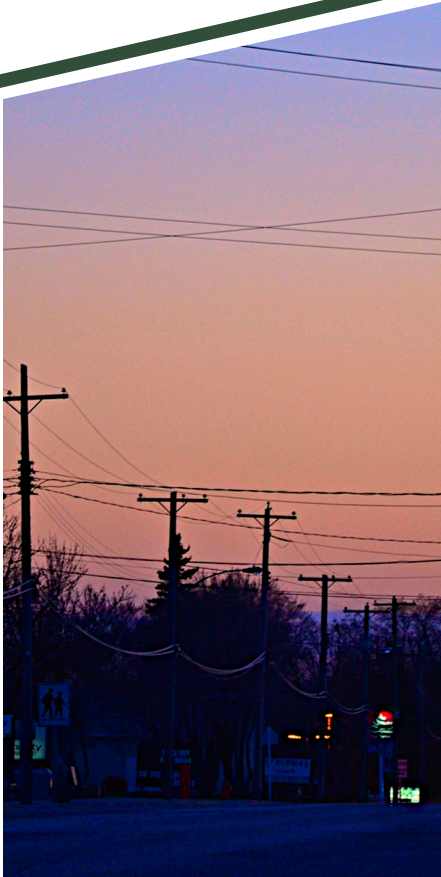


# RM OF HANOVER DEVELOPMENT PLAN

Schedule “A” to By-law No. 2417-18

October 2018





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# RM OF HANOVER DEVELOPMENT PLAN

October 2018

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# 1. INTRODUCTION

Part 1 provides important background information about the *RM of Hanover Development Plan*.

## 1.1 PURPOSE AND INTENT

A Development Plan is a statutory planning tool used by the public, the development community, Council, and the Provincial government. It defines an overarching vision for how, where, and when development should occur within a community. A Development Plan sets goals, objectives and policies to achieve this vision, and is the cornerstone from which planning and development decisions are made. The purpose of a Development Plan is to guide decision making respecting development, land use, conservation, essential services and infrastructure provision, and environmental stewardship.

The Rural Municipality of Hanover Development Plan (the Development Plan) contains policies on land use, transportation, recreation, economic activity, and the environment as they relate to growth and development. As the strategic planning document for the Municipality, this Development Plan provides clear direction to manage growth and development in a sustainable manner, while honouring Hanover's unique identity and history.

## 1.2 ENABLING LEGISLATION AND REGULATION

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 a municipality or planning district. All development plans adopted in Manitoba must also be generally consistent with the *Provincial Planning Regulation*, specifically the *Provincial Land Use Policies* (PLUP's) contained within the Regulation. Both *The Planning Act* and the *Provincial Planning Regulation* are briefly detailed in turn, as follows:

### 1.2.1 The Planning Act

This 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. direct sustainable land use and development in the planning district or municipality through maps and statements of objectives;
- c. set out measures for implementing the plan; and
- d. include such other matters as the Minister or Council considers advisable.

### 1.2.2 Provincial Planning Regulation

*The Provincial Planning Regulation* provides guidance concerning how land use planning and development should occur in Manitoba, and what a development plan should contain. This Development Plan is generally consistent with the PLUP's while being sensitive to the unique planning context of the RM of Hanover. Once approved and adopted, this Development Plan replaces the PLUP's.

## 1.3 CONTEXT

This Development Plan recognizes the distinct context of the Rural Municipality of Hanover and the overarching vision, goals, and policy direction provided herein are cultivated from an understanding of Hanover's unique traits. The context described in the following paragraphs was shaped by obtaining input from a variety of stakeholders including Hanover's administration, Council, residents and stakeholders, the Hanover School Division, and Provincial agencies and departments. The Plan was directly informed by the *RM of Hanover: State of the Region Background Study* which reviewed demographics, servicing levels and capacities, municipal finance, existing policy documents, building statistics, and land use mapping. It was also shaped by a *Strategic Planning Framework* which outlined a variety of goals and objectives to guide and shape this Development Plan.

### 1.3.1 Heritage and Historical Context

The RM of Hanover has a storied past including a long history of Indigenous peoples which pre-dates surveys, settlement, and cultivation. Hanover lies within the traditional lands of the Anishinabe and is located within Treaty One territory. The lands comprising the RM of Hanover were first settled by Europeans in 1873 when it was set aside as a Mennonite reserve known as the East Reserve. In 1881, the Municipality of Hanover was created with the division of the East Reserve into two municipalities, Hanover in the south and Hespeler in the north. The two municipalities were merged in 1890 to create the rural municipality as it is known today.

Hanover is home to 55 historic sites, including cemeteries, monuments, churches, barns, and schoolhouses. Inventories of these sites are maintained by the Canadian Register of Historic Places, the Manitoba Historic Resources Branch, and the Manitoba Historical Society.

### 1.3.2 Regional Context

The RM of Hanover is located in southeast Manitoba and is part of Canada Census Division 2. Approximately 20 km southeast of the City of Winnipeg, Hanover covers an area of 8 townships and is bordered by the Town of Niverville, City of Steinbach, and six rural municipalities including the Rural Municipality's of Taché, Ste. Anne, La Broquerie, Stuartburn, De Salaberry, and Ritchot. As there are limited commercial services available within Hanover, the City of Steinbach serves as the primary service centre, providing a range of educational, social, commercial, and health services.

### 1.3.3 Environmental Context

The RM of Hanover can be categorized into two physiographic subsections: the level to very gently sloping landscape in the Red River Valley located in the north/northwest portion of the municipality, and the gently sloping and ridged terrain in the South Eastern Plain located in the south/southeast portion. The topography slopes less than 2% from an elevation of 290 metres above sea level in the southeast corner to 232 metres in the northwest. This flat topography coupled with Red River Valley soil types that are generally impermeable creates conditions that require appropriate management practices to counter water accumulation and runoff, contamination of water resources, especially in the coarse, gravelly soils found in the southern portion of Hanover, and the risk of soil erosion.

One of the most significant challenges facing the RM of Hanover in the future may be the threat of climate change, and the need to mitigate and adapt to potential change. Extreme weather events and difficulty growing certain crops pose an immediate threat to the Municipality's agricultural base. Furthermore, the relationship between warmer climates, extreme weather and flooding events may have a distinct impact. While sparsely populated, the northwestern edge of the Municipality falls within the Red River Valley Designated Flood Area. This Development

Plan includes measures to address climate change through mitigation and adaptation to ensure the long-term resiliency of the agricultural sector. The RM of Hanover joined the Federation of Canadian Municipalities Partners for Climate Protection Program in 2014, and is committed to reducing overall greenhouse gas emissions with the municipality.

#### **1.3.4 Land Use and Planning Context**

Land use in the RM of Hanover is primarily agricultural. 95.8% of land cover is designated as Agriculture 1 (42.4%) and Agriculture 2 (53.4%), both of which are generally limited to agricultural uses, including livestock operations. Residential land use policy designations include Rural Residential (2.4%), Urban Residential (0.9%), and Future Urban Residential (0.3%). Commercial, Industrial, Future Industrial, and Parks and Recreation are each approximately 0.1% of the land area.

The RM of Hanover has historically been a rural farming community with a diverse agricultural sector, including a healthy array of livestock and apiary operations. However, while agriculture continues to play a major role in the economy and identity of the municipality, Hanover has experienced rapid population growth in recent decades, especially within the five urban centres that include Blumenort, Grunthal, Mitchell, Kleefeld, and New Bothwell. The five urban centres are expected to accommodate much of the new growth in the Municipality. The effective management of Hanover's growth will be key to maintaining the community's rural character and protecting the agricultural integrity of the municipality, while offering complete communities and economic opportunity for current and future residents.

#### **1.3.5 Demographic Context**

The RM of Hanover has had a stable median age of 27 years for the past two decades which is significantly lower than the surrounding region's average of 34.8 years and the Provincial average of 38.4 years. Hanover is experiencing robust population growth, averaging an annual growth rate of approximately 2.3% over the past twenty years.

The RM of Hanover's population in 2016 is approximately 15,700 people based on Canada Census data. Population projections were presented in the *RM of Hanover State of the Region Report*, where with applying a growth rate of 3.4% per annum, the Municipality would have a total population of approximately 33,000 people in 2036.

Additionally, growth rates were projected over a 20+ year horizon for each urban centre. The results show that over the next twenty years Mitchell is likely to remain the largest urban centre in Hanover, reaching a population of approximately 9,000 in 20 years, followed by Grunthal at 6,500, and Blumenort at 6,000. The slower growth centres of Kleefeld and New Bothwell are projected to reach just over 2,000 and 1,500 people respectively. Residential demand varies from a total of 1,100 units under the Provincial average growth scenario, to 6,636 units under the high growth scenario.

#### **1.3.6 Economic Context**

The agricultural sector, particularly livestock operations and related industries, are the dominant economic driver and major employment sector within the RM of Hanover. The Municipality's proximity to the City of Steinbach, another high-growth area and major commercial centre in the region, is likely to provide development pressure in those areas closest to Steinbach, specifically in and around the urban centres of Blumenort and Mitchell. As such, this Plan provides objectives and policies to protect and preserve the long-term viability of the agricultural sector. If Hanover is to position itself to attract business and industry, providing a variety of housing types and tenure options to appeal to a broad spectrum of lifecycle stages and lifestyles will be required. This Plan sets forth the appropriate

provisions to not only to provide housing to an aging population, but will also ensure adequate housing options for young adults and families looking to locate in the Municipality for employment opportunities are provided.

### **1.3.7 Agricultural Context**

According to Canada Land Inventory (CLI) analysis, 72% of the land area in the RM of Hanover is prime agricultural land (CLI Class 1, 2, and 3), although very little of the Municipality is considered Class 1. The majority of prime agricultural land is in the northern portion of the municipality. The largest concentration of lower quality soils (CLI Class 4, 5, and 6) is found throughout the central and southern portions. No land in the municipality has been classified as Class 7 agricultural land.

This Development Plan recognizes Hanover's rich agricultural heritage and the investments by private land owners in livestock operations, while working to achieve a balanced phosphorus budget, and encouraging sustainable agricultural practices. The location of existing livestock operations were discussed in the *RM of Hanover State of the Region Background Study*. They will be considered when examining the potential re-designation of certain lands within Hanover. This Development Plan ensures compliance with the provisions for livestock set forth in *Provincial Planning Regulation 81/2011*.

### **1.3.8 Services and Infrastructure Context**

The larger urban centres of Steinbach and Niverville are located adjacent to the RM of Hanover, offering a wider range of health, commercial, and social services not currently provided within the Municipality. Educational, limited emergency, social, and commercial services are present in the Municipality, and will continue to evolve to meet the needs of a growing population. Hanover also provides a variety of recreational opportunities and infrastructure, allowing residents all-season recreation options.

The RM of Hanover's transportation infrastructure plays an important role in connecting to markets outside of the Municipality. Major routes fall under the classification of Provincial Trunk Highways (PTH) and Provincial Roads (PR). The municipality is served by three Provincial Trunk Highways: PTH 12, PTH 52, and PTH 59 and the seven Provincial Roads listed in the following paragraph.

Hanover is within the Steinbach commuter shed, and PTH 12 and PTH 52 are the main corridors that connect Blumenort and Mitchell with Steinbach, respectively. PTH 59 is the closest direct connection to the US border. North of the Municipality, towards Winnipeg, PTH 59 becomes a four-lane divided expressway and Manitoba Infrastructure (MI) has indicated that they intend to expand more of the highway to this same configuration in order to handle increasing traffic volumes and improve the shipment of goods. Provincial Roads within the Municipality include PR 205, 216, 305, 311, 303 (gravel, but paved through Friedensfeld), and 403. In addition, the municipality has several trails and pathways for active transportation.

As supported by an *Access Management and Transportation Plan* for PTH 12 and PTH 52 completed in 2014, Manitoba Infrastructure has stated their desire to reduce the number of intersections and access points along PTH 52 through Mitchell. This is likely to reduce the viability of PTH 52 as Mitchell's commercial main street, and will require the identification of another corridor to serve as a potential future commercial hub for the fast-growing centre.

The RM of *Hanover Recreation Master Plan 2013* shall be used to guide the development of active transportation amenities. New trails, paths and pedestrian routes should be developed in accordance with the goals and strategies of the Plan to ensure they are well connected and integrated into the Municipality's urban and rural fabric wherever possible.



A map of the road hierarchy and transport networks in the RM of Hanover is included as Reference Map 9 in Appendix A.

The RM of Hanover's five urban centres are serviced as follows:

**Mitchell** is serviced with a low-pressure sewer system and potable water that is obtained from shared private wells.

**Blumenort** is serviced with potable water via a water treatment plant and water distribution network, and a combination of low pressure and gravity wastewater sewer system.

**Grunthal** is serviced with potable water via a water treatment plant and water distribution network, and a gravity wastewater sewer system.

**Kleefeld** is serviced with a potable water via a water treatment plant and water distribution network, as well as a low-pressure sewer system.

**New Bothwell** is serviced with a low-pressure sewer system and potable water that is obtained from shared private wells.

As part of the Development Plan review process, the RM of Hanover has undertaken studies that detail how future planned development relate to existing municipal services.

## **1.4 VISION AND PLANNING GOALS**

The following Vision and Planning Goals will guide planning and development in the RM of Hanover:

### **1.4.1 Vision**

*The RM of Hanover is Manitoba's premier agricultural community, and quite literally the land of milk and honey. Its farming traditions and rich rural heritage are key to its identity, and continue to shape its future. Recognizing this identity, Hanover shall strive to protect agricultural lands while supporting growth in its urban centres, which will grow as connected, healthy, active, and complete communities, offering a full range of housing options and services to accommodate the lifecycle of all residents.*

### **1.4.2 Planning Goals**

The following goals were identified during the Development Plan Review process, and inform objectives and policies contained within this Development Plan.

