

VILLAGE OF WAWANESA

BY-LAW NO. 496

BEING A BY-LAW of The Village of Wawanesa to adopt a Development Plan.

WHEREAS Section 40(2) of The Planning Act provides authority for preparation of a Development Plan;

AND WHEREAS Section 45 of the said Planning Act provides authority for adoption of a Development Plan by by-law;

AND WHEREAS Section 59(4) of the said Planning Act provides that upon completion of review of a Development Plan, the Council must repeal the Development Plan by-law and replace it with a new Development Plan by-law;

NOW THEREFORE The Council of the Village of Wawanesa, in meeting duly assembled, enacts as follows:

1. That Development Plan By-law No. 341, and all amendments thereto, are hereby repealed.
2. That the Village of Wawanesa Development Plan attached hereto and marked Schedule "A" be and the same is hereby adopted.

DONE AND PASSED BY THE COUNCIL OF THE VILLAGE OF WAWANESA, in meeting duly assembled, in the VILLAGE OF WAWANESA, MANITOBA, this ____ day of _____ A.D. 2007.

Mayor

Chief Administrative Officer

READ A FIRST TIME THIS ____ DAY OF _____, 2006.

READ A SECOND TIME THIS ____ DAY OF _____, 2006

READ A THIRD TIME THIS ____ DAY OF _____, 2007

“SCHEDULE A”

VILLAGE OF WAWANESA

DEVELOPMENT PLAN

Attached to and forming part of
By-law No. 496 of the
Village of Wawanesa

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PART 1 - INTRODUCTION & SCOPE

INTRODUCTION

The Village of Wawanesa is nestled in a bend of the Souris River north of P.T.H. No. 2, approximately 25 miles (40 kilometres) south-east of Brandon. The current population of the community is 516 persons (according to the 2001 census). Wawanesa has experienced modest growth in population and new housing during the past several decades. The community contains a mix of housing, commercial development, institutions (such as the school to Grade 12) and recreational facilities (such as an arena and public swimming pool). The Village of Wawanesa provides a network of piping systems to provide public water supply and sewage disposal to most developed properties within the community.

As a prelude to considering the planning program for Wawanesa, it is important to consider the evolving role of the community. For many years, the Village of Wawanesa was largely a self-contained community which provided a range of services (including a variety of commercial and industrial services, education and health care) to residents of the community and the surrounding agricultural area.

In recent decades, global trends have changed the role of communities such as Wawanesa. Changes in the business world and transportation technology have resulted in a trend of concentration of commercial and industrial services into larger regional centres, which in turn has contributed to the decline of such services in communities such as Wawanesa. Social changes have resulted in increases in commuter traffic, for employment, shopping, recreation and other purposes.

Wawanesa has retained some important institutional (health care and educational) functions and residential functions, as a residential “bedroom” community for commuters who are employed in nearby communities such as Brandon and C.F.B. Shilo, and as a retirement community for the surrounding agricultural area. Although one of the primary aims of the planning program will be to anticipate and accommodate continued residential development within the community, it is also considered important to designate land for commercial and industrial development opportunities that might arise in future years.

PLANNING AUTHORITY

The authority for the Village of Wawanesa to prepare a Development Plan has been provided under Section 45 of the Planning Act, as follows:

“A board or council must adopt a development plan for the planning district or municipality by by-law.”

PURPOSES OF A DEVELOPMENT PLAN

Section 42(1) of the Planning Act outlines the main purposes of a Development Plan, as follows:

“A Development Plan must

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

SCOPE

The scope of the Development Plan is broad as opposed to narrow and specific. It is intended as a set of objectives and policies, which may be amended from time to time as conditions may warrant. As a set of objectives and policies, it will provide a framework within which the detailed regulation of land use and development can be dealt with through supplementary legislation such as a zoning by-law and through specific development decisions made by Council related to subdivision applications, proposals for rezoning, conditional use, and variations.

The Land Use Concept Map which is attached as Appendix A to this Development Plan forms an integral part of this document. This map designates, in a general way, areas for different types of future land use and development in the community. It should be noted that the conceptual nature of the map allows for some flexibility in the interpretation of the boundaries of various land use areas. It is intended that these would be more precisely delineated in the zoning map which forms part of the municipal zoning by-law. This would allow for minor adjustments to be made to the zoning map, from time to time, without necessitating an amendment to this Development Plan in every instance.

