

OAKLAND-WAWANESA MUNICIPALITY

BY-LAW NO. 21-2021

BEING a By-law of the Municipality of Oakland-Wawanesa to amend the Municipality of Oakland-Wawanesa Municipal Development Plan By-law No. 04-2018, as amended.

WHEREAS it is necessary to pass a By-law to amend the Municipality of Oakland-Wawanesa Municipal Development Plan;

AND WHEREAS Section 56(1) of The Planning Act provides that a Development Plan may be amended;

NOW THEREFORE the Council of the Municipality of Oakland-Wawanesa enacts as follows:

- 1. **PART 6.0 Maps: Municipal Overview Map 1 of the Municipality of Oakland-Wawanesa Municipal Development Plan** is hereby amended as follows:

An area of land generally described as lying half a mile north of P.T.H. No. 2 and lying immediately east of P.T.H. No. 10 more particularly described as being Pt. NW ¼ Sec. 2-8-19WPM in the Municipality of Oakland-Wawanesa as shown outlined in a heavy broken line on the map attached hereto and marked as Schedule "A" is hereby re-designated:

FROM: AGRICULTURE GENERAL AREA

TO: RURAL RESIDENTIAL AREA

On said Map 1.

DONE AND PASSED by the Council of the Municipality of Oakland-Wawanesa in meeting duly assembled at Nesbitt, Manitoba, this ___ day of _____ A.D. 2022.