#### ***Goal 1: To create complete and compact communities***

Creating complete communities and managing land use are two key means of protecting environmental quality and preserving agricultural practices. Encouraging new residents and businesses to locate in the urban centres of Blumenort, Grunthal, Mitchell, Kleefeld, and New Bothwell achieves these goals. Supporting existing urban centres means residents will have improved access to services and facilities, travel distances will be reduced, and connections between where residents live, work, shop, and play will be improved.

#### ***Goal 2: To provide age-friendly communities***

Creating age-friendly communities involves respecting, supporting, and planning for residents of all ages and

abilities. Ensuring communities are accessible, safe, and equitable, as well as providing housing that suits a broad range of lifecycle stages are important planning directions considered by this Development Plan. Community design is directly related to age-friendliness as it can allow children safe routes to school, senior citizens who no longer drive safe routes to amenities, and people of all ages opportunities for active lifestyles and recreation.

***Goal 3: To protect agricultural land uses and promote sustainable agricultural practices***

Agriculture is a cornerstone of Hanover's economy, contributing to its quality of life, economic resilience, and sense of place. The vast majority of Hanover's land area is devoted to agricultural uses, including cropping and forage lands. Hanover is also a major contributor to Manitoba's apiary, hog, beef cow, dairy, and chicken production. Furthermore, Hanover is home to value-added food production including reputable producers of seeds, honey, meat, and cheese products.

Agricultural heritage, productive soils, and agricultural enterprises have shaped Hanover into what it is today, and will continue to shape its future. To protect agricultural assets, promoting and planning for sustainable agriculture is essential. Due to the important role that livestock production plays in Hanover's economy, sustainable livestock development and practices, and managing phosphorus balance, are essential components of this Development Plan's sustainable approach to agriculture.

***Goal 4: To manage rural residential development***

Hanover's significant population growth has demonstrated that dispersed rural residential development serviced by wells and private wastewater services may not be sustainable over the long-term without a transition strategy that provides for the incorporation of municipal services. Furthermore, such development patterns may impact existing livestock operations through mandatory separation distances and contribute to potential conflict between residents and agricultural land users. These considerations are paramount in a municipality with significant livestock operations and population growth. This Development Plan contains policies promoting a more compact growth model, effective in addressing the issues associated with rural residential sustainability, while continuing to provide a choice and variety of housing options within the RM of Hanover.

***Goal 5: To plan collaboratively between municipal boundaries***

The RM of Hanover and adjacent municipalities have seen substantial population growth in recent decades. Hanover is unique in that its borders partially surround neighbouring urban municipalities on both the east (City of Steinbach) and west (Town of Niverville). Both the Town of Niverville and the City of Steinbach have recently completed annexations, which are reflected in this Development Plan's Policy Maps. Within this context, collaborative planning is of the utmost importance for the RM of Hanover and its neighbouring municipalities. Opportunities may also exist to share or co-fund certain municipal servicing infrastructure or services.

***Goal 6: To plan for active and connected communities***

Communities offering a variety of parks, recreation, and natural areas provide residents many social, ecological, and economic benefits. Parks and recreation opportunities are a cornerstone of complete communities and community design can be a tool to increase walkability, by ensuring that essential destinations are centrally located and accessible.

Connectivity within and between communities is vital. Walking and cycling benefit public health, reduce GHG emissions, and create more livable neighborhoods. From economic, environmental, community, and public health perspectives, the development pattern of the RM of Hanover should allow for safe and convenient walking and cycling opportunities for residents and visitors. A good trail system that is protected from major roadways and links neighborhoods within urban centres and rural areas can also serve as a recreational or tourism resource and a commuter route.

The Provincial highway system should be protected from incompatible development and any corresponding proliferation of highway access points. The municipal road network should be provisioned and maintained in a sustainable manner and provide accessibility within and between Hanover's urban centres for a variety of modes.

***Goal 7: To plan for a robust and diverse economy***

Economic growth is dependent on several factors including investment in the regional transportation system, municipal infrastructure, and a nurturing business climate where land is accessible and affordably priced for a variety of enterprises. Economic development goes hand in hand with availability of services, vibrant residential and commercial sectors, recreational opportunities, and environmental protection. Census data reveals that many residents live in Hanover, but work in adjacent municipalities. By looking at planning issues from a regional perspective, this Development Plan promotes the RM of Hanover's location, agricultural food production, and competitive advantages for economic success and diversification.

***Goal 8: To plan for sustainable natural resource development***

Natural and mineral resource development maximizes the economic potential of land in the RM of Hanover, provides job opportunities, and adds to overall economic diversity and stability. In Hanover, natural resource development opportunities are typically limited to extraction of sand, stone, and gravel from aggregate deposits. The Municipality has a large number of established aggregate extraction operations, as well as broad areas of undeveloped aggregate deposits.

This Development Plan promotes sustainable natural and mineral resource development, with the goal of minimizing potential conflicts with adjacent land users, enabling environmentally safe extraction and remediation practices, and ensuring depleted parcels are left in a state that is favorable for new development and uses. Ensuring that natural resources are fully extracted before non-resource related development occurs will provide the maximum economic benefit to the Municipality and its residents.

## **1.5 DEVELOPMENT PLAN STRUCTURE**

This Development Plan is comprised of seven inter-related parts. Each Part provides information and direction with regards to land use decisions in the Municipality. A description of the parts contained within this Development Plan is as follows:

**Part 1: Introduction**

Part 1 provides an overview of the RM of Hanover, discusses background information, planning context, sets goals, and provides a vision for how development should occur.

**Part 2: General Policies**

Part 2 contains general policies that apply to all designated land use policy areas as identified in Parts 3 and 4 of this Development Plan.

**Part 3: Rural Policy Areas**

Part 3 provides objectives and policies to guide land use and development within the rural areas of the Municipality including: ***Agriculture 1 Policy Areas***, ***Agriculture 2 Policy Areas***, and ***Rural Residential Policy Areas***. Objectives and policies contained within this Part are supported by the land use maps found in Part 6.

**Part 4: Urban Policy Areas**

Part 4 provides objectives and policies to guide land use and development within Hanover's urban communities. The ***Urban Policy Areas*** contained within this Part include ***Residential Policy Areas***, ***Commercial Policy Areas***, ***Industrial Policy Areas***, and ***Parks and Recreation Policy Areas***. Objectives and policies contained within this Part are supported by the land use maps found in Part 6.

**Part 5: Implementation**

Part 5 provides an overview of the available tools used to implement this Development Plan. Certain situations may warrant flexibility in the application of the policies contained herein. Where there is a development that does not currently comply with the long-range policies reflected in the land use concepts, these areas may still be zoned in the RM of Hanover Zoning By-law according to their present use in order to avoid the creation of non-conforming uses, provided that the overall intent of the plan is maintained.

**Part 6: Land Use Maps**

Part 6 contains land use policy maps that denote the location of designated land use policy areas as identified in Parts 3 and 4 of this Development Plan. Part 6 also contains all related reference maps.

## 1.6 HOW TO USE THE DEVELOPMENT PLAN

The RM of Hanover Development Plan provides a roadmap to guide future decisions made by Council. The Development Plan contains objectives, which are intended to inform and provide context for the policy statements. The Development Plan also contains policy and reference maps. The policy maps contained in Part 6 spatially illustrate the policy areas affected by policy statements. The reference maps also contained in Part 6 provide conceptual layouts for land use, transportation corridors, and key infrastructure improvements. A reference map's concepts are for illustrative purposes only and are provided to inform future development decisions based upon the policies within this Development Plan.

The following is a general guide intended to assist the reader in navigating this Development Plan in relation to a proposed development, a proposal, or particular issue:

**Step 1**

Review the Land Use Maps in Part 6 to determine how the subject land is designated;

**Step 2**

Review the policies in Parts 3 and 4 in relation to the subject land's current and proposed designation;

**Step 3**

Review the general policies in Part 2;

**Step 4**

Review the Reference Maps in Part 6 to determine potential future infrastructure improvements on the subject land; and

**Step 5**

Evaluate the proposal based upon all the policies in the Development Plan and make an assessment as to whether a given project or proposal conforms to the intent, objectives, and policies herein.

## 2. GENERAL POLICIES

This Part defines the overarching objectives and policies respecting all land use and development within the RM of Hanover. In addition to the policy provisions contained in Parts 3, 4 and 5 that are applied to specific land use areas, the objectives and policies contained herein should be reviewed with respect to all proposed development.

### 2.1 SUSTAINABLE, LIVEABLE, AGE-FRIENDLY COMMUNITIES



#### 2.1.1 OBJECTIVES

- 2.1.1.1 To consider and encourage the three pillars of sustainable development (Economic, Environmental, Social) within the context of land use and development.
- 2.1.1.2 To proactively address potential threats of climate change through sustainable building construction, development, and planning practices.
- 2.1.1.3 To ensure communities are livable, universally accessible, and developed in a manner which facilitates healthy lifestyles and caters to all members of the community, regardless of age or ability.
- 2.1.1.4 To provide safe and accessible roadways, sidewalks, and pathways that are well-kept, with quality urban design and signage that is understandable and promotes easy way-finding.
- 2.1.1.5 To promote and maintain an attractive and well-designed appearance in the Municipality, especially within the **Urban Policy Areas**.

#### 2.1.2 POLICIES

The following policies support sustainable, liveable, age-friendly communities in the RM of Hanover:

##### Sustainable Buildings and Land Use

- 2.1.2.1 The use of low-flush toilets, and energy efficient appliances will be encouraged for all new buildings and retrofits to existing structures to conserve water and energy.
- 2.1.2.2 Building and site configurations are encouraged to take advantage of passive solar orientation.
- 2.1.2.3 A compact and integrated development pattern that makes provision for a variety of active transportation options will be encouraged for all new development to reduce transportation energy use.
- 2.1.2.4 Proposed land use(s) will be developed in a manner that will eliminate or minimize conflicts with adjacent land uses.
- 2.1.2.5 Urban-like land uses shall be directed to **Urban Policy Areas** and all proposed land uses shall be directed to the most appropriate designated Policy Areas.

- 2.1.2.6 Consideration should be given to the current and projected demand for proposed developments.
- 2.1.2.7 Subdivisions shall not be permitted unless they conform to the general intent of this Development Plan and the *Planning Act*.
- 2.1.2.8 Proposed land uses should be located on sites in which the land is physically suited for the purpose intended, particularly that the soil and drainage conditions are suited for the proposed development.

#### **Age-Friendly Development**

- 2.1.2.9 Universal design measures for all development shall be encouraged in the public and private realms.
- 2.1.2.10 Compact, connected communities shall be encouraged in order to offer active mobility options for all residents, regardless of age or ability.
- 2.1.2.11 A variety of housing types, including multi-family, shall be encouraged to provide options for all residents, regardless of lifestyle or lifecycle.

#### **Urban Design and Community Improvements**

- 2.1.2.12 Council may impose design requirements and/or consult design professionals to recommend design requirements for major development proposals, such as multi-lot subdivisions, multi-family, commercial, industrial, institutional, or recreation facility developments. Design considerations may include:
  - a. Building siting;
  - b. Exterior finishing materials;
  - c. Landscaping, fencing, screening, and buffering;
  - d. Proposed development's relationship with neighbouring properties;
  - e. Preservation of existing natural features;
  - f. Visibility of public utilities or mechanical and electrical equipment;
  - g. Accessibility of site and buildings; and
  - h. Other matters considered pertinent by Council.
- 2.1.2.13 Council may use development agreements as a tool to implement community improvements and amenities.



## 2.2 UTILITIES



### 2.2.1 OBJECTIVES

- 2.2.1.1 To work collaboratively with utility companies on all land development issues to ensure the sustainable provision of services within the Municipality.
- 2.2.1.2 To protect local and regional investments in infrastructure and utilities.

### 2.2.2 POLICIES

The following policies shall guide development with respect to utilities and provision of related services within the Municipality:

- 2.2.2.1 Essential activities of government, public and private utilities will be permitted in any land use designation subject to requirements of the Zoning By-law. Such uses should be located and developed in a manner that will minimize any incompatibility with neighbouring land uses.
- 2.2.2.2 The Municipality shall work closely with utility companies in planning compatible land uses along existing and proposed utility corridors. Developments will be approved on the basis of maximizing the utilization of existing utility systems and distribution networks.
- 2.2.2.3 Existing public and private utilities should be protected from incompatible or potentially incompatible land uses that may threaten or adversely affect their operation.

## 2.3 HAZARDOUS USES AND INCOMPATIBLE LAND USE



### 2.3.1 OBJECTIVE

To reduce and prevent adverse and nuisance impacts of incompatible and hazardous land uses and development.

### 2.3.2 POLICIES

Hazardous uses refer to facilities or developments, exclusive of railways and highways, which manufacture, handle, store or distribute hazardous materials. The following policies shall guide hazardous uses in the Municipality.

- 2.3.2.1 New hazardous use facilities are generally not encouraged within the Municipality. Any contemplated hazardous use should be located outside of the **Urban Policy Areas** and separated from incompatible uses such as lands or buildings used primarily for human occupation.

- 2.3.2.2 Hazardous uses should not be located closer to dwellings than mandated in Municipal by-laws, and Provincial and Federal regulations.
- 2.3.2.3 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.
- 2.3.2.4 In order to minimize exposure to the undesirable effects of wastewater stabilization ponds and solid waste disposal sites, development in the vicinity of these facilities will be limited to agricultural, industrial, and specific open space or recreational uses that would not be adversely affected by these facilities. Minimum setbacks from wastewater stabilization ponds and solid waste disposal sites will be established by Provincial regulation.

## **2.4 RECREATION, NATURAL AREAS, AND ENVIRONMENTAL CONSERVATION**



### **2.4.1 OBJECTIVES**

- 2.4.1.1 To encourage the protection of a wide variety of recreational and scenic resources.
- 2.4.1.2 To protect natural areas and habitats from incompatible or potentially incompatible uses including rare or endangered flora and fauna that have received designation and protection under the Manitoba *Endangered Species Act* or the Federal *Species at Risk Act*.
- 2.4.1.3 To recognize, protect, and ensure the sustainability of parks and open spaces, wildlife protection zones, and protected areas.
- 2.4.1.4 To minimize the impacts of development upon aquatic ecosystems, wetland environments, and riparian areas.
- 2.4.1.5 Provide recreation opportunities in Hanover's urban centres and rural areas.