PART 2 - RESIDENTIAL DEVELOPMENT

CONCERNS AND OBJECTIVES

Existing residential areas consist predominantly of single-family homes. There are several mobile homes interspersed within residential areas, along with several duplexes and a senior citizen's housing facility.

The quality of housing is generally considered to be very good, which is a positive indicator of community pride and vitality. In order to protect the residential area, an objective of this Development Plan is **to ensure that undesirable and/or incompatible land uses are not permitted in the residential areas and that adjacent land uses are appropriately buffered from residential areas where appropriate.**

Although Wawanesa is experiencing a modest rate of residential growth, it is a concern that due to physical constraints, vacant land for future development is very limited. The developed portion of Wawanesa is almost fully encircled by the Souris River, which represents a major barrier to long-term growth of the community. Any contemplation of future growth across the river would represent major costs in terms of providing infrastructure (roadways and piped services). Another objective of this Development Plan is **to promote the efficient development of residential areas in the community in order to accommodate as much residential development as possible, and to forestall any long-term need to consider any residential expansion of the community across the river.**

The river also represents a significant risk of flooding on adjacent lands. In order to minimize personal hardship and/or property damage, another objective of this Development Plan is **to prevent residential development from occurring in flood risk areas.**

POLICIES

To fulfill the above objectives, the following policies shall apply:

1. In order to maximize the efficiency of existing municipal services, the infilling of vacant lots in areas designated as RESIDENTIAL AREAS on the Land Use Concept Map in Appendix A shall be encouraged.
2. The existing character of the residential environment and a high quality of housing stock shall be encouraged, and the remodeling or replacement of existing housing shall be encouraged as opportunities arise.

3. Multiple-family dwellings and mobile homes shall be considered as an integral part of the residential environment, and may be allowed to intermingle with single-family housing, subject to the spacing criteria of the zoning by-law.
4. In order to promote the efficient use of residential land, new residential lots should be reasonably compact, and should generally not exceed a width of 90 feet.
5. In order to optimize the use of land for residential development, prior to the subdivision of land in undeveloped areas, a concept plan shall be prepared which shall indicate proposed street and lane patterns and general lot configurations.
6. The creation of new unserviced sites for residential development should generally be discouraged within designated RESIDENTIAL AREAS until such time as arrangements have been made for the extension of public water and sewer systems. However, if an unserviced site is to be allowed, the development should meet provincial standards for on-site water supply and sewage disposal systems, and septic systems should not be located within any designated flood risk area.
7. Designated RESIDENTIAL AREAS are intended to accommodate residential uses. However, certain types of non-residential development may be considered for approval in residential areas on a case-by-case basis, subject to the approval of Council, provided that Council is satisfied that the proposed development will be reasonably compatible with nearby residential development.
8. Incompatible uses should not be allowed within designated RESIDENTIAL AREAS, and where they are proposed to be developed adjacent to residential areas, appropriate buffering features should be provided wherever possible.
9. New residential construction shall not be allowed within areas which are designated as a flood risk area, as indicated in PART 6.

PART 3 - COMMERCIAL DEVELOPMENT

CONCERNS AND OBJECTIVES

The traditional downtown area in Wawanesa is located along a 1 block segment of Fourth Avenue, with minor extensions along Main Street. Over the years, commercial development has been clustered in this portion of the community. One of the major occupants in this area is a building containing the corporate offices of the Wawanesa Mutual Insurance Company. In recent years, there has been a trend of general decline of commercial development in communities such as Wawanesa, particularly where they are located within commuting distance of a larger community. This trend has resulted in an increase in the number of vacant properties within this commercial area, and the general lack of investment to upgrade and modernize some of the commercial buildings in the community.

Although the demand is not strong for new commercial development, it is still considered important for a community to have a reserve of land available for commercial development, in the event that new commercial development opportunities might arise. It is also important that such areas should not be located in an area which might create some compatibility issues with existing residences in the community. An objective of this Development Plan is **to reinforce the concept of a well-defined central commercial core rather than to allow commercial developments to occur at random throughout the village**. New commercial activity occurring at random locations can detract from the central core and also, create undesirable land use conflicts in residential areas.