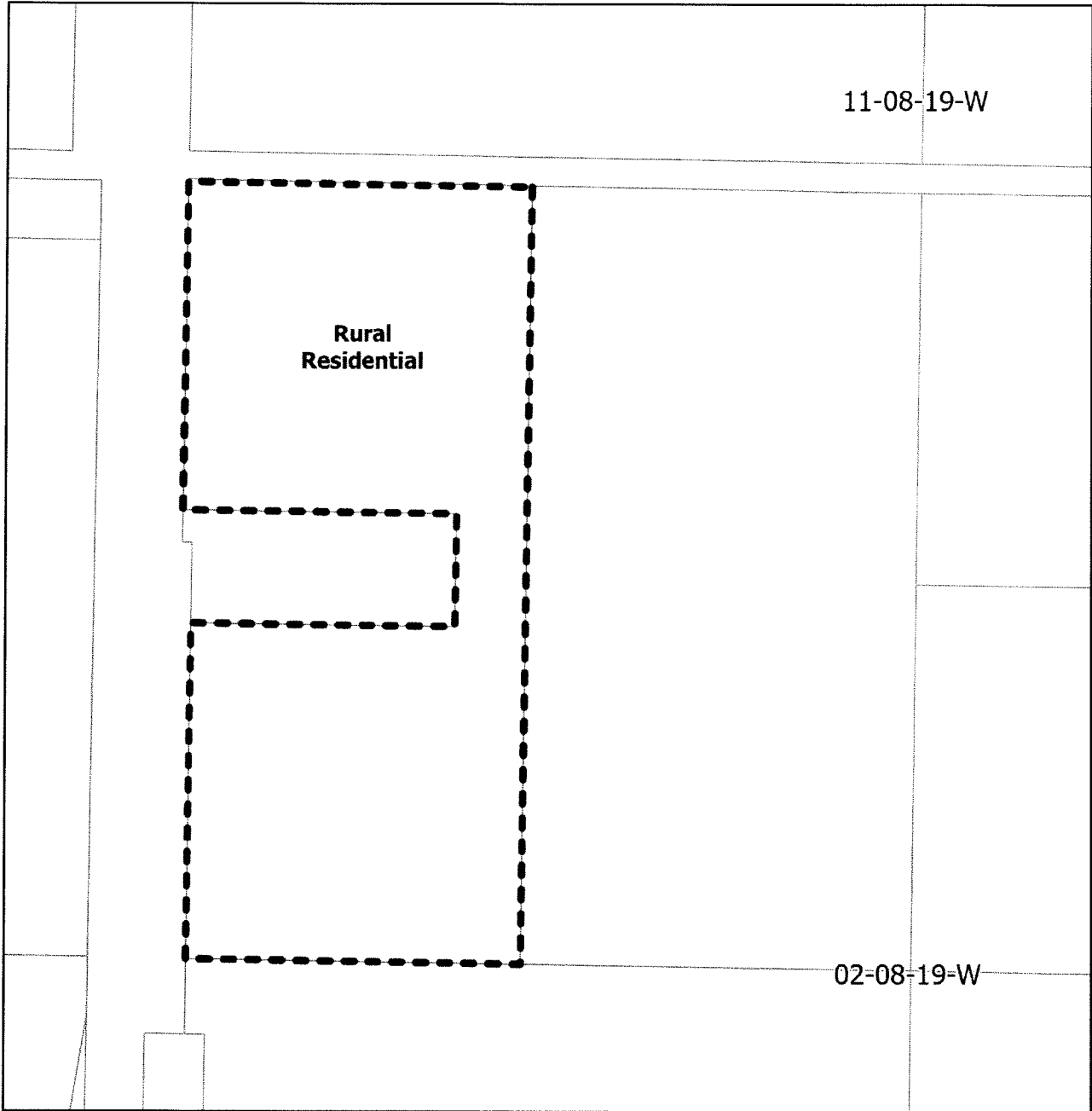
Head of Council

Chief Administrative Officer

READ A FIRST TIME THIS ___ DAY OF _____, A.D. 2022.

READ A SECOND TIME THIS ___ DAY OF _____, A.D. 2022.



READ A THIRD TIME THIS ___ DAY OF _____, A.D. 2022.



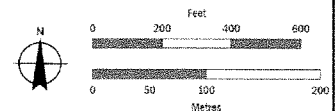
Schedule "A"

Attached to By-law No. 21-2021 of the Municipality of Oakland-Wawanesa amending Policy Map 1 of By-law 04-2018 being the Municipality of Oakland-Wawanesa Development Plan

Pt. NW-02-08-19-WPM
That portion otherwise
known as Roll No. 96760

-  Limit of Area Affected
-  Assessment Parcels

From: Agricultural General Area
 To: Rural Residential Area



Date: 2022-03-14





Municipal Relations

Brandon Community Planning Branch
Unit 1B - 2010 Currie Blvd
Brandon MB R7B-4E7
T 204-726-6267 F 204-726-7499
BrandonCRP@gov.mb.ca

March 14, 2022

File: 14-2-157-2022-0008

Head of Council and Members
c/o Joni Swidnicki (C.A.O.)
54 Main Street
P.O. Box 28
Nesbitt, Manitoba
R0K 1P0

**Re: Proposed Oakland-Wawanesa Municipality By-Law No. 21-2021
Re-Designation of Pt. N.W. ¼ Sec. 2-8-19wpm
From: "Agriculture General Area"
To: "Rural Residential Area"
Municipality Of Oakland-Wawanesa (Durand)**

Please find attached Municipality of Oakland-Wawanesa Bylaw No.21-2021, to amend your municipal development plan Bylaw No.04-2018. This bylaw is in a form prepared for first reading.

This map amendment proposes to re-designate the above referenced lands from "**AGRICULTURAL GENERAL AREA**" to "**RURAL RESIDENTIAL AREA**". This re-designation provides policy support for future subdivision and development of a multi-lot rural residential development.

Please refer to *The Planning Act* extract in Appendix "A" for development plan amendment public hearing notice, advertising and decision requirements. Following the public hearing, council may give the bylaw second reading with or without outstanding objections, if any are noted. Council must then submit a copy of the bylaw, reflecting second reading, a copy of the public hearing minutes, and any written submissions filed or presented at the public hearing to the Brandon Community Planning Office. Third reading may only be given by council following approval by the Minister of Municipal Relations.

A draft letter is provided as Appendix "B" as a sample to provide written notice of the development plan amendment second reading. Notice is provided to all individuals who provide council with written or oral submissions at this public hearing.

If this plan amendment is approved, the proponent will need to apply for a Municipality of Oakland-Wawanesa Zoning Bylaw amendment and, if applicable, an application for subdivision with the Brandon Community Planning Office.