### **2.4.2 POLICIES**

The following policies shall guide development with respect to recreation and natural areas within the Municipality.

#### **Recreation and Natural Areas**

- 2.4.2.1 Lands with high potential for recreation and interesting and/or rare natural features should be protected for recreation and related uses.
- 2.4.2.2 Public access to recreation and natural areas shall be encouraged to foster appreciation for and enjoyment of nature, however such access shall not lead to levels of activity that will exceed the capability of the area to sustain the ecosystem and recreation integrity.

- 2.4.2.3 The Province may identify areas that are representative of major natural regions and may protect them from land uses that would negatively affect their ecological integrity. Natural areas and habitats shall be protected from incompatible or potentially incompatible uses where:
- Rare or endangered flora and fauna have received Provincial designation and protection under the Manitoba *Endangered Species Act* or the Federal *Species at Risk Act*;
  - Lands have received Provincial designation and protection under the Protected Area Initiative;
  - Lands have been identified as Wildlife Management Areas or Provincial Parks; or
  - Private lands have been voluntarily protected by landowners under *The Conservation Agreements Act*.
- 2.4.2.4 Developments that would drain or fill any significant wetland or marshland area shall be prohibited, unless appropriate remedial measures have been or will be taken that are acceptable to the Province to sufficiently mitigate environmental risks to flora or fauna.
- 2.4.2.5 Both the Development Plan and the Zoning By-law maps will identify land designated by order-in-council and/or regulation by the Province.
- 2.4.2.6 The retention of tree cover shall be encouraged on unused road allowances, other Municipal lands, lands along watercourses, and land having low agriculture capability as a means to control erosion and wind damage and protect significant wildlife and aquatic habitat areas. Tree cover and wildlife shall also be protected by clustering developments separated by treed open space, and retaining natural drainage ravines to act as corridors for wildlife.
- 2.4.2.7 Council shall encourage private landowners to seek advice from an applicable Provincial authority with respect to habitat removal and wildlife depredation and will support educational programs undertaken by the applicable Provincial authority.
- 2.4.2.8 Appropriate and compatible zoning will be applied to all lands that are adjacent to, or border, designated Crown Lands in an effort to reduce or eliminate land use conflicts.
- 2.4.2.9 Development may be prohibited in areas that have received designation or protection under the Manitoba *Endangered Species Act* or the Federal *Species at Risk Act*. If development is permitted, it shall be in accordance with the terms and conditions established by the applicable Provincial authority.
- 2.4.2.10 Where privately initiated habitat conservation land leases or land transfers are proposed, the applicable Provincial authority will be encouraged to consult with the Municipality affected prior to approving the designation of a private habitat conservation area.
- 2.4.2.11 Development of recreation uses such as trails and other outdoor non-intensive uses shall be limited to a level of intensity that permits the sustainable use of the recreational resource.
- 2.4.2.12 Proposed recreational development shall be planned to be compatible with the natural environment, resource-related uses and other adjacent uses.
- 2.4.2.13 Existing outdoor recreational uses and areas should be protected from incompatible uses which could threaten their viability and/or operation.

- 2.4.2.14 Intensive recreation developments such as cottage or resort developments shall be directed to areas appropriately designated for these uses such as the ***Rural Residential Policy Areas***.
- 2.4.2.15 Indoor recreation uses shall generally be encouraged to locate in the ***Urban Policy Areas***, and should be zoned appropriately in the Zoning By-law.
- 2.4.2.16 Council will support and encourage inter-municipal co-operation in the application of measures to protect the natural environmental resources within the region.

#### **Public Reserves and Recreation Areas**

- 2.4.2.17 Council could require a public reserve(s) be added to subdivisions in order to provide active and passive recreation areas for residents and/or preserve natural and riparian areas.
- 2.4.2.18 Council shall encourage a high standard of appearance and maintenance for all new and existing parks, public spaces, and recreation areas. Parks and recreation areas should be designed to support active transportation and universal accessibility, and incorporated into community-wide networks wherever possible.
- 2.4.2.19 Where parks and recreational development is proposed, Council may request a concept plan, traffic impact study, active transportation network plan, building design, information, or any other information deemed necessary to ensure a high-quality development.

## **2.5 HAZARD LANDS, FLOODING AND EROSION**



### **2.5.1 OBJECTIVES**

- 2.5.1.1 To protect the riparian areas adjacent to natural waterways and water bodies within the Municipality.
- 2.5.1.2 To ensure development does not occur in hazard areas. Development may occur in areas where the hazard can be protected against when adequate mitigation measures are taken to reduce negative impacts or increase the capability of the land to support the proposed development.

### **2.5.2 POLICIES**

The following policies shall guide development with respect to waterways, water bodies, and hazard lands within the Municipality:

- 2.5.2.1 Hazard lands include areas subject to flooding, water erosion, bank instability, landslides or subsidence. More specific criteria defining hazard lands include:
- lands subject to flooding, including all lands which would be flooded by the 200-year flood and lands that are subject to periodic local flooding;

- b. all lands which would, within a 50-year period be subject to erosion, be eroded or become unstable due to the action of water contained in an adjacent waterway or water body; and
  - c. lands subject to other hazards such as landslides or subsidence including those lands where actual effects of such hazards have occurred or have been predicted.
- 2.5.2.2 Land subject to flooding, erosion or bank stability shall generally be left in its natural state or only developed for low intensity uses. At the discretion of Council, some developments may be permitted.
- 2.5.2.3 Development permitted on, or near, hazard lands shall:
  - a. Minimize property damage, public expenditures, and dangers to public health and safety;
  - b. All structures and services shall be protected against damage and shall be functional under hazardous conditions;
  - c. Prevent acceleration or promotion of environmental damage; and
  - d. Be required to build above the 200 year flood elevation or such other elevation as established by the applicable Provincial authority.
- 2.5.2.4 Notwithstanding Policy 2.5.2.6 all lands within the Red River Valley Designated Flood Area are subject to the *Designated Flood Area Regulations* as established by the Province of Manitoba.
- 2.5.2.5 Development proposals on hazard lands will be forwarded to the applicable Provincial authority prior to consideration.
- 2.5.2.6 Development proposals on hazard lands may require the completion of environmental, geotechnical, or hydrological engineering studies to determine if the land has potentially hazardous slopes or could be subject to other hazards, such as flooding. The said studies shall address means to eliminate risks or reduce risks to acceptable standards.

## **2.6 WATERWAYS AND GROUNDWATER**

### **2.6.1 OBJECTIVES**

- 2.6.1.1 To protect surface and groundwater within the Municipality.
- 2.6.1.2 To maintain the natural capacity of waterways and waterbodies to convey flows.
- 2.6.1.3 To preserve and maximize the capability of waterways and waterbodies to be used for a variety of purposes including drinking water, irrigation, and recreation.
- 2.6.1.4 To ensure that developments do not impact fish habitat, aquatic ecosystems, or water quality.



## 2.6.2 POLICIES

The following policies shall guide development with respect to surface and groundwater within the Municipality:

- 2.6.2.1 Developments shall adhere to the *Water Protection Act* and any other pertinent Provincial and Federal policies and regulations and will be encouraged in a manner that ensures waterways, riparian areas, aquatic ecosystems, and groundwater resources are sustained.
- 2.6.2.2 All proposed developments adjacent to waterways which may have an impact on said waterways are subject to the policies of Section 2.6 and will be forwarded to the applicable Provincial or Federal authority for review.
- 2.6.2.3 Buildings shall be set back from all waterways at a distance of at least 10 times the height of the bank above channel grade or 30 metres (100 feet), whichever is greater. A setback of 15 metres (50 feet) applies to all first and second order drains. These limits may be reduced, at the discretion of Council, if an engineering analysis verifies there is no risk.
- 2.6.2.4 Natural vegetation shall be retained or rehabilitated within riparian setbacks, where possible and shoreline alteration (e.g. pathways, docks, and boat houses) should cover less than twenty-five (25) percent of the land area.
- 2.6.2.5 Developments requiring significant water consumption shall only be permitted in areas where they will not cause a reduction in water supply for existing users. If groundwater is to be used as a source of water supply, it shall be done in a sustainable manner and comply with *The Water Rights Act* and *The Groundwater and Water Well Act* and any other applicable Provincial and Federal regulations.
- 2.6.2.6 Wells shall meet all Provincial standards and regulations and be developed in a manner that will not have a detrimental impact on aquifers. Abandoned wells shall be capped and sealed to all Provincial standards and regulations.
- 2.6.2.7 In areas where soils are capable of being irrigated, and where water sources for irrigation may be available, council shall encourage the retention of parcel sizes which can be irrigated most efficiently and economically.
- 2.6.2.8 Development proposals, including irrigation and livestock operations, requiring more than 25,000 litres/day of self-supplied water require a water rights license under the provisions of *The Water Rights Act*. All self-supplied industrial and community well distribution systems also require a water rights license.
- 2.6.2.9 Developments or activities that may cause pollution or negatively impact drinking water sources, groundwater, aquatic life, or aquatic habitats will be directed away from major surface water bodies. Where this is not feasible or practical, such uses or activities may be considered adjacent to major surface water bodies provided:
  - a. It can be proven by adequate engineering or hydro-geological investigation that the proposed activity will not cause pollution of the surface or groundwater supply;
  - b. Appropriate precautionary measures have been taken to sufficiently mitigate the risk of endangering the quality of the water supply for domestic potable water supply purposes; or



- c. Council has referred major developments proposed near waterways and water bodies to applicable Provincial and Federal authorities for review prior to approval.

2.6.2.10 Sources of public drinking water shall be protected by limiting certain uses and activities that could include, but are not limited to, agricultural fertilizer or pesticide application, cattle accessing the area, on-site waste water systems, and industrial and residential development, subject to appropriate Provincial regulation and at the discretion of Council.

2.6.2.11 Adherence to all Provincial regulations developed under the *Environment Act*, the *Water Protection Act*, the *Water Rights Act* and other pertinent documents will be required for proposed developments.

2.6.2.12 Developments that discharge effluent, pollutants or involve nutrient applications, or that have the potential to impact water must obtain all relevant permits and licenses as required by Provincial regulations, policies, and guidelines prior to the commencement of activity.

## **2.7 DRAINAGE**



### **2.7.1 OBJECTIVE**

- 2.7.1.1 To ensure drainage issues are addressed in a coordinated manner with input from government departments and agencies, and adjacent municipalities.
- 2.7.1.2 To protect development and investments from overland flooding.

### **2.7.2 POLICIES**

The following policies shall guide development with respect to drainage in the Municipality:

- 2.7.2.1 The Municipality will adhere to Provincial drainage guidelines and work cooperatively with the applicable Provincial authority and adjacent municipalities to address any regional drainage issues.
- 2.7.2.2 Overall storm drainage plans for undeveloped areas may be required prior to development. Where development may increase storm flows and drainage into the Provincial highway system, the applicable Provincial authority must provide authorization. Costs associated with drainage into a Provincial highway drainage system will be the responsibility of the developer.

## 2.8 TRANSPORTATION



### 2.8.1 OBJECTIVES

- 2.8.1.1 To provide and maintain safe and efficient vehicular transportation routes in the Municipality.
- 2.8.1.2 To encourage vehicular traffic to utilize the most appropriate transportation routes and generally direct large volumes of commercial, industrial, and automobile traffic outside of residential areas.
- 2.8.1.3 To incorporate existing and future access management plans, and other related transportation studies, into future development.
- 2.8.1.4 To protect Provincial and Municipal investments in transportation infrastructure.
- 2.8.1.5 To work cooperatively with the applicable Provincial authority and neighbouring municipalities to ensure Provincial highway infrastructure operates in an efficient manner and is not negatively impacted by development.
- 2.8.1.6 To minimize disruption to future local development and minimize acquisition costs for future transportation improvements.
- 2.8.1.7 To establish a road hierarchy within the Municipality.
- 2.8.1.8 To encourage active transportation as a viable means of travel for utilitarian and recreational means.

### 2.8.2 POLICIES

The following policies shall guide development with respect to roads and vehicular transportation networks within the Municipality:

#### Access

- 2.8.2.1 New development shall have legal access to an all-weather road of sufficient standard and capacity, unless the applicant makes an agreement with Council to upgrade an existing road or develop new road access to an appropriate standard. The applicant may be responsible for part or all the costs of any necessary roadway construction.

#### Road Hierarchy

- 2.8.2.2 The Municipality is comprised of a road system that includes municipal roads and Provincial roads and highways. These roads are illustrated on Reference Map 9, and policies specific to both municipal and Provincial roads are contained below in sub-sections 3 through 11 below respectively. The following road classifications have been assigned, as illustrated in Reference Map 9:

#### Arterial Roads

- a. Arterial roads are designed for large traffic volumes and high speed limits. Provincial Roads (PR's) and Provincial Trunk Highways (PTH's) are considered arterials within the **Urban Policy Areas**. Direct access

to arterials should be via collector roads, and private driveways or access points should be limited, and new private driveways will generally not be allowed.

### **Collector Roads**

b. Collector roads are designed to collect traffic from local roads and distribute this traffic to arterial roads. Access to collector roads should be via local roads and private driveways or access points should be limited.

### **Local Roads**

c. Local roads are designed for low traffic volumes and speed limits. They connect private properties such as those located in the **Urban Policy Areas** with collector roads. Connections between new local roads and arterial roads should be avoided. Local roads represent the majority of municipal roads in the **Urban Policy Areas**.