POLICIES

In order to fulfill the above objective, the following policies shall apply:

1. The area which has been designated as a COMMERCIAL AREA on the Land Use Concept Map in Appendix A shall provide a community focus for assorted retail businesses, services and offices. The maintenance and revitalization of the existing commercial buildings shall be encouraged.
2. The infilling and re-development of vacant areas with new commercial buildings or other public buildings within the designated COMMERCIAL AREA is encouraged, in order to provide for the convenience of area residents and the economic utilization of land and public services.
3. Expansion of the designated COMMERCIAL AREA may be considered at the discretion of Council, provided that the area considered for expansion is adjacent to the existing commercial area, and suitable provisions are made with regard to buffering adjacent residential development.

4. Residential uses may be permitted in the COMMERCIAL AREA when in conjunction with a commercial use.

5. Multiple-Family Dwellings for 4 or more dwelling units may be considered on an infilling basis in the COMMERCIAL AREA, as a conditional use, and subject to the approval of Council.

PART 4 - INDUSTRIAL DEVELOPMENT

CONCERNS AND OBJECTIVES

In former years, industrial development in Wawanesa was primarily located in areas adjacent to the Canadian National Railway. However, the abandonment of this railway, coupled with other industrial development trends (centralization in larger centres), has resulted in the disappearance of much of the former industrial development. The remaining industrial areas are located in the north-eastern portion of the community.

As an objective of a community growth and development strategy, it is considered important **to maintain a reserve of designated industrial development land at a suitable location** in the eastern portion of the community, in order to accommodate a range of possible industrial development opportunities that might arise in future years.

Some industrial types of development have the potential to create significant nuisance factors and/or environmental impacts within a community. Another objective of this Development Plan is **to provide for a reasonable degree of compatibility between any new industrial development and other developments in Wawanesa.**

POLICIES

In order to fulfill the above objectives, the following policies shall apply:

1. The designated INDUSTRIAL AREA as shown on the Land Use Concept Map in Appendix A, shall provide for a variety of industrial development, excluding for those industries which have significant noxious or offensive characteristics for nearby residential areas. Where a proposed individual use abuts a residential area, Council may require a suitable buffer, which may consist of spatial distance, vegetation, fencing and/or berms.
2. Industrial uses which may have moderate adverse impacts may be allowed at the discretion of Council, as a conditional use. In considering proposals for approval, Council may impose conditions to mitigate any potential impacts of the development. Consideration may also be given to commercial uses in the industrial area.
3. Land within designated INDUSTRIAL AREAS shall be reserved for that purpose, and no potentially incompatible use (such as residential development) shall be allowed within designated industrial areas.
4. Access to an industrial site shall be such that servicing by truck transport does not cause significant nuisance or danger to the built-up area of the community.
5. Industrial development should be undertaken in a manner that does not create significant nuisance for nearby development or environmental impacts, particularly with respect to groundwater and surface water, as provided for in PART 9.

PART 5 - PARKS AND RECREATION

CONCERNS AND OBJECTIVES

Wawanesa has a variety of significant recreational facilities, including a horse racing track, a swimming pool, arena and camping facilities. Major recreational buildings and structures require significant investment and maintenance and there is concern that these costs should not be compounded unnecessarily by repeated flood protection measures and repairs from flood damage. It is an objective of the Parks and Recreation Policies **to ensure that such facilities are located in an area free from the threat of flooding.**

Minor parks and recreational facilities require substantially less investment with little or no development of buildings or structures, such as camping grounds, picnic areas, and the like. Facilities such as this may be allowed at other locations in the community, and even within the designated flood risk area, with each being considered on its own merit as a conditional use under the Planning Act.

The community recreation and open space amenities within the village are intended to be shared and enjoyed by groups and individuals of all ages. It is an objective of the following policies **to ensure that these facilities continue to be highly maintained and preserved for the use and enjoyment of future generations.**

POLICIES

In order to fulfill the above objectives, the following policies shall apply:

1. Major recreation facilities are located within the community fairgrounds, and this area shall be designated as a PARKS AND RECREATION AREA on the Land Use Concept Map in Appendix A. This designated area shall also include the adjacent school site, which also contains exterior recreational facilities.
2. Recreational and educational development, including buildings and structures, shall be permitted in designated PARKS AND RECREATION AREAS.
3. Smaller scale parks and recreational facilities may be considered in other designated areas, provided that buildings and structures of significant value shall not be permitted in those areas designated as being in the flood risk area, in accordance with PART 6.
4. The maintenance and development of existing parks, recreation and open space areas and facilities is encouraged in such a way as to improve the visual appearance and aesthetic quality of the physical environment in all areas of the community.
5. The keeping of livestock for short-term events at the fairgrounds shall be permitted, subject to such conditions that Council considers appropriate.