If you have any questions please contact 204-726-6267, or BrandonCRP@gov.mb.ca.

Sincerely,

Brandon Community Planning

Attached.

Appendix "A" - Extract from The Planning Act pertaining to development plan amendment public hearing notices advertising and decisions

Notice of second reading

48 As soon as practicable after submitting the development plan by-law to the minister for approval, the board or council must send a notice to every person who made a representation at the hearing held under subsection 46(1) stating that

- (a) second reading was given to the by-law;
- (b) the by-law has been submitted to the minister for approval; and
- (c) any person who made a representation at the hearing may file an objection with the minister that sets out the reasons for his or her objection, within 14 days after the notice is given.

Notice re planning districts, development plans and zoning by-laws

168(1) Notice of any the following hearings must be given in accordance with this section:

- (a) a hearing on the establishment of a planning district under subsection 16(3);
- (b) a hearing on the alteration or dissolution of a planning district or the amalgamation of planning districts under section 27 or 28;
- (c) a hearing on the adoption of a development plan by-law under subsection 46(1);
- (d) a hearing on the adoption of a zoning by-law or a secondary plan by-law under subsection 74(1).

Publication requirements

168(2) Notice of the hearing must be given by

- (a) publishing notice of the hearing in a newspaper with a general circulation in the applicable planning district or municipality on two occasions at least six days apart, during the period beginning 40 days before the hearing and ending seven days before the hearing; or
- (b) when there is no newspaper with a general circulation in the area, posting a copy of the notice of hearing in the office of the applicable planning district or municipality and at least two other public places in the district or municipality at least 14 days before the hearing.

Required notice

168(3) At least 27 days before the hearing, a copy of the notice of the hearing must be sent

- (a) to the applicant, if there is one;
- (b) to the minister;
- (c) to all adjacent planning districts and municipalities;
- (d) when the hearing is held by the council of a municipality that is part of a planning district, to that planning district and all other municipalities in the district; and
- (e) when the hearing is held by the board of a planning district, to all municipalities in the district.

Notice to affected property owners

168(4) If the hearing is held to consider an amendment to a by-law that would affect a specific property,

- (a) a copy of the notice of hearing must be sent at least 14 days before the hearing to the owner of the affected property, and every owner of property located within 100 metres of the affected property; or
- (b) where the affected property is not remote or inaccessible, a copy of the notice of hearing must be posted on the affected property in accordance with section 170.

Reasons to be provided

174(1) A regional planning board, a board, a council, a planning commission or a designated employee or officer must ensure that written reasons accompany the following decisions:

- (a) a decision to resolve not to adopt a development plan by-law, secondary plan by-law or a zoning by-law, including a decision not to adopt an amendment to any of them, on application made by an owner of the affected property;
- (b) a decision to reject an application for a conditional use;
- (c) a decision to reject an application for subdivision approval.

**Appendix “B”:
Sample Municipal Council Development Plan Amendment Letter (On Municipal Letterhead)**

Date: _____

Dear Sir/Madam,

Notice of Second Reading - Oakland-Wawanesa Municipality Bylaw No. 21-2021

Please be advised the Municipality of Oakland-Wawanesa held a Public Hearing on _____, 2022 regarding proposed bylaw 21-2021. This bylaw is proposed to amend development plan bylaw no. 04-2018, as amended.

The intent of this amendment is to re-designate an area of land in the Municipality of Oakland-Wawanesa generally described as lying half a mile north of P.T.H. No. 2 and lying immediately east of P.T.H. No. 10 more particularly described as being Pt. NW ¼ Sec. 2-8-19WPM of from “AGRICULTURAL GENERAL AREA” to “RURAL RESIDENTIAL AREA”.

At the above referenced public hearing, council received representations regarding the content of the proposed amendment from members of the public and government departments.

A copy of proposed Municipality of Oakland-Wawanesa Bylaw No. 21-2021 in a form reflecting second reading is available for inspection in the Oakland-Wawanesa Municipal Office located at 54 Main Street, Box 28 Nesbitt, Manitoba R0K 1P0. Copies of the proposed bylaw or extracts may be requested from the municipal office.