### **Municipal Roads**

- 2.8.2.3 Municipal roads shall be improved at the discretion of Council and cost-sharing of improvements to unimproved road allowances or upgrading to existing improved roads may be required.
- 2.8.2.4 The location and construction of accesses to Municipal roads shall be subject to the approval of Council or designated employee.
- 2.8.2.5 Applicants for major new developments, as determined by Council and in consultation with its Public Works Department, shall where appropriate and feasible:
- a. Provide their own collector road systems so as not to impose increased traffic on adjoining local streets;
  - b. Design the local road network in accordance with both existing and planned road systems of neighbouring areas. Where neighbouring lands do not have planned road networks, consideration shall be given to interconnectivity for the road network and active transportation routes;
  - c. Locate and construct accesses to municipal roads subject to the approval of Council or the designated employee;
  - d. Provide through-routes that are direct, safe, and pleasant for residents to walk and cycle to neighbours, schools, shops, and related community services;
  - e. Enter into cost-sharing agreements, if necessary, to fund off-site improvements; and
  - f. Prepare transportation concepts, secondary plans, and/or traffic impact studies, as required.
- 2.8.2.6 A setback distance for all buildings, structures, hedges, or similar obstructions adjacent to municipal roads, shall be specified in the Zoning By-Law. Setbacks for buildings and structures and access to Provincial Trunk Highways and Provincial Roads are subject to Provincial jurisdiction and shall be in accordance with the applicable Provincial Act.
- 2.8.2.7 The responsibility for internal roads associated with bare land condominium developments shall be stipulated in the development agreement between the applicant and Council, pursuant to the *Planning Act*.

### **Provincial Roads and Highways**

- 2.8.2.8 Developments may only be permitted to locate adjacent to a Provincial highway (PTH and PR) if the efficiency and safety of the adjoining highway is not jeopardized.
- 2.8.2.9 As part of the development application review process, Provincial studies, including Access Management Plans should be consulted.
- 2.8.2.10 Development near a PR or PTH shall be subject to the following design and siting criteria:
- a. Strip development with direct connections to the highway shall not be permitted;
  - b. Development will not be permitted in areas identified for highway widening or expansion unless provisions suitable to the applicable Provincial authority are made to accommodate said future works;
  - c. Applicant may be responsible for the cost of highway improvements deemed necessary by the applicable Provincial authority to accommodate a proposed development;
  - d. A permit is required from the applicable Provincial authority, or the RM of Hanover for the portion of PR in Grunthal that is under the Municipality's jurisdiction, for any new, modified, or relocated access to all Provincial roads and Provincial highways in the Municipality;
  - e. A permit is required from the applicable Provincial authority for any development within the control lines and control circles of these highways; and
  - f. Where a development is bordered on one side by a major transportation corridor or facility such as a highway or rail line, new development should, be directed to the same side to avoid the need for local traffic to cross the corridor or facility.
- 2.8.2.11 New development, which has the potential to generate significant vehicle traffic, shall be directed away from those areas and land uses where such levels of traffic could endanger public safety.
- 2.8.2.12 Proposed developments that may be adversely affected by noise, dust, and fumes from roadways and railways shall be located where there is adequate separation from these corridors or shall incorporate measures such as sound barriers or landscaped buffers to mitigate the conflict.

### **Railways**

- 2.8.2.13 Development on lands adjacent to existing active rail corridors in the Municipality should be adequately buffered from rail related uses and conform to the minimum setbacks required by applicable Provincial or Federal authorities, and taking into consideration the FCM RAC guidelines.
- 2.8.2.14 Development should occur in a manner that minimizes the number of new at-grade rail crossings.

### **Airports**

- 2.8.2.15 Development on lands adjacent to existing airports or airfields that could impede or negatively impact their use and operation should not be encouraged.
- 2.8.2.16 Development or land uses that could be hazardous to the occupants of land adjacent to existing airports or airfields due to regular airport operations will generally not be permitted.

### **Active Transportation and Pedestrian Amenities**

- 2.8.2.17 The accommodation of vehicular, bicycle, and pedestrian traffic along Municipal Roads such as Collector Roads and Local Roads, either through shared or separated means, shall be promoted by Council, as appropriate.
- 2.8.2.18 Pathways and sidewalks, are encouraged to be located on roadways which can safely accommodate pedestrians and cyclists throughout the Municipality, but particularly in the **Urban Policy Areas**.
- 2.8.2.19 New development, particularly in the **Urban Policy Areas** shall be encouraged to make provision for active transportation options or alternatives to private automobile use and shall provide active transportation connections to adjacent areas.
- 2.8.2.20 Active transportation amenities shall be developed to form a cohesive network offering transportation options for residents. A Secondary Plan is a planning tool that could be considered to address the future expansion of the RM of Hanover's existing network
- 2.8.2.21 Opportunities should be explored for regional active transportation connections serving communities within the RM of Hanover and neighbouring communities, including the City of Steinbach and Town of Niverville.
- 2.8.2.22 Active transportation facilities on PR's and PTH's should be physically separated from the highways. Operations and maintenance of these facilities would be the responsibility of the Municipality.

## **2.9 AGGREGATE AND MINERAL RESOURCES**



### **2.9.1 OBJECTIVES**

- 2.9.1.1 To preserve and protect mineral resources, including known sand and gravel deposits, from conflicting land uses which may prevent the economic extraction of minerals.
- 2.9.1.2 To rehabilitate, in accordance with applicable Provincial government regulations, lands disturbed by mineral exploration, development, and production to a condition that is environmentally safe, stable, and compatible with adjoining lands.

### **2.9.2 POLICIES**

The following policies shall guide development with respect to aggregate and mineral resources and extraction operations within the Municipality:

#### **Aggregate and Mineral Resources**

- 2.9.2.1 Lands in **Agriculture 1 Policy Areas** and **Agriculture 2 Policy Areas** which have known moderate to high quality aggregate resources and potentially valid mineral disposition as identified by the Province and as illustrated on Map 8 should be protected from incompatible or potentially incompatible land uses that would restrict exploration and development.

- 2.9.2.2 In areas with known aggregate resources, or areas having high discovery potential for these resources, uses should be limited to non-intensive agriculture (e.g. livestock grazing, cropping, forestry), temporary uses or other uses that will permit access to the resource.
- 2.9.2.3 The exploration, development, production and termination of all aggregate resources shall be undertaken in a manner that is environmentally safe, stable and compatible with adjoining land uses.
- 2.9.2.4 Land uses (such as residential, rural residential or certain types of commercial, institutional, or recreational uses) which may be sensitive to and conflict with the inherent characteristics of aggregate extraction and processing shall not be allowed within an appropriate distance of the existing or anticipated limits of the extraction operation. Minimum setback regulations shall be established in the Zoning By-law or shall be subject to the setbacks in the *The Mines and Minerals Act*, whichever is more stringent, for extraction operations and adjacent land uses.

#### **Extraction Operations**

- 2.9.2.5 Extraction operations shall be a Conditional Use in the Zoning By-law. Conditions may include a site plan showing the staging of extraction, proposed buffering measures, a rehabilitation plan, a letter of credit related to proposed rehabilitation works, or cost-sharing of municipal infrastructure improvements.
- 2.9.2.6 Existing aggregate operations and lands containing a valid mineral disposition shall be protected from incompatible and potentially incompatible land uses, in nearby areas.
- 2.9.2.7 Extraction operations shall require the acquisition of all required permits and licenses under *The Mines and Minerals Act*.
- 2.9.2.8 Where a non-resource related development is proposed for an area with known moderate to high aggregate resources and potentially valid mineral disposition as identified by the Province and as illustrated on Map 8 a site specific study shall be conducted by the development proponent in order to determine the quality and extent of the deposit including feasibility of extraction. The study must be conducted and report certified by a professional engineer or geoscientist.
- 2.9.2.9 Where a medium or high-quality aggregate deposit is identified and the Crown owns the mineral rights, any conflicting surface use and associated development must be approved by the applicable Provincial authority.

#### **Site Rehabilitation**

- 2.9.2.10 Lands disturbed by aggregate and mineral exploration or development shall be rehabilitated by the owner/operator. The *Provincial Pit and Quarry Rehabilitation Program* may be used to facilitate rehabilitation.
- 2.9.2.11 All rehabilitation shall be conducted in accordance with *The Mines and Minerals Act*, *The Oil and Gas Act* and *The Environment Act*. Appropriate financial security shall be submitted and approved by the appropriate regulatory authority prior to local planning approvals being granted.
- 2.9.2.12 Council may use a development agreement to place requirements on the timing of site rehabilitation.
- 2.9.2.13 Site rehabilitation should generally commence within 12 months of resources extraction activities having been completed.



- 2.9.2.14 Topsoil and overburden removed to gain access to aggregate and mineral resources should be stockpiled where possible on the site to be used for site rehabilitation.

## **2.10 HERITAGE RESOURCES**



### **2.10.1 OBJECTIVE**

- 2.10.1.1 To protect known heritage resources in the Municipality from incompatible development and land uses that may threaten their integrity or operation.

### **2.10.2 POLICIES**

The following policies shall guide development with respect to heritage resources within the Municipality:

- 2.10.2.1 Subdivisions or developments that will endanger any site or structure with historic, architectural, or archeological significance as designated by applicable Provincial authority shall not be permitted.
- 2.10.2.2 As a condition of a subdivision, demolition permit, or the issuance of a development permit Council may require the applicant to demonstrate that a significant heritage resource is not being compromised.
- 2.10.2.3 Sites with heritage potential will be considered for designation as a municipal heritage site under *The Heritage Resources Act*.
- 2.10.2.4 Council shall encourage and facilitate the identification of heritage resources in the Municipality.
- 2.10.2.5 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.
- 2.10.2.6 Council shall endeavour to preserve and protect its heritage resources through the judicious use of statutory instruments such as the Zoning By-law, subdivision procedures, development permits, design by-laws, and demolition by-laws

## 2.11 KEEPING OF ANIMALS



### 2.11.1 OBJECTIVE

To allow for the limited keeping of animals as an accessory use within the RM of Hanover in areas designated for residential uses.

### 2.11.2 POLICY

The following policy shall guide the keeping of animals for personal use within the Rural Policy Areas:

- 2.11.2.1 Notwithstanding the policies of Section 3.1.5, keeping of animals for personal use may be permitted within the **Rural Residential Policy Areas** and **Urban Policy Areas**, subject to meeting the requirements of the Zoning By-Law. To ensure these areas maintain their residential character, livestock limits within the **Rural Residential Policy Areas** and **Urban Policy Areas** will be determined by the number of individual livestock permitted, however, must be under ten (10) Animal Units, and will be specified in the Zoning By-law.

## 2.12 INTER-MUNICIPAL COOPERATION AND SERVICE SHARING



### 2.12.1 OBJECTIVES

- 2.12.1.1 To support planning from a regional perspective, in a way that balances rural and urban interests, and facilitates development occurring across municipal boundaries.
- 2.12.1.2 To ensure coordinated development, cost effectiveness, and sustainability in the delivery of municipal services.
- 2.12.1.3 To facilitate cooperative approaches to development, land use, and the provision of infrastructure between the Town of Niverville, the City of Steinbach, surrounding municipality's, and the Province of Manitoba.

### 2.12.2 POLICIES

In addition to the policies described in Part 5, the following policies shall guide how inter-municipal cooperation and service sharing shall occur:

- 2.12.2.1 The RM of Hanover will pursue agreements to provide municipal servicing infrastructure in strategic areas.

- 2.12.2.2 The RM of Hanover will cooperate with neighbouring municipalities and the applicable Provincial authorities to coordinate any required access management plans or highway corridor planning initiatives for Provincial highways within the Municipality as well as opportunities for regional active transportation infrastructure.
- 2.12.2.3 The RM of Hanover will explore cooperative solutions through inter-municipal service delivery and tax sharing prior to duplicating services available in the region.

**Transitional Area and Annexation**

- 2.12.2.4 The RM of Hanover will cooperate with the City of Steinbach and Town of Niverville on annexation requests, but recommends that any requests be based on required studies including, but limited to, growth projections, land-supply needs and servicing capabilities.
- 2.12.2.5 Should an annexation request not be approved, or the proposed annexation area be amended, all lands formerly within an agreed-upon annexation area with the City of Steinbach shall be considered a Transitional Area and remain under the jurisdiction and control of the RM of Hanover.
- 2.12.2.6 In general, land division shall be discouraged within the Transitional Area. Any proposal considered by Council must go through a consultative process with the City of Steinbach to evaluate the potential impact on both municipalities.
- 2.12.2.7 The Transitional Area will maintain similar or equivalent land use designations which were in place prior to the annexation request. General agricultural activities and uses normally associated with the agricultural industry will continue to be the predominant land uses within the Transitional Area, and non-agricultural uses will be discouraged. The City of Steinbach will be consulted as a commenting agency and will be given reasonable time for consideration on any development proposals within the Transitional Area. The RM of Hanover will remain the approving authority.
- 2.12.2.8 The RM of Hanover will respect the City of Steinbach's future growth potential within the Transitional Area while maintaining its autonomy as the decision-making authority.

## 3. RURAL POLICY AREAS

This Part contains policies that govern the rural areas of Hanover, which comprise the majority of the Municipality's land area. These policies are intended to protect the agricultural capacity and character of the Municipality while providing for a vibrant rural economy and limited opportunities for rural living. The RM of Hanover is a major livestock producer and centre of apiary production. As such, the Development Plan must protect the Municipality's ability to maintain these important economic and food-security functions by protecting the integrity of existing operations and allowing for limited growth of the sector – should separation distances, soil type, and environmental conditions allow for it.