PART 6 - HAZARDOUS LAND & LIMITED DEVELOPMENT AREAS

CONCERNS AND OBJECTIVES

The peripheral areas of the Village of Wawanesa are largely undeveloped for a variety of reasons, including adverse terrain conditions or lack of supportive infrastructure (such as streets and piped services). The areas which are designated as LIMITED DEVELOPMENT AREAS on the Land Use Concept Map in Appendix A include most of the land within the community that is subject to these limitations, and additional factors, as described below.

Flood Risk Areas - There are areas where development opportunities are limited due to the risk of flooding by the Souris River. Areas subject to flooding by a 100 year flood have been designated as “flood risk areas” under the Canada-Manitoba Flood Damage Reduction Program, and are illustrated on Reference Map A.. Buildings as they existed on the designation date will still be eligible for assistance for flood damage. However, any improvements or additions made after the designation date will not be eligible for future flood damage compensation, unless they comply with program criteria. Also Manitoba Hydro will not knowingly proceed with the construction of an electrical service extension in any designated flood risk area until such time as a building permit to proceed with the building is provided. There is some scope for development in areas where the depth of flooding is less than 3.3 feet (1.0 metre), provided that adequate flood protection measures are incorporated into the development.

Dangerous Slopes - Some of the riverbanks adjacent to the Souris River are very steep, which raises concerns about public safety and property damage in the event of slope erosion or failure. In such situations, it is apparent that the only permitted uses should be limited to low intensity open space uses, which would minimize such safety and property damage risks.

An objective of this Development Plan is **to guard against personal hardship and inconvenience, adverse affects upon public health, human safety and property damage.** Another objective is **to minimize public expenditure for relief or protection in areas subject to flooding, erosion, bank instability, landslide or subsidence.**

Waste Disposal Site - The former waste disposal site located in the eastern portion of the community represents some concern in terms of the risk of subsoil contaminants, which may migrate beyond the site and create off-site impacts on nearby areas. Such a situation might result in pressure from landowners for remedial action to taken by the community at public expense. An objective of this Development Plan is **to control development which may be subject to a risk in the vicinity of the former waste disposal site.**

Agricultural Areas - Land located in the southern portion of the Village of Wawanesa is substantially isolated from the main portion of the community by the Souris River. This area has traditionally been used as farmland, and contains an existing farm yard with

livestock. An objective of this Development Plan is to provide **for the continued operation of this farm, provided that there will be some limitations on keeping of livestock, due to its proximity to residential areas.** There are also several small residential acreages located in the Limited Development Area which may have a small livestock component.

POLICIES

In order to fulfill the above objectives, the following policies shall apply:

1. Areas which are subject to flooding by a 100 year flood (as shown on Reference Map One) are primarily located within the designated LIMITED DEVELOPMENT AREA, but some of the flood risk area extends into other designated areas. Within all areas which are subject to flooding by a 100 year flood, the following criteria shall apply:

- (a) No permanent building or structure shall be developed where the depth of flooding exceeds 3.3 feet (1.0 metre) during a 100 year flood event;
- (b) No new building sites shall be created within areas which are subject to substantial flooding, however, alterations to the boundaries of existing building sites may be considered at the discretion of Council. New building sites may be considered for approval at the discretion of Council only where there is a sufficient flood-free area on the property for the development of the intended building;
- (c) In the case of existing residential development within the flood risk area, expansion of existing buildings or the erection of accessory structures may be considered for approval by Council, subject to a recommendation from Manitoba Water Stewardship regarding flood protection measures to be incorporated into the development, and the development shall comply with such recommendation;
- (d) In the case of agricultural or recreational developments located within the designated flood risk area, no permanent building or structure, excluding fences and signs, shall be erected within the designated area;
- (e) Livestock confinement facilities, including barns, corrals, and similar structures shall not be located within the designated flood risk area, nor within a distance of 330 feet of the ordinary high water mark of the Souris River; and
- (f) No development shall be allowed where it would substantially interfere with, impede or alter the flow of flood water.