Please be advised that in accordance with section 48 (c) of *The Planning Act* any person who made a representation at the public hearing held on _____, 2022 may file an objection with the Minister of Municipal Relations. This objection must include a reason for objection, and must be filed within 14 days of the bylaw's second reading. In this case objections must be filed with the Minister by _____, 2022.

Please send all objections to the Minister of Municipal Relations care of:

Brandon Community Planning
2010 Currie Blvd.
Brandon, MB R7B4E7
BrandonCRP@gov.mb.ca

Thank you for your cooperation.

Sincerely,

*Joni Swidnicki
Chief Administrative Officer
Municipality of Oakland-Wawanesa
Phone (204) 824-2666
E-Mail: CAO@Oakland-wawanesa.ca*

**UNDER THE AUTHORITY OF THE PLANNING ACT
NOTICE OF PUBLIC HEARING**

On the date and at the time and location shown below, a **PUBLIC HEARING** will be held to receive representations from any persons who wish to make them in respect to the following matter:

OAKLAND-WAWANESA MUNICIPALITY BY-LAW NO. 21-2021
being an **AMENDMENT** to the
Municipality of Oakland-Wawanesa Municipal Development Plan By-law No. 04-2018,
as amended.

**HEARING
LOCATION:** Nesbitt Community Hall
39 Chesley Street
Nesbitt, Manitoba
ROK 1P0

DATE & TIME: _____, 2022 at _____ A.M./ P.M.

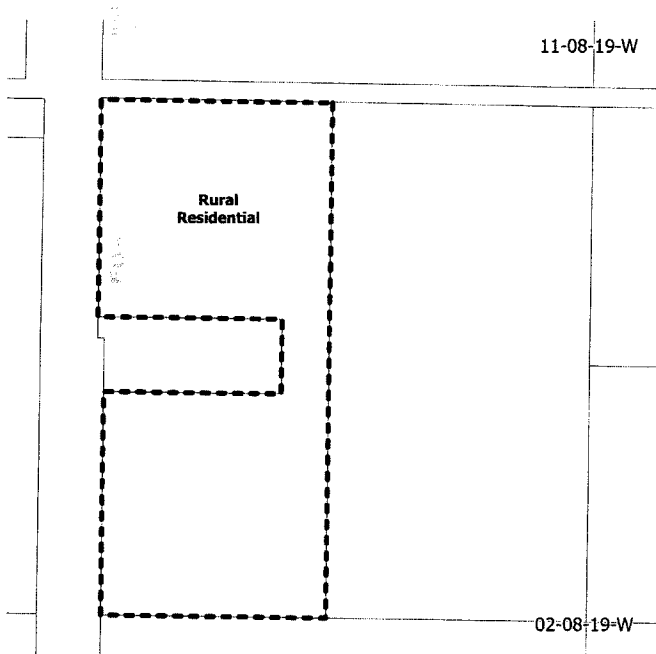
**GENERAL
INTENT OF
BYLAW No.
21-2021:** To re-designate an area of land in the Municipality of Oakland-
Wawanesa.

FROM: AGRICULTURE GENERAL AREA

TO: RURAL RESIDENTIAL AREA

**AREA
AFFECTED BY
BY-LAW No.
21-2021:**

An area of land generally described as lying half a mile north of P.T.H. No. 2 and lying immediately east of P.T.H. No. 10 more particularly described as being Pt. NW ¼ Sec. 2-8-19WPM in the Municipality of Oakland-Wawanesa as shown outlined in a heavy broken line on the map attached hereto and marked as Schedule "A" of this bylaw.



**FOR
INFORMATION
CONTACT:** Joni Swidnicki, Chief Administrative Officer
Oakland-Wawanesa Municipality
54 Main Street
P.O. Box 28
Nesbitt, Manitoba ROK 1P0
Office: Phone (204) 824-2666

A copy of the above proposal and supporting material may be inspected at the location noted above during normal office hours, Monday to Friday. Copies may be made and extracts taken therefrom, upon request.