There are three land use designations within the **Rural Policy Areas** including:

- **Agriculture 1 Policy Areas**
- **Agriculture 2 Policy Areas**
- **Rural Residential Policy Areas**

### 3.1 RURAL LAND USES



#### 3.1.1 OBJECTIVES – AGRICULTURAL USES

- 3.1.1.1 To preserve the Municipality's natural assets including food-production lands, watersheds, and natural habitat areas.
- 3.1.1.2 To acknowledge that lands designated as **Agriculture 1 Policy Areas** have been identified as having the highest agricultural potential, the ability to support the largest livestock operations, and have been subject to the least amount of historical parcel fragmentation. As such, these lands will be subject to stringent land use policies to protect them from non-farm rural residential uses and other forms of incompatible development.
- 3.1.1.3 To acknowledge that lands designated as **Agriculture 2 Policy Areas** have high agricultural potential, although due to their proximity to the RM of Hanover's urban centers and their fragmented land use pattern, can support smaller livestock operations than in the **Agriculture 1 Policy Areas**. These lands will continue to be protected from the proliferation of non-farm rural residential uses and other forms of incompatible development.
- 3.1.1.4 To provide direction for livestock development within the Municipality, and ensure new operations or expansions to existing operations are planned to limit land use conflicts.
- 3.1.1.5 To protect and foster apiaries, small agricultural operations, and the production of value-added food production in the Municipality.
- 3.1.1.6 To provide separation distances between potentially incompatible uses.

- 3.1.1.7 To support the agricultural sector as a key economic driver of the Municipality while also supporting economic growth and diversification.
- 3.1.1.8 To ensure land uses are compatible with adjacent areas.
- 3.1.1.9 To ensure development occurs on lands suitable for said development.
- 3.1.1.10 To recognize the importance of a sustainable phosphorous balance related to the Municipality's livestock production.
- 3.1.1.11 To minimize risks of groundwater and environmental contamination, and to find a balance between nutrient production, nutrient application, and crop production.

### **3.1.2 OBJECTIVES – RESIDENTIAL USES**

- 3.1.2.1 To provide limited opportunities for rural living through subdivision policies in both the ***Agriculture 1 Policy Areas*** and ***Agriculture 2 Policy Areas***.
- 3.1.2.2 To acknowledge that those seeking to live in a rural location such as on a lot created using the subdivision policies contained herein, be aware of the noise, odour, and dust associated with farm practices, including existing livestock operations within these areas.
- 3.1.2.3 To recognize natural site-defining features such as treelines or shelterbelts and built site-defining features such as existing fences as the logical site boundaries for subdivision.

### **3.1.3 OBJECTIVES – COMERCIAL AND INDUSTRIAL BUSINESS USES**

- 3.1.3.1 To acknowledge that commercial and industrial uses, including agri-business and other manufacturing and industrial land uses, play a significant role in the RM of Hanover's local economy.
- 3.1.3.2 To provide rural employment opportunities in the RM of Hanover which complement and build off of the Municipality's strong rural economic base.
- 3.1.3.3 To ensure proposed developments do not negatively impact the environment or adjacent uses.
- 3.1.3.4 To minimize the negative impacts of ex-urban development impacts on agricultural uses, natural resources, and food production by promoting efficient use of land and clustering of rural industrial and commercial services.

### **3.1.4 POLICIES - GENERAL**

In addition to the general policies described in Part 2, the following objectives and policies shall guide agricultural uses and development in the Municipality:

#### **Agriculture as Dominant Land Use**

- 3.1.4.1 Agriculture is a major land use and economic driver in the RM of Hanover. Development proposals in the Municipality will be reviewed with the understanding that existing agricultural operations, and the possibility for future agricultural operations, are important components of the local economy and identity.

- 3.1.4.2 The preservation of viable prime agricultural land, or lower classes of land on which agricultural activities operate, and the fostering of the agricultural industry shall be seen as priorities in the Municipality.
- 3.1.4.3 Agri-tourism and food-tourism shall be acknowledged as methods of diversifying the rural economy while celebrating and reinforcing agriculture as a cornerstone of the local economy.

#### **Rural Designations**

- 3.1.4.4 Agricultural uses shall be accommodated in areas designated ***Agriculture 1 Policy Areas***, and ***Agriculture 2 Policy Areas*** as identified on Map 1 of this Development Plan.
- 3.1.4.5 Except where provided for elsewhere in the By-law or Zoning By-law, to minimize the fragmentation of the agricultural land base, the minimum parcel size shall generally be 80 acres in the ***Agriculture 1 Policy Areas***, and the ***Agriculture 2 Policy Areas***, where possible, where fragmentation has not already occurred.

#### **Agriculture 1 Policy Areas**

- 3.1.4.6 All lands designated as ***Agriculture 1 Policy Areas*** shall be preserved or utilized for the widest range of economically sustainable and environmentally sound agricultural activity and development, including livestock operations with minimal restrictions. Livestock operations are allowed within the ***Agriculture 1 Policy Areas*** and are subject to all Provincial regulations in order to minimize land use conflicts and environmental issues.

#### **Agriculture 2 Policy Areas**

- 3.1.4.7 All lands designated as ***Agriculture 2 Policy Areas*** contain an existing mix of uses and/or may be subject to environmental impact. Agricultural activities shall remain the dominant land use, but will be more restricted with respect to livestock operations, in order to limit potential for conflicts with neighbouring land uses and environmental impacts.

#### **All Rural Policy Areas**

- 3.1.4.8 Unless specifically noted, the policies contained within this Section shall apply to both the ***Agriculture 1 Policy Areas***, and ***Agriculture 2 Policy Areas***.

#### **Non-Agricultural Uses**

- 3.1.4.9 Any non-agricultural uses shall be subject to the following criteria:
- Non-agricultural uses shall not restrict existing livestock operations or cropping practices;
  - Non-agricultural uses shall not cause expenses for road, drainage, or other infrastructure services not generally related to local agricultural needs;
  - Non-agricultural uses shall not be located in a manner that may interfere with the use or expansion of established solid waste management sites, sewage treatment lagoons, or other private/public utilities and services;
  - Non-agricultural development should be directed away from prime agricultural land, viable lower class land, and livestock operations; and
  - Home occupations will be accommodated, but the growth of such operations into large scale

businesses will be limited and subject to compliance with the standards set forth in the Zoning By-law, provided they are compatible with the adjacent uses.

#### **Existing Uses**

- 3.1.4.10 Uses lawfully established prior to the adoption of this Development Plan, whether agricultural or non-agricultural, should be protected, and new uses may be restricted, or may not be approved where they may conflict with these established uses.
- 3.1.4.11 Existing agricultural uses may continue to operate on lands within the Urban Policy Areas or the designated **Rural Residential Policy Areas**, until said lands are developed for non-farm use. Agricultural land uses may maintain their agricultural zoning and will be subject to re-zoning to appropriate urban zoning when a change in land use is proposed.

#### **Erosion**

- 3.1.4.12 Council shall support the protection of soil from wind and water erosion by encouraging the retention of existing, and the development of new, shelterbelts and other conservation measures.

#### **Wastewater Management**

- 3.1.4.13 All on-site wastewater management systems proposed in the designated rural areas shall ensure that the design and construction is suitable for the soil conditions and the lot size proposed for the development, and shall comply with all requirements under the MR 83/2003-Onsite Wastewater Management Systems Regulation, and any other applicable amendments or policies, and must be registered with the applicable Provincial authority prior to installation.

#### **Removal of Topsoil**

- 3.1.4.14 The removal of topsoil, or other organic surface material on lands designated for agricultural use shall not be permitted unless permitted as per the Zoning By-law. This is not intended to restrict excavation for the purposes of drainage ditches, dikes, road construction, building sites or similar work, or gaining access to aggregate and other quarry minerals.

#### **Farm and Non-Farm Residential**

- 3.1.4.15 New farm and non-farm residences shall be adequately separated from developments that could represent nuisance or hazard to future occupants. Mutual separation distances will be established in the Zoning By-law and, if not contained within the By-law, can be based upon the standards set within the Provincial Land Use Policies.
- 3.1.4.16 Where additional housing which is ancillary to a farm operation is required, it shall be provided within or adjacent to the existing farmyard. Mobile pre-fabricated homes are encouraged to allow for removal of the housing unit when it is no longer required.
- 3.1.4.17 New farm and non-farm residences shall be sited in a manner which reduces required service improvements/extensions, has access to an existing all-weather road, and can be flood-proofed, if necessary.

#### **Places of Worship and Institutional Uses**

- 3.1.4.17 Places of worship and similar institutional uses shall generally be encouraged to locate within Hanover's Urban Policy Areas . However, subdivisions to allow for new "small scale" churches and institutional uses may be considered by Council if they are contiguous to, or within, existing Rural Residential Policy Areas and meet the requirements of Section of this By-law and comply with the Zoning By-law.

### 3.1.5 POLICIES - LIVESTOCK

#### General

3.1.5.1 For the purposes of this Development Plan By-law, a livestock operation means a permanent or semi-permanent facility or non-grazing area where at least ten (10) animal units of livestock are kept or raised either indoors or outdoors, and includes all associated manure collection facilities.

3.1.5.2 The RM of Hanover can sustain limited growth in livestock production. The exact capacity depends on variables such as: soil type, crop type, environmental conditions, livestock technology and changing environmental regulations. The establishment of a maximum capacity for livestock in the municipality would be arbitrary and could result in a sudden and unmanageable number of proposals for livestock operations in an attempt to get under the established maximum. Therefore, Council will limit livestock growth in the following manner:

- a. preference will be given to the expansion of existing livestock operations (LO) over the establishment of new livestock operations;
- b. standards regarding the size and siting of livestock operations will be based on provincial standards.

Council will monitor the livestock industry by undertaking periodic reviews of livestock production in the RM of Hanover. This review will examine existing livestock operations, the available land base, land use conflict issues and areas, and changes in technology and environmental regulations. If necessary, the livestock policies will be revised based on the updated information. The review will be undertaken with the assistance of the applicable provincial authorities.

3.1.5.3 Mutual Separation Distances between livestock operations and other land uses and designations will be established in the Zoning By-law. The established distances will be equal to the recommended setbacks for livestock operations established in the *Provincial Land Use Policies*. Council, at their discretion, may vary the separation distances established in the Zoning By-law as per the *Planning Act*.

3.1.5.4 Livestock operations shall be developed and located in accordance with applicable Provincial regulations, be compatible with surrounding land uses, and pose no undue risk to soils, groundwater, or surface water.

#### Developing or Expanding Livestock Operations

3.1.5.5 No person shall develop or expand a livestock operation unless Council has approved the establishment or expansion where listed as a conditional use in the Zoning By-law, or the Designated Employee or Officer has approved the establishment or expansion where listed as a permitted use.

3.1.5.6 Preference will be given to the expansion of existing livestock operations over the establishment of new livestock operations.

3.1.5.7 New livestock operations shall not be permitted within the **Agriculture 2 Policy Areas**. The expansion of legally existing livestock operations may be considered based on the provisions of the Zoning by-law.



- 3.1.5.8 Applications to establish or expand a livestock operation shall be accompanied by the following information:
- a. A detailed description of the proposed livestock operation;
  - b. The corporate identity and proof of property ownership;
  - c. A legal description of the land on which the proposed development is to occur, by lot, block, subdivision, and registered plan numbers;
  - d. The owner's (and applicant if different from owner) name, address, signature, and interest in the land;
  - e. A site plan showing the location of housing, storage, and other facilities relative to the boundaries of the site;
  - f. Servicing needs; and
  - g. The appropriate application fee.
- 3.1.5.9 Applications for new or expanding livestock operations are subject to all Provincial regulations and processes.

<b>New Livestock Operations</b>	<b>Less than 400 animal units</b>	<b>400 or more animal units</b>
<b>Agriculture 1 Policy Areas</b>	<b>Permitted</b>	<b>Conditional Use</b>
<b>Agriculture 2 Policy Areas</b>	<b>Not Permitted</b>	<b>Not Permitted</b>

<b>Expanding Livestock Operations</b>	<b>Less than 400 animal units</b>	<b>400 or more animal units</b>
<b>Agriculture 1 Policy Areas</b>	<b>Permitted</b>	<b>Conditional Use</b>
<b>Agriculture 2 Policy Areas</b>	<b>Reference Zoning By-law</b>	<b>Conditional Use</b>

3.1.5.10 When considering approval of new or expanding livestock operations Council or the Designated Employee or Officer will consider the following:

- a. The type and size of the operation;
- b. The comments of the Technical Review Committee report, when required;
- c. The stated concerns of local residents or neighbouring property owners;
- d. Compliance with Provincial guidelines and the provisions of the Development Plan and Zoning By-law;
- e. The available land base, phosphorous budget, and proximity to environmentally sensitive areas;
- f. The past performance record of the livestock operation (for expansion applications);
- g. The Manure Management Plan in accordance with Provincial standards and guidelines;
- h. The size and location of manure storage systems and manure application sites;
- i. The potential impacts generated by the livestock operation on the Provincial highway and municipal road systems;
- j. The context of the general area and neighbouring land uses; and
- k. The water usage requirements and proximity to municipal water supply wells.

#### **No Livestock Areas**

3.1.5.11 New or expanding livestock operations are not permitted in the following areas:

- a. On lands designated as ***Rural Residential Policy Areas***, or ***Urban Policy Areas***.
- b. On lands determined by detailed soil survey, in consultation with Province to be Agricultural Capability Class 6, 7, or unimproved organic soils.
- c. On lands defined as Zone N4 for nutrients under the *Nutrient Management Regulation*.

### **3.1.6 SPECIALIZED AGRICULTURAL USES**

#### **General**

3.1.6.1 Specialized agricultural uses generally include operations such as tree nurseries, market gardens and other bona fide agricultural operations that do not necessarily require a larger agricultural holding to undertake said uses. These uses may be allowed on land parcels less than the minimum area specified in the Zoning by-law for general agricultural activities.

#### **Subdivision of Specialized Agricultural Uses**

3.1.6.2 The subdivision of specialized agricultural uses will be permitted in both the Agriculture 1 and Agriculture 2 Policy Areas providing they do not conflict with other policies contained herein. The proponent may be required to submit a proposal that is supported by a business plan or is endorsed

as viable by the applicable provincial agency/department prior to subdivision, and shall be generally limited to one subdivision per 80 acre title.

### 3.1.7 RESIDENTIAL USES

#### General

- 3.1.7.1 The rural areas in the RM of Hanover have a land use pattern where agricultural and residential uses co-exist, generally without conflict. To reduce the pressure to designate additional lands for rural residential development, yet accommodate rural living within the municipality, the intent of the following policies is to allow for limited subdivisions in the Rural Policy Areas.

#### Subdivision for Residential Uses

- 3.1.7.2 The subdivision of land for residential purposes in the **Agriculture 1 Policy Areas** and the **Agriculture 2 Policy Areas** may be considered based on the following circumstances, and the requirements of the Zoning By-law:
- a. A single lot subdivision is proposed for a retiring farmer who wishes to subdivide an existing farm residence from the agricultural operation and retain it for retirement purposes.
  - b. A single lot subdivision is proposed when a bona fide farmstead site contains a farm residence that is rendered surplus due to the amalgamation of farm operations for purposes of farm enlargement.
  - c. A single lot subdivision that is contiguous with the existing farmstead site is proposed for an individual who significantly participates in the agricultural operation on an ongoing basis and derives an income from it.
  - d. Where a farm is incorporated and it is necessary to establish a separate residential site from the farm holdings for business or mortgaging purposes.
  - e. A single lot subdivision is proposed for a parcel that is isolated by a creek, drain, road, or natural land feature and is of a size and shape that makes cultivation of the land physically impractical.
- 3.1.7.3 The subdivision of existing farmstead sites, as provided for in Section 2 a. shall only be considered and approved if the proposed subdivision conforms to the following conditions:
- a. The proposed subdivision must contain evidence of at least two of the following features:
    1. A habitable farm dwelling;
    2. A well for domestic purposes; or
    3. A shelter belt or tree bluff.
  - b. Under the retiring farmer option in Section 2 a., the farmstead site shall have existed for a minimum of 10 years before it may be subdivided.
  - c. Farmstead sites should generally be between 2-10 acres in area and should incorporate existing site-defining features, such as shelterbelts, fence lines, or natural elements. When a site is clearly demarcated by site-defining features, these may be used to determine the farmstead size, at Council's discretion.

- d. The farmstead site may incorporate farm-related buildings, but should be contained to the aforementioned site-defining features, and should generally not include cultivated land.
- e. The residual parcel shall comply with the dimensional standards as established in the Zoning By-law.

3.1.7.4 The subdivision of land in the **Agriculture 1 Policy Areas** and the **Agriculture 2 Policy Areas** for residential purposes shall be subject to the following criteria:

- a. A single lot subdivision may only be considered from a lot of record at the time of adoption of this Plan that has not yet had a farmstead site subdivided out, or a parcel that is generally 80 acres and held under one title as per the policies contained within Sections 3.1.7.2 of this Development Plan;
- b. The proposed subdivision should be directed to tree covered areas or be located within a well-defined and existing mature shelterbelt that forms part of a farmstead site, not to generally exceed 10 acres, and must not be wasteful of agricultural lands;
- c. The proposed subdivision must be capable of accommodating an on-site wastewater management system and have an adequate supply of potable water;
- d. Subdivisions shall not be permitted on lands designated as nutrient management zone N4 as per the *Nutrient Management Regulation*;
- e. Municipal services such as drainage, school busing, and fire protection shall be available to the subdivision site or can be provided without cost to the municipality;
- f. The proposed subdivision must have legal access to a public road. Direct access to a Provincial highway is discouraged. Access should be via an all-weather municipal road where service improvements and/or extensions are minimized;
- g. The proposed subdivision location shall comply with the mutual separation distances between livestock operations and dwellings;
- h. The proposed subdivision of large agricultural parcels must leave a residual parcel that complies with the minimum site area and width established in the Zoning By-law; and
- i. The proposed subdivision shall not be subject to flooding, erosion or bank instability.

### 3.1.8 COMMERCIAL AND INDUSTRIAL BUSINESS USES

#### General

3.1.8.1 Rural commercial uses including agri-business, and industrial land uses including manufacturing play a significant role in the RM of Hanover's local economy. These types of uses are often better suited to a rural location as they can be incompatible with urban uses, and often do not require municipal water or wastewater services. The following uses may be allowed in the Agriculture 1 and Agriculture 2 Policy Areas and shall be listed as either permitted or conditional uses in the Zoning by-law. Council may consider other uses, as necessary, subject to the intent of this policy and the provisions of the Zoning By-law:

- a. Agri-commercial or agri-industrial business uses such as farm equipment and machinery repair shops, feed and fertilizer supply operations, commercial seed cleaning plants, produce handling and storage, agricultural implement sales and service establishments, and aerial spraying companies;
- b. Auto wrecker yards or other uses that may be unsightly, wasteful of serviced land or otherwise unsuitable in an urban centre due to their hazardous nature or potential to create nuisance from materials associated with their operation;
- c. Resource based uses such as sand and gravel operations;
- d. Solid waste management sites, sewage treatment lagoons, cemeteries, communications installations, and other public utilities; and
- e. Existing legally conforming land uses as of the date of the adoption of this Development Plan.

#### **Subdivision for Commercial and Industrial Business Uses**

- 3.1.8.2 The subdivision of land for agri-commercial/industrial business uses may be allowed within the ***Agriculture 1*** and ***Agriculture 2 Policy Areas*** provided conflict with adjacent agricultural land uses is not created, and subject to being re-zoned to an applicable rural commercial/industrial zone as provided in the Zoning By-law as a condition of subdivision approval.
- 3.1.8.3 In general, land division for agri-commercial/ and industrial business uses shall be discouraged within the Transitional Area. Any proposal considered by Council must go through a consultative process with the City of Steinbach to evaluate the potential impact on both municipalities.
- 3.1.8.4 The subdivision of land for agri-commercial/industrial business uses shall not be wasteful of agricultural land, and shall comply with the provisions of the Zoning By-law.

### **3.1.9 BOUNDARY ADJUSTMENTS**

#### **Subdivision for Boundary Adjustments**

- 3.1.9.1 The subdivision of land for the readjustment of farm boundaries affected by rivers, streams, highways, large drains, and other such features may be permitted in both the ***Agriculture 1 Policy Areas*** and the ***Agriculture 2 Policy Areas***, if it is deemed necessary to accommodate agricultural practices. Consolidation of titles would be required to ensure no new titles are created.
- 3.1.9.2 Subdivision of land for the readjustment of parcel boundaries, may be permitted in both the ***Agriculture 1 Policy Areas*** and the ***Agriculture 2 Policy Areas*** where realignments between existing parcels may be required. Such boundary adjustments cannot remove cultivated land from production, cannot create additional titles, cannot be reorganized to create a new residential parcel, and are subject to compliance with the Zoning By-law and other applicable regulations.

## 3.2 RURAL RESIDENTIAL POLICY AREAS



**Rural Residential Policy Areas** provide an alternative to urban living in the RM of Hanover. In recent decades, rural residential development has accounted for a substantial share of the Municipality's population growth. This Development Plan sets the framework for focusing future growth in the **Urban Policy Areas**. While it is recognized that there is demand for rural residential development in the Municipality, this form of development can pose long-term financial, environmental, and land use concerns for the Municipality, and it must therefore be addressed in a sustainable manner. Sprawling, ill-planned rural residential development serviced by onsite wastewater management systems may not be sustainable over the long-term without a transition strategy that provides for the incorporation of municipal wastewater services. Policies promoting compact, clustered rural residential development are effective in addressing the issues associated with rural residential sustainability, while continuing to provide a choice and variety of housing options within the RM of Hanover.

### 3.2.1 OBJECTIVES

- 3.2.1.1 To ensure rural residential development does not infringe upon prime agricultural lands, interfere with agricultural operations, or limit the expansion of **Urban Policy Areas**.
- 3.2.1.2 To ensure rural residential development occurs in a well-planned manner to allow for potential future intensification and efficient provision of urban services.
- 3.2.1.3 To intensify rural residential development at locations where it currently exists.

### 3.2.2 POLICIES

In addition to the general policies described in Part 2, the following policies shall guide rural residential development in the Municipality:

#### Rural Residential Designation

- 3.2.2.1 Rural residential development shall only be allowed in areas designated as **Rural Residential Policy Areas** on Map 1 of this Development Plan.

#### Land Use

- 3.2.2.2 The following land uses shall be accommodated in the **Rural Residential Policy Areas**:
  - a. Rural residential opportunities such as single-family dwellings, cottage dwellings, and limited institutional uses as per Section 3.1.4.18 of this Development Plan.
  - b. Limited recreation and open space uses such as parks, playgrounds, and nature trails.
  - c. General agricultural uses such as farming, pasturage, agriculture, apiculture, floriculture, horticulture, and non-commercial farms legally operating as of the date of the adoption of this Development Plan.

- d. Agri-commercial, agri-industrial uses, and highway commercial operations legally operating as of the date of the adoption of this Development Plan.
- e. Home occupations which comply with the Zoning By-law, are compatible with the adjacent land uses and maintain rural character of the property.

#### **Rural Residential Intensification**

3.2.2.3 Infill to areas designated **Rural Residential Policy Areas** will be encouraged before expanding or re-designating more lands for rural residential development.

#### **Rural Residential Development**

3.2.2.4 The following policies apply to rural residential development on lands designated **Rural Residential Policy Areas**:

- a. Rural residential development shall provide a parcel size that will preserve the rural character while accommodating onsite wastewater management systems according to appropriate Provincial regulations;
- b. Rural residential development shall be planned in a manner that will not produce unacceptable social or economic costs. The approving authority and Council will consider the impact of such development on the provision of public services including schools, school bussing, hydro, telephone, highways, police and fire protection, health care and recreational facilities, snow removal, and refuse collection;
- c. Rural residential development shall protect natural features such as creeks, tributaries, and riparian areas, and retain or enhance existing tree cover;
- d. Rural residential development shall use any public infrastructure, including municipal servicing and roads, in an efficient manner;
- e. Rural residential development shall provide adequate surface drainage, septic system, or other approved method of effluent disposal and a potable water source pursuant to all Provincial standards;
- f. The municipality may require, at the discretion of the Designated Employee or Officer, a drainage plan prepared by a certified engineer in locations deemed susceptible to overland water retention or high-water table; and
- g. Proposed multi-lot rural residential developments require a concept plan be submitted for approval by Council. Concept plans can describe phasing, cost of extending services, connections to adjacent residential areas, transportation impacts, school, and recreation opportunities.
- h. The applicant may also be required to undertake additional studies, such as Access Management Plans, by qualified professionals to demonstrate the land is suitable for the purpose for which the development is intended, as determined by Council, or the applicable Provincial authority.

### **Future Municipal Services**

3.2.2.5 As a component of a future servicing of rural residential areas that are in close proximity or within one mile of the RM of Hanover's urban centres, buildings in the **Rural Residential Policy Areas** should be sited on lots to enable the efficient re-subdivision of land to a higher density and to ensure the economic provision of municipal services at a future date.

3.2.2.6 Council shall have the power to enforce building siting, when necessary, via the use of development agreements.

### **Re-designation of lands to Rural Residential Policy Areas**

3.2.2.7 The re-designation of land to **Rural Residential Policy Areas** should generally not be permitted within the **Agriculture 1 Policy Areas** or within the Transitional Area.

3.2.2.8 Rural residential development shall be directed away from prime agricultural land and existing or approved livestock operations.

3.2.2.9 **Rural Residential Policy Areas** shall not be considered in locations which may impede the orderly expansion of **Urban Policy Areas**.

3.2.2.10 Rural Residential development should be located away from prime agricultural land and generally on lands with low potential for agricultural use, either for cropping or livestock.

3.2.2.11 Rural residential developments which require septic tanks for wastewater treatment shall not be permitted on lands designated as nutrient management zone N4 as per the Nutrient Management Regulation.

3.2.2.12 Under certain circumstances the re-designation of land to **Rural Residential Policy Areas** may be permitted in the **Agriculture 2 Policy Areas** subject to amending the Development Plan and Provincial approval. It will be the responsibility of the applicant to demonstrate that:

- a. The supply of rural residential lots in the Municipality is no longer adequate to accommodate identified and justifiable demand over a five year time frame;
- b. Existing lands designated for rural residential development, but that have not been developed as such, have been un-designated for rural residential use;
- c. The proposed re-designation is compatible with adjacent land uses and natural areas;
- d. The proposed new rural residential development is contiguous with existing designated rural residential areas as identified in Map 1;
- e. The proposed rural residential development is not located on cultivated agricultural land, is adequately separated from existing livestock operations, and is located to minimize land use impacts with agricultural activities on adjacent parcels;
- f. The proposed rural residential development is not located within a flood-prone area, or can be adequately flood proofed and serviced to a rural residential standard without creating environmental or servicing concerns;



- g. The proposed rural residential development is not located on the fringe of Urban Policy Areas or and shall not impede the logical expansion of the urban centres of the Municipality;
- h. The proposed rural residential development must be capable of accommodating on-site wastewater management systems as determined by applicable Provincial regulations, have an adequate supply of potable water, and have frontage and access to an existing municipal road or internal road;
- i. The proposed rural residential developments shall comply with the minimum mutual separation distances between new or expanding livestock operations, including barns and manure storage facilities, and those residences not accessory to the operation, pursuant to the Zoning By-law. Said mutual separation requirements shall meet the minimum recommended Provincial setback standards for livestock operations. The RM of Hanover may, pursuant to The Planning Act, vary the mutual separation distance(s) as provided for in the Zoning By-law; and
- j. The siting and design of the proposed development meets the standards contained in the Zoning By-law and all other relevant regulations.

#### **Subdivision**

- 3.2.2.13 The subdivision of lands designated ***Rural Residential Policy Areas*** may be considered, provided the new lots conform to the policies above and the requirements of the Zoning By-law.
- 3.2.2.14 The subdivision of land for the readjustment of parcel boundaries that are designated ***Rural Residential Policy Areas*** may be permitted, subject to compliance with the Zoning By-law, and other applicable regulations.