2. The following measures should be considered to promote public enjoyment of the amenities associated with the river, and to reduce potential impacts to river banks and surface water from development:

- (a) The acquisition of land along the river shall be encouraged whenever opportunities arise. This might include a purchase of land by the community or the Crown, or dedication of land as public shoreland reserve, as a condition of subdivision approval, when applications for subdivision in the vicinity of the river are being considered; and
- (b) Wherever possible, a vegetated area at least 100 feet (30 metres) in width should be provided and maintained adjacent to the river, as described in Policy B.2 of PART 9.

3. No permanent building or structure, other than fences and signs, shall be erected within areas which in the opinion of Council are at risk of slope erosion or slope failure. For greater certainty regarding the application of this policy, the Council may require the development proponent to obtain a professional engineering evaluation of the slope conditions prior to any consideration of such a proposal.

4. No subdivision of land for a new building site and no permanent building intended for human occupancy shall be established within a distance of 1,320 feet (400 metres) of the boundary of the former waste disposal site located in the S.E. 1/4 Sec. 26-7-17WPM, unless a favourable recommendation is received from Manitoba Environmental Operations regarding matters related to the former waste disposal site.

5. Council may request recommendations from such government departments as it deems necessary when there may be some uncertainty as to whether or not a proposed land use or development of land may be subject to any hazard.

6. Some of the designated LIMITED DEVELOPMENT AREAS are viewed as having potential for future subdivision and development, provided that the community's sewer and water systems can be extended into these areas. Therefore, such areas should not be subdivided or developed for purposes other than agriculture or open space uses, unless it can be determined that future extension of services and the development of the property for a serviced subdivision are not feasible.

7. The subdivision of an individual lot for the development of a residence within the designated LIMITED DEVELOPMENT AREA may be considered for approval at the discretion of Council, as a conditional use, subject to the following criteria:

- (a) The site is not in a location that can be fully serviced for higher density development, as an extension of the existing developed area of the community;
- (b) The location of the proposed structure is in an area which is not subject to flooding, slope failure, environmental risk from the former waste disposal site, or any other risk factor;

- (c) The size of the lot is suitable to provide for an approved private sewage disposal system, provided that the system will not be located within the designated flood risk area;
- (d) There is a suitable source of on-site water to support the proposed development;
- (e) Access to the site is from an existing all-weather road, and provided that the access to the property will not significantly contribute to any traffic safety concerns on adjacent roadways (and provincial roads as provided for in Part 7).

8. The designated LIMITED DEVELOPMENT AREA located in the southern portion of Wawanesa (primarily in NW ¼ Section 23-7-17 W.P.M.) south of the Souris River is viewed as being an agricultural area, and the continuance of agricultural activities shall be allowed, subject to the following criteria:

- (a) Livestock Production Operations of up to 50 Animal Units will be allowed as a permitted use, provided that the minimum land parcel size is at least 80 acres;
- (b) Livestock Production Operations for 51 to 100 Animal Units may be considered for review and approval by Council as a conditional use, provided that the minimum land parcel size is at least 80 acres;
- (c) Livestock confinement facilities such as barns and corrals, and manure storage facilities (excluding earthen manure storage facilities), shall be separated by a minimum distance of 1,760 feet from a designated RESIDENTIAL AREA;
- (d) Any earthen manure storage facility shall be separated by a minimum distance of 2,640 feet from a designated RESIDENTIAL AREA, and shall be covered by a synthetic material acceptable to Council for the period of May 1 to November 1 for every year it is in operation;
- (e) Livestock confinement facilities such as barns and corrals, and manure storage facilities shall be set back from property boundaries and the Souris River in accordance with provincial regulations, and shall not be established within any designated flood risk area as shown on Reference Map One; and
- (f) Special regulations may be required for the control of livestock in the vicinity of the community water supply wells.

9. Within designated LIMITED DEVELOPMENT AREAS elsewhere in Wawanesa, the keeping of livestock shall be more restricted, due to the proximity of residential areas, and shall be subject to limitations to be established in the Zoning By-law.

10. From time to time, Council may consider variation of the siting requirements for livestock related facilities, as described in policies 8 and 9 above.

11. Natural areas and habitats shall be protected from incompatible or potentially incompatible uses where rare or endangered flora or fauna have received designation and protection under the provincial Endangered Species Act or the federal Species at Risk Act.

PART 7 - TRANSPORTATION

CONCERNS AND OBJECTIVES

Portions of Provincial Roads Nos. 340 and 344 are located within Wawanesa, along with a one block segment of PR 605 (Fourth Street between Cliff Street and Main Street). These provincial roads (within the Village boundaries) are “Designated” Provincial Roads which means that the Provincial Department of Transportation and Government Services is responsible for all of the costs of construction and maintenance of these roadways. However, the responsibilities regulating access and building setbacks have been delegated to the Council.

There is a potential concern related to access and traffic safety, particularly on the “Designated” Provincial Roads and the busier local streets such as Commercial and Cliff Streets. Without proper building setbacks, there could be problems of impaired vision at intersections and driveway access points. A proliferation of access points along a major street or roadway presents a hazard to vehicular and pedestrian traffic. In light of these concerns, it is an objective of this Development Plan **to promote the safety, efficiency and the economical functioning of streets and roads within the community.**

POLICIES

In order to fulfill the above objectives, the following policies shall apply:

1. Wherever feasible, strip development along a provincial road whereby individual driveway connections directly to the road are relied upon for providing access to abutting properties shall be discouraged, particularly in areas where there are significant slope conditions. As an alternative, the use of internal roads or frontage roads will be encouraged.
2. The kind of development that would generate traffic in an amount or of a type that would impair the present and potential capability of the adjoining provincial road to carry traffic safely and efficiently shall not be permitted.
3. The local road or street system associated with any type of proposed development shall be designed in accordance with both the existing and planned road system of the neighbouring areas.
4. The location and construction of accesses and the setbacks of buildings and structures from streets and roads shall be subject to the approval by the Village of Wawanesa. Where a provincial road is involved, the Department of Infrastructure and Transportation should be consulted with regard to any development projects that might have an effect on future roadway upgrading, maintenance, or drainage systems adjacent to the roads.

PART 8 - SERVICES AND UTILITIES

CONCERNS AND OBJECTIVES

Local municipal services in the community primarily consist of water supply, sanitary sewers, solid waste disposal and fire protection. Storm water drainage is provided by a surface system of ditches and culverts. In general, the services are considered adequate to accommodate existing development and any urban expansion in the foreseeable future.

Wawanesa's water supply is obtained from 3 shallow wells which draw water from a sand and gravel aquifer which has hydraulic connections to the Souris River. Concerns and policies pertaining to ground water supply are contained in PART 9 NATURAL RESOURCES Section A. GROUND WATER. The former waste disposal site located near the east Boundary of the community has been converted to a waste transfer facility, with much of the solid waste material being trucked away.

It is an objective of this Development Plan **to promote the development of Wawanesa in a manner which recognizes the need to provide municipal infrastructure in an economic manner, and to safeguard existing infrastructure systems and investment.**

POLICIES

In order to fulfill the above objectives, the following policies shall apply:

1. All residential, commercial, industrial or institutional developments shall utilize municipal services as they are available, unless it can be demonstrated to the satisfaction of Council that an existing private water supply or sewage disposal system will be adequate and environmentally safe.
2. Before new development in areas outside the built-up area is initiated, a concept plan will be prepared, which will determine the most economical and efficient manner of expanding the existing municipal services.
3. The design and extension of piped services shall be subject to the review and approval of the appropriate provincial authorities, as provided for in provincial regulations.
4. In approving any subdivision design or development proposal, Council will co-operate with Manitoba Hydro, Manitoba Telephone System and other similar public or private utilities, to provide their service in an efficient manner.
5. With respect to electrical service extensions into areas subject to flooding, it is an objective of Manitoba Hydro to extend their services in these areas only when the proposed development has Hydro received all necessary approvals from the Village of Wawanesa.

PART 9 - NATURAL RESOURCES

A. GROUNDWATER

CONCERNS AND OBJECTIVES

The groundwater supply in the Village is adequate for present requirements and for some new development. Groundwater is the source of water for the municipal water supply for Wawanesa and for domestic and farm requirements outside the serviced area. Hence, the overall concern is groundwater resource management and protection to assure adequate supply for existing users and potential development. In the lower areas of the Village, many aquifers are at or near ground surface and therefore, the groundwater pollution hazard area is relatively extensive. It is an objective of this Development Plan **to ensure that aquifers are managed in a manner so as not to deprive existing users of their water supply and would not have a detrimental effect of groundwater potential in the community.**

POLICIES

In order to fulfill the above objective, the following policies shall apply:

1. The installation of private high capacity wells shall be permitted only in areas where they will not cause any significant reduction in water volume for existing users.
2. Where a proposed development is of a type that may have an impact on the quality of local groundwater, Council may require special studies and/or special mitigation measures to be incorporated into the development to mitigate any potential risk to groundwater.
3. Activities that may cause pollution under normal operating conditions or by accident shall not be permitted in the vicinity of the Wawanesa water supply wells, nor within groundwater pollution hazard areas unless it can be proven by adequate field investigation that the proposed activities will not cause pollution of groundwater.

B. SURFACE WATER & FISHERIES

CONCERNS AND OBJECTIVES

There is concern about degradation of water quality in the Souris River, and the community wishes to maintain it at as high a quality as possible, in order to enhance the water quality of downstream water bodies, and to enhance recreational use of the river by local residents. Any factor that adversely influences water quality or quantity can adversely influence fish populations. It is therefore an objective of this Development Plan **to maintain the water quality of the Souris River at as high a level as possible, and protect existing fisheries habitats, spawning sites and nursery areas within the community.**

POLICIES

In order to fulfill the above objective, the following policies shall apply:

1. Appropriate measures and programs to increase the quality of the river water, to limit nutrient and sediment inflow, and reduce excessive erosion and organic overloading will be encouraged.
2. Riparian areas adjacent to the river shall be maintained in permanent vegetative cover, in order to minimize erosion and siltation, and to filter run-off. Wherever possible, the recommended distance of a riparian buffer strip is 300 feet from the ordinary high water mark of the river.
3. Activities and/or developments that discharge pollutants shall be restricted in their location and it may be required that precautionary safeguards that mitigate any pollutant be incorporated into the development activity.
4. Identified fisheries habitat, spawning sites and nursery areas shall be protected. All proposals located adjacent to the Souris River, or having the potential to impact the river, shall be forwarded to Manitoba Water Stewardship Fisheries Branch for review, and to the federal Department of Fisheries and Oceans for review.
5. Public access to the river, in order to promote passive recreational activities, including angling, shall be maintained or increased as considered appropriate by Council, and appropriate developments at suitable locations will be encouraged in order to enhance recreational activity.
6. Manitoba's Water Quality Standards, Objectives and Guidelines shall be used to ensure protection for end uses such as fisheries.

PART 10 - HERITAGE RESOURCES

CONCERNS AND OBJECTIVES

The historically, architecturally and archaeologically significant sites and structures within Wawanesa have not been formally documented. There is concern that any new development could result in such sites or structures becoming forever lost to future generations. It is therefore the objective of the Heritage Resource policies **to protect historical, architectural and archaeological sites and structures from uses or activities that would endanger them.**

POLICIES

In order to fulfill the above objective, the following policy shall apply:

1. Prior to the approval of a subdivision, or the issuance of a demolition or building permit, Council may consult with the historic resources branch to determine whether or not a historically, architecturally, or archaeologically significant site or structure is not being endangered. Following such consultation, Council may take any measures it considers appropriate to preserve the character of the building, site or area, including using the provisions of the Historic Sites and Objects Act.

PART 11 - IMPLEMENTATION

ADOPTON OF THE PLAN

Sections 40 to 53 of the Planning Act outline the procedures involved in adopting a Development Plan by-law. The adoption process requires public inspection and review of the Development Plan, followed by a public hearing to consider the document. There is provision for further objection and appeal to the Minister.

Once approval has been received from the Minister, the Development Plan by-law can be given third reading by Council, and will then be in full force and effect.

LAND USE CONTROLS

The adoption of a Development Plan does not require Council to specifically undertake any of the proposals contained in the plan. However, the Planning Act provides that no development is to be undertaken that will be inconsistent with the policies of the plan. The policies as stated in the Plan are intended to be general guidelines for land use and development. Regulatory requirements will be exercised through one or all of the following planning instruments:

- (a) a zoning by-law
- (b) subdivision control
- (c) conditions of approval related to conditional use applications or variations.
- (d) building by-laws
- (e) development agreements

REVIEW

This Development Plan shall be reviewed within 10 years of the date of adoption, or at some earlier date if Council considers it necessary.