.3 Use or development of land designated Open Space Area shall conform to Part 3: *General Objectives and Policies* of this Plan.

*PRINCIPLE: GROWTH MANAGEMENT AND THE LIMITS OF ACCEPTABLE CHANGE*

**Objective:**

- 4.4.4 To preserve those lands which have aesthetic, scenic, recreational and/or environmental for the enjoyment of present and future residents of the Municipality;
- 4.4.5 To utilize open space and landscaped buffer areas as a means of separating incompatible land uses, thereby protecting each use from potential adverse and undesirable effects; and,
- 4.4.6 To ensure that parks and open space uses are compatible with the natural and man-made environment;

**Policy:**

- 4.4.7 Open Space Areas are depicted on the attached Map: *Land Use Concept*.
- 4.4.8 Parks and Open Space areas shall be planned as local and regional network of linkages, corridors and nodes;
- 4.4.9 Council shall maintain an adequate level of landscaping and maintenance within public Open Space Areas;
- 4.4.10 A variety of parks and open spaces will be encouraged so that a variety of recreational activities can be supported; and
- 4.4.11 Site area development requirements shall be established in the Zoning By-law where practical. Where it is deemed impractical to establish such requirements, provision should be made for reviewing the impact on nearby uses, services and existing natural features;

## PART 5 IMPLEMENTATION

### 5.1 Adoption, Review and Amendment

Adoption of this Development Plan by the Rural Municipality of Victoria Beach will give the plan the force of law. Once adopted no development or land use may be carried out within the area affected by the Development Plan that is inconsistent or at variance with the proposals or policies set forth in the Development Plan.

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 Council. *The Planning Act* provides that a Municipality can set out a date by which the Council must complete a review of the Development Plan. It is the intent of the Municipality to carry out a review of the plan no later than five (5) years after the effective date of the previous review.

*The Land Use Map attached to this Development Plan is intended to provide the outlines of approximate boundaries of land use designations and / or locations thereof. There may be instances where exact boundaries will be determined by land ownership, for example. In these cases, precise boundaries or locations will be established in the Zoning By-law.*

### 5.2 Zoning By-Laws

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 zoning districts for certain types of uses. 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.

### 5.3 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, board, utility companies and certain provincial government departments. 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 *The Planning Act*.

### 5.4 Development Agreements

Approval of subdivisions and zoning amendments can be conditional upon entry into a development agreement that protects the interests of both the applicant and the municipality. A development agreement on a subdivision

deals with the responsibilities of the applicant and the municipality in providing services to the land in question. A development agreement on a zoning amendment may deal with such issues as the use of the land, the siting of buildings, the installation of services and the provision of open space.

## 5.5 Development Permits

New development generally requires a development permit issued by the Municipality. Before a permit is issued, proposals should be reviewed to determine their conformance with the Development Plan and municipal Zoning By-law.

## 5.6 Development Officer

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

## 5.7 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.

## 5.8 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 would include measures such as the adoption of a building by-law and property maintenance by-laws.

## 5.9 Special Studies and Concept Plans

Proponents may be required to undertake and submit special studies as part of the approval process for certain development proposals. Engineering or other professional studies may be required for development proposed for lands affected by natural hazards, endangered species, potential for groundwater or surface water pollution, and general risk to health, the environment and property. Such plans may include drinking water management plans, wastewater management plans, infrastructure capacity assessments, geotechnical analysis, environmental assessment and impact analysis, soil suitability analysis, drainage plans, transportation assessments and impact analysis etc. Detailed concept or secondary plans may also be required to direct the location, nature and timing of development in a manner that is consistent with the intent of this plan.



## 5.10 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.

## 5.11 Capital Expenditure Program

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

## 5.12 Strategic Plans for Economic Development

As outlined in *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.

## 5.13 Municipal Cooperation

Implementation of the Development Plan may benefit from or require cooperation between one or more municipalities. Sections 259, 260 and 261 of *The Municipal Act* provide for tax sharing agreements, service sharing agreements and cost sharing agreements between municipalities.

## 5.14 Interpretation

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