## 4. URBAN POLICY AREAS

This Part contains policies pertaining to the urban centres within the RM of Hanover including Mitchell, Blumenort, Grunthal, Kleefeld, and New Bothwell. In this Development Plan, four policy areas designate land for urban uses within these urban centres including:

- ***Residential Policy Areas***
- ***Commercial Policy Areas***
- ***Industrial Policy Areas***
- ***Parks and Recreation Policy Areas***

### 4.1 GENERAL POLICIES

The following objectives and policies provide general guidance to influence the physical form and function of land uses within Hanover's urban centres. The goal of these General Policies is to provide residents and visitors with aesthetically pleasing, complete communities which offer a range of services and recreational opportunities.

#### 4.1.1 OBJECTIVES

- 4.1.1.1 To ensure development lands are available in sufficient supply to meet the growth needs of the Municipality.
- 4.1.1.2 To create complete communities that offer residents opportunities to live, work, shop, learn and enjoy recreational amenities.
- 4.1.1.3 To centre Hanover's population base in convenient proximity to essential services.
- 4.1.1.4 To prevent premature development and servicing of lands.
- 4.1.1.5 To ensure development occurs in a sustainable, well-planned fashion, conserve productive agricultural lands and reduce land use conflicts with existing livestock operations.

#### 4.1.2 POLICIES

In addition to the general policies described in Part 2, the following policies shall guide urban uses and development in the Municipality:

- 4.1.2.1 Urban-type uses, including small-lot housing, multi-family housing, commercial, indoor recreation, industrial, and institutional developments should generally occur within the designated urban areas.
- 4.1.2.2 Urban areas are intended to accommodate a mix of uses including single-family residential, two-family residential, multi-family residential, commercial, recreational, institutional, and industrial land uses.
- 4.1.2.3 ***Urban Policy Areas*** shall be developed as complete, livable communities with a compact urban form which fosters efficient use of land and infrastructure.
- 4.1.2.4 Long-range planning for future municipal infrastructure, including land use needs, regional active transportation infrastructure, as well as future right-of-way alignments for arterial roadways and

other essential municipal infrastructure should be considered during development application reviews and secondary planning exercises.

### **Development Standards**

- 4.1.2.5 Council shall encourage a high standard of appearance and maintenance for all new and existing urban uses in the Municipality.
- 4.1.2.6 Council or the Designated Employee or Officer may require proposed developments in the urban areas to submit a concept plan which demonstrates:
- a. The site's major physical features and relationship or balance between development and open spaces, farmland, forest or other natural resources;
  - b. How the proposed development conforms to the Municipality's identified land use patterns for the urban centres, as demonstrated in Maps 3-7;
  - c. The proposed subdivision design including: lot sizes, roads, surface drainage, sewer and water lines, open spaces, active transportation connections, and other pertinent features;
  - d. The proposed phasing of development and coordination with existing development so as to ensure efficient and economical extension of municipal infrastructure and servicing, and prevention of disjointed development patterns; and
  - e. Other matters as may be deemed necessary by Council, or the Designated Employee or Officer.
- 4.1.2.7 Council may require the preparation of a Secondary Plan as a tool to guide development in large greenfield areas or existing neighbourhoods which are experiencing specific development pressure. A secondary plan may include:
- a. The site's major physical features and relationship between proposed development and existing and future development;
  - b. A framework to guide the provision of municipal services for existing development within the plan area and future development adjacent to the plan area;
  - c. A public consultation process to engage local community stakeholders and define a vision for the secondary planning area;
  - d. Plans illustrating the location and phasing of municipal services, including the organization and layout of streets, residential, park, and recreation uses, and demonstrate how serviced rural residential uses will be integrated with surrounding land uses, short-term, mid-term, and long-term transportation infrastructure, and land drainage systems;
  - e. Policy direction for refining municipal zoning by-laws and development agreement parameters in support of plan implementation;
  - f. A proposed development cost-sharing structure to provide equity among land owners; and
  - g. Other matters deemed pertinent by Council.

4.1.2.8 All proposed development shall conform to the site, dimensional, use, and design standards established in the Zoning By-law.

4.1.2.9 Council has the authority to request the applicant undertake engineering and/or traffic studies, at the applicant's expense, as a condition of approval.

**Active Transportation Amenities**

4.1.2.10 Active transportation amenities including conveniently located and connected sidewalks, trails, local streets, and pathways shall be provided as per Part 2, Section 2.8 of this Development Plan.

**Parks and Open Space**

4.1.2.11 Council may require parks and open spaces be included in development proposals as a condition of approval and may provide input into the design and layout of public reserve areas as per Part 2, Section 2.4 of this Development Plan.

4.1.2.12 Council may require the dedication of funds in lieu of land dedication as per the Planning Act. Funds received in this manner are to be used explicitly for the acquisition of lands for public reserves or equipment and improvements for parks.

4.1.2.13 Public reserve areas such as parks, tot lots and splash pads are essential components of residential neighbourhoods, and as such, are encouraged to be located within or in proximity to **Residential Policy Areas**.

4.1.2.14 Parks and open spaces shall provide convenient pedestrian and active transportation connections throughout Hanover's urban centres.

**Institutional Uses**

4.1.2.15 The following policies shall be used to guide the development of institutional uses in the urban areas of Hanover:

- a. A variety of public institutional uses such as hospitals, schools, places of worship, and public recreation facilities will be accommodated, provided that they are developed in a manner considered compatible with surrounding development;
- b. Major institutional facilities requiring large tracts of land or major service extensions shall be required to undertake a concept plan, at the discretion of Council;
- c. Institutional uses may be established in the **Residential Policy Areas** or Commercial Policy Areas subject to Council's discretion and the following guidelines:
  - i. Institutional uses which generate high volumes of traffic may be encouraged to develop in **Commercial Policy Areas**;
  - ii. Institutional uses which are more appropriately located in residential areas should give consideration to minimizing any adverse impact on the surrounding residential environment; and
  - iii. The design of institutional buildings should be in keeping with the character of the area. Buffers

- 4.1.2.16 Appropriate buffers between urban land uses which may be incompatible or negatively impact each other will be required as determined by Council and the Zoning By-law. Typical buffers include fencing, landscaping, green space, or minimum building setbacks.

**Parking**

- 4.1.2.17 All development within urban areas shall provide an appropriate amount of parking. Parking requirements shall be determined in the Zoning By-Law.

**Subdivision**

- 4.1.2.18 The subdivision of lands in the urban areas may be considered, provided the new lots conform to the policies contained within this Development Plan and the requirements of the Zoning By-law.

## **4.2 MUNICIPAL SERVICES AND WASTEWATER MANAGEMENT**



### **4.2.1 OBJECTIVE**

- 4.2.1.1 To ensure provision of sustainable municipal services including wastewater, water, and storm water management within the RM of Hanover's urban centres.

### **4.2.2 POLICIES**

- 4.2.2.1 The RM of Hanover's urban areas will be served by adequate water (including municipal water or approved shared-wells) and wastewater services. Existing engineering studies will be kept current to ensure Council and Administration are able to ensure sufficient capacity in municipal servicing infrastructure to serve current and future development needs.
- 4.2.2.2 Land use patterns and development concepts that promote the provision of sustainable water and wastewater infrastructure shall be prioritized.
- 4.2.2.3 All new developments within the urban areas shall connect to municipal services where they are available.
- 4.2.2.4 Where municipal services are not available, and on-site wastewater systems and/or private potable water systems are used, sites shall be designed and buildings situated in a manner which will allow for efficient provision of municipal services in the future. Developments shall connect to services when they are made available. Council may enforce these requirements via a development agreement.
- 4.2.2.5 Council may request development applicants undertake engineering studies for municipal servicing capacity and/or may require applicants contribute to municipal servicing extensions and/or upgrades that serve the new development as a condition of approval.
- 4.2.2.6 Council may require specific municipal servicing works, such as water retention ponds, be included in proposed developments as a condition of approval.

- 4.2.2.7 The extension and/or improvement of piped water, land drainage, 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 support district and regional solutions to water and wastewater service delivery.
- 4.2.2.8 Water supply, land drainage, and wastewater management systems, where provided, must be developed and operated in accordance with applicable Provincial standards, including: *The Environment Act*, *The Public Health Act*, and *The Drinking Water Safety Act*.
- 4.2.2.9 Engineering studies should be utilized to inform and guide the sustainable extension of services within the RM of Hanover's urban centres.

## 4.3 RESIDENTIAL POLICY AREAS



Neighbourhoods are where we connect to develop a common sense of community. Vibrant and healthy neighbourhoods are a defining element of the human ecology of our communities, where each of us is connected to, and affected by the welfare of our neighbours. The objectives and policies contained herein provide direction for **Residential Policy Areas** with the goal of creating and maintaining complete communities that are compact, active, age-friendly, and provide a mix of housing types in the RM of Hanover's urban centres.

### 4.3.1 OBJECTIVES

- 4.3.1.1 To ensure new developments are interconnected to reduce energy consumption, and provide more direct relationships between where people, work, play, and live.
- 4.3.1.2 To encourage infill and compact development, and discourage sprawl and leap-frog development that requires unnecessary infrastructure and servicing costs.
- 4.3.1.3 To provide a mix and diversity of housing choices, prices, and styles in close proximity to services and recreation opportunities.
- 4.3.1.4 To provide an adequate supply of residential lands for continued growth and development in the RM of Hanover's urban centres.

### 4.3.2 POLICIES

In addition to the general policies described in Part 2 and Section 4.1, the following policies shall guide development in the **Residential Policy Areas** within the Municipality:

### **Residential Designation**

- 4.3.2.1 Residential development shall be allowed in areas designated as **Residential Policy Areas** on Map 1 of the Development Plan. Development in the **Residential Policy Areas** shall be subject to the following policies, and the use and site requirements of the Zoning By-law.

### **Infill Development**

- 4.3.2.2 Infill development on vacant residential lands shall be encouraged in order to maximize existing investment and to encourage compact and efficient land use pattern; and
- 4.3.2.3 Infill development should be compatible and consistent with existing neighbourhood character in terms of size, scale, and set-backs. Where applicable, at Council's discretion, intensification may be considered in established neighbourhoods.

### **New Residential Development**

- 4.3.2.4 New residential development should occur in a contiguous and orderly manner.
- 4.3.2.5 A suitable stock of serviced residential land should be available to satisfy housing demand over a long-term planning horizon.
- 4.3.2.6 Priority will be given to the development of lands that are already serviced.
- 4.3.2.7 Compact lot sizes and multi-family development will be encouraged as an efficient use of land and infrastructure.
- 4.3.2.8 Where large multi-lot residential land developments are proposed, Council may request the following: a secondary plan, concept plan, a traffic impact study, active transportation network plan, building design information, or any information they deem necessary in order to ensure a high-quality development.
- 4.3.2.9 New residential development should provide an adequate mix of greenspace, recreation areas, and active transportation connections; and make provision for future schools and institutional uses.

### **Future Residential Development**

- 4.3.2.10 Land identified on the Policy Maps as Future Residential are intended to direct the incremental growth of the urban centres in a manner that supports sustainable growth. These lands can be developed without re-designation, subject to Policy 4.3.2.11 below.
- 4.3.2.11 Land identified on the Policy Maps as Future Residential can continue to be zoned for agricultural uses until required for urban development, at which time a re-zoning to a suitable urban zone will be required.

### **Housing Types**

- 4.3.2.12 A variety of housing types that include single-family, multi-family, apartment, and planned unit development will be accommodated.

### **Mobile Homes**

- 4.3.2.13 Mobile homes may be accommodated, at Council's discretion, in mobile home parks as determined by the Zoning By-law.

### **Seniors and Special Purpose Housing**

4.3.2.14 Seniors housing or special purpose housing such as nursing homes, group homes, or residential care facilities will be accommodated, provided that they are developed in a manner considered compatible with existing and proposed residential development.

### **Mixed-Use Residential**

4.3.2.15 Mixed-use residential development will be accommodated, provided that they are developed in a manner considered compatible with surrounding residential development and uses.

4.3.2.16 Commercial uses in a mixed-use development shall be low-impact in nature and compatible with residential land uses.

### **Home Occupations**

4.3.2.17 Home occupations will be accommodated, provided they meet the requirements of the Zoning-Bylaw and do not have a substantial negative impact on neighbouring residents or the character of the neighbourhood in which they are located.

### **Neighbourhood Commercial**

4.3.2.18 Small-scale commercial uses, intended to serve the immediate neighbourhood, may be located within the **Residential Policy Areas**, provided that they are developed in a manner considered compatible with existing and proposed residential development in accordance with the Zoning By-law.

### **Secondary Suites**

4.3.2.19 Secondary suites shall be encouraged as a way of increasing residential density, affordable housing, and extending family living options subject to the regulations contained within the Zoning By-law.

## **4.4 COMMERCIAL POLICY AREAS**



In recent decades, the RM of Hanover has seen increased economic diversity and experienced levels of population growth which can support a variety of commercial services. The objectives and policies contained herein support a wide range of commercial uses within the Municipality.

### **4.4.1 OBJECTIVES**

4.4.1.1 To ensure the RM of Hanover develops a variety of commercial uses to diversify the Municipality's economy, serve the needs of local residents, and increase the prominence of the Municipality's urban centres in the regional economy.

4.4.1.2 To encourage a mix of commercial uses at appropriate locations in the RM of Hanover's urban centres.

4.4.1.3 To protect and promote the Municipality's urban centres as the central focus for commercial, institutional, and civic uses.



#### **4.4.2 POLICIES**

In addition to the general policies described in Part 2 and Section 4.1, the following policies shall guide development in the **Commercial Policy Areas** within the Municipality:

##### **Commercial Cores**

- 4.4.2.1 The commercial core area of urban centres shall be promoted as the principle location for retail, professional offices, financial institutions, government offices, and other community amenities.
- 4.4.2.2 The commercial cores of Hanover's urban centres should be defined and enhanced as development occurs.

##### **Revitalization and Building Reuse**

- 4.4.2.3 Revitalization and adaptive reuse of buildings for commercial and mixed-use commercial development shall be encouraged.

##### **Streetscape and Urban Design**

- 4.4.2.4 A high-quality streetscape and pedestrian environment shall be encouraged.

##### **Highway Commercial**

- 4.4.2.5 Highway commercial uses which cater to the travelling public may be permitted, provided they are developed in a manner that balances safe, convenient access and the maintenance of traffic flows along the arterial streets and highways as per Part 2, Section 2.8 of this Development Plan.
- 4.4.2.6 Commercial developments located adjacent to major highways should provide a high level of building and site design to serve as gateways to the community.

##### **Mixed-Use**

- 4.4.2.7 Compact, mixed-use commercial development shall be encouraged, and developed in a manner considered compatible with surrounding uses.
- 4.4.2.8 Multi-family residential uses may be allowed in **Commercial Policy Areas** subject to the provisions of the Zoning By-law. Multi-family development within **Commercial Policy Areas** should generally be mixed use, incorporating commercial uses, should be compatible with adjacent uses, and should provide appropriate measures to mitigate any potential incompatibility between the uses.

##### **Infill Commercial Development**

- 4.4.2.9 Infill development on vacant or underutilized lands shall be encouraged in order to maximize existing investment and to encourage compact and efficient land use pattern.

##### **Transition Areas**

- 4.4.2.10 With the exceptions made for limited commercial uses in mixed-use residential, mixed-use industrial and neighbourhood commercial in Sections 4.3 and 4.5 of this Part; new commercial uses, and the expansion of commercial uses, shall primarily occur within the **Commercial Policy Areas**, and in a manner that preserves the overall character of adjacent neighbourhoods.

##### **Incompatible Uses**

- 4.4.2.11 Commercial uses which may present undue nuisance or are deemed to be incompatible with surrounding uses shall be located in the **Industrial Policy Areas** and subject to the requirements of the Zoning By-law.

### **Future Commercial Development**

- 4.4.2.12 Land identified on the Policy Maps as Future Commercial are intended to direct the incremental growth of the urban centres in a manner that supports sustainable growth. These lands can be developed without re-designation, subject to Policy 4.4.2.14 below.
- 4.4.2.13 Land identified on the Policy Maps as Future Commercial can continue to be zoned for agricultural uses until required for urban development, at which time a re-zoning to a suitable urban zone will be required.

## **4.5 INDUSTRIAL POLICY AREAS**



Industrial uses play an important role in the RM of Hanover. The policies contained in this Section provide direction for the industrial sector, helping to ensure compatibility with surrounding uses, and making provision for ongoing industrial development within the Municipality.

### **4.5.1 OBJECTIVES**

- 4.5.1.1 To provide for diverse industrial uses within the Municipality.
- 4.5.1.2 To support the local economy, and provide areas for employment growth with the Municipality.
- 4.5.1.3 To develop and promote attractive, safe, and well-planned industrial areas serving the interests of the Municipality and the surrounding region.
- 4.5.1.4 To minimize or eliminate land use conflicts between industrial and other land uses.

### **4.5.2 POLICIES**

In addition to the general policies described in Part 2 and Section 4.1, the following policies shall guide development in the **Commercial Policy Areas** within the Municipality:

#### **Mixed-Use Industrial**

- 4.5.2.1 Commercial uses may be allowed within Industrial Policy Areas provided the type and scale of the development is compatible with adjacent uses and that appropriate measures are in place to mitigate any potential incompatibility between the uses, and subject to compliance with the standards set forth in the Zoning By-law.

#### **Hazardous Uses**

- 4.5.2.2 Industrial uses must comply with all Provincial and Federal environmental regulations and legislation.
- 4.5.2.3 A site-specific groundwater pollution hazard appraisal may be required prior to the approval of a proposed new development or expanded facility.

4.5.2.4 The following policies apply to potentially hazardous industrial uses on lands designated **Industrial Policy Areas**:

- a. Industrial uses and activities that may cause pollution to land or groundwater shall not be permitted;
- b. Facilities that manufacture, handle, or distribute dangerous materials shall not be permitted. Anhydrous ammonia storage or handling facilities shall not be located within the Urban Policy Areas; and
- c. Heavy industrial uses that are deemed to create nuisance or conflicts with adjacent lands should be directed to the Industrial Policy Areas.

**Unightly Uses**

- 4.5.2.5 Industrial uses which, may be unsightly due to the nature of their operation, shall discourage outdoor storage requirements from locating adjacent to major highways or in other prominent locations.
- 4.5.2.6 Additional screening or buffering may be required as a condition of approval for industrial uses which may be unsightly.

**Incompatible Uses**

- 4.5.2.7 Industrial uses which may present undue nuisance or are deemed to be incompatible with surrounding uses may be located, at Council's discretion, in the appropriate **Agricultural Policy Area 1 or 2**, subject to meeting the overall intent of this Development Plan, not having an adverse impact on agricultural practices or adjacent land use, and meeting the requirements of the Zoning By-law.

**Future Industrial Development**

- 4.5.2.8 Land identified on the Policy Maps as Future Industrial are intended to direct the incremental growth of the urban centres in a manner that supports sustainable growth. These lands can be developed without re-designation, subject to Policy 4.5.2.9 below.
- 4.5.2.9 Land identified on the Policy Maps as Future Industrial can continue to be zoned for agricultural uses until required for urban development, at which time a re-zoning to a suitable urban zone will be required.

## 4.6 PARKS, RECREATION AND INSTITUTIONAL POLICY AREAS



Parks and recreation areas are essential to the health and well-being of Hanover's urban centres, and are a vital part of complete communities.

### 4.6.1 OBJECTIVES

- 4.6.1.1 To provide parks and recreation areas that support a variety of passive and active recreation uses in Hanover's urban centres.
- 4.6.1.2 To ensure that parks and recreation development is harmonious with the natural environment, in keeping with local character, and well connected within Hanover's urban centres
- 4.6.1.3 To preserve lands with aesthetic, environmental, heritage, or civic significance for the enjoyment of present and future generations.
- 4.6.1.4 To support institutional uses where appropriate within Hanover's urban centres.

### 4.6.2 POLICIES

In addition to the General Policies described in Part 2 and Part 4.1, the following policies shall guide development and protect designated parks and recreation areas with the RM of Hanover:

#### Parks and Recreation Designation

- 4.6.2.1 The designated **Parks and Recreation Policy** Areas are illustrated on Maps 3-7 and shall be subject to the following policies, and the requirements of the Zoning By-law:

#### Parks, Recreation and Institutional Uses

- 4.6.2.2 A variety of parks and recreation uses shall be encouraged within the RM of Hanover including institutional uses such as community recreation facilities, schools, and sports fields as well as open space uses such as municipal and regional parks that support passive and active recreation opportunities.
- 4.6.2.3 Smaller neighbourhood parks and recreation areas are an important part of Hanover's urban fabric, and will be encouraged in the RM of Hanover. These types of uses may not necessarily be designated, but will be zoned appropriately in the Zoning By-law.
- 4.6.2.4 A variety of uses such as public and private recreation facilities will be accommodated, provided they are developed in a manner considered compatible with surrounding uses, and in keeping with the requirements of the Zoning By-law.

#### Existing Parks and Recreation Areas

- 4.6.2.5 Existing parks and recreation areas including the types of uses defined in this Section shall be protected by this Plan.

### **New Parks and Recreation Areas**

- 4.6.2.6 New parks and recreation uses shall be developed in accordance with the goals and strategies of the RM of *Hanover Recreation Master Plan 2013*, and shall be well connected and integrated into the surrounding urban fabric.

### **Design and Appearance**

- 4.6.2.7 Council shall encourage a high standard of appearance and maintenance for all new and existing parks and recreation areas. Parks and recreation areas should be designed to connect with active transportation infrastructure and should be universal accessibility, wherever possible.

### **Development Standards**

- 4.6.2.8 Where development is proposed for lands designated ***Parks and Recreation Policy Areas***, Council may request the following: a concept plan, traffic impact study, active transportation network plan, building design information, or any other information deemed necessary to ensure a high-quality development.

### **Connectivity with Active Pedestrian Networks**

- 4.6.2.9 Active transportation infrastructure should be integrated with parks and recreation areas through conveniently located and connected sidewalks, “mid-block” cut-throughs”, and trails or pathways. Wherever possible, new active transportation infrastructure should be integrated to existing active transportation networks, creating a cohesive network of pedestrian connections throughout Hanover.

### **Subdivision**

- 4.6.2.10 The subdivision of lands designated ***Parks and Recreation Policy Areas*** may be considered provided the new lots conform to the policies above, and the requirements of the zoning by-law.

## **4.7 BLUMENORT SECONDARY PLAN AREA POLICIES**



The Blumenort South Secondary Plan Area is intended to identify lands for future serviced development and to provide a process that will allow the area west of PTH No. 12 and the existing built area in Blumenort to accommodate future growth. The Blumenort Secondary Plan Area is illustrated on the land use maps.

### **4.7.1 OBJECTIVES**

- 4.7.1.1 To facilitate a collaborative planning process between the Municipal Council, land owners, stakeholders, and relevant Provincial authorities with regards to the Blumenort Secondary Plan Area.
- 4.7.1.2 To allow for well-planned, orderly development of Blumenort south.
- 4.7.1.3 To accommodate a variety of land uses including uses that would benefit from having a visible presence from PTH No. 12.

- 4.7.1.4 To provide an urban development area that is serviced with municipal sewer in order to meet the anticipated increase in commercial, industrial and residential demand in Blumenort and the RM of Hanover.
- 4.7.1.5 To protect the efficiency, integrity and safety of the existing transportation networks including PTH No. 12.

#### **4.7.2 POLICIES**

The following policies shall guide development with respect to the Blumenort Secondary Plan Area:

- 4.7.2.1 Lands within the Blumenort Secondary Plan Area are designated **Urban Policy Area** and **Agriculture 2 Policy Area**. Subdivision or re-zoning within the Blumenort Secondary Plan Area may not proceed without the following conditions being met:
  - a. A completed Secondary Plan for the entire area which will determine specific land uses based on market demand and in keeping with the policies contained within Part 4 of this Plan;
  - b. Development Plan amendment to re-designate subject lands to a suitable urban land use policy area designation; and
  - c. Extension of municipal wastewater services.
- 4.7.2.2 Prior to subdivision or re-zoning occurring in the Blumenort Secondary Plan Area, a Secondary Plan must be prepared as noted in Policy 4.7.2.1.a above. The Secondary Plan must include:
  - a. The site's major physical features and relationship between proposed development and existing and future development in adjacent Settlement Centre areas;
  - b. A servicing study to determine available wastewater services;
  - c. A traffic impact study and functional design plan prepared by a qualified professional engineer, taking into consideration the Highway Access Management and Transportation for PTH 12 and PTH 52, and must be approved by the applicable provincial authority;
  - d. A development layout including: road network, active transportation linkages, surface drainage, sewer and public open spaces;
  - e. Policies to ensure development is compatible with nearby existing areas and provides buffering between new and existing uses;
  - f. Proposed development cost-sharing structure for equity among land owners; and
  - g. The proposed phasing of development and coordination with existing development to ensure efficient and economical extension of services
- 4.7.2.3 Notwithstanding 4.7.2.1 above, the subdivision of existing farmstead sites, as per Policy 3.1.7.2 shall still be considered for lands designated **Agriculture 2 Policy Area** within the Blumenort Secondary Plan Area.

## 5. IMPLEMENTATION

This Part provides an overview of the planning tools used to implement this Development Plan and achieve its goals and objectives.

### 5.1 ADOPTION, REVIEW, AND AMENDMENT

Adoption of this Development Plan by the RM of Hanover and the Minister of Manitoba Municipal Relations will give this Development 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 with the policies set forth herein.

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 Council must complete a review of the Development Plan. It is the intent of the RM of Hanover to carry out a review of the Development Plan no later than five (5) years after the effective date of the previous review.

### 5.2 ZONING BY-LAW

The goals, objectives and policies contained herein are generally implemented through the RM of Hanover's Zoning By-law. Following adoption of this Development Plan, the Municipality is required to enact a Zoning By-law which will set out specific regulations for land use and development. The Zoning By-law designates zoning districts for certain types of uses. Permitted and conditional uses and development standards are prescribed for each zone. Zoning by-laws must generally conform to a Development Plan adopted for the Municipality. The objectives and policies in this Development Plan provide guidance to Council when preparing or amending their zoning by-law.

### 5.3 SECONDARY PLANS

As per the Planning Act, Council may adopt, by by-law, a secondary plan to provide more guidance on development related issues. A secondary plan can address objectives and issues in any part of the RM of Hanover, without limitation, on matters regarding:

- a. Any part of this Development Plan;
- b. Subdivision, design, road patterns, building standards, site servicing, or other land use and development matters; or
- c. Heritage resources, sensitive lands, and other social factors such as economic development.

### 5.4 SUBDIVISION APPROVAL

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review by the Provincial approving authority, Council, and certain Provincial government departments and agencies. This process provides an opportunity for development proposals to be evaluated in accordance with the provisions of this Development Plan. A subdivision proposal cannot proceed without the approval of the Municipal and the Provincial approving authorities. Council and or the Provincial approving authority may attach conditions to a subdivision approval in accordance with *The Planning Act*.

## **5.5 CONDITIONAL USE APPROVALS**

Within a Zoning By-law, there will be provisions for the approval of various types of development as a Conditional Use in each Zoning District. This will provide Council with the authority to review specific development proposals, to receive public input from nearby landowners, and to make decisions either approving or denying the proposals. In addition, this process provides Council with the opportunity to establish conditions of approval, which could include requiring the applicant to enter into a development agreement with Council. In utilizing the Conditional Use process, Council will have an opportunity to influence the location of certain types of development, as well as to implement measures to ensure that the development occurs in a manner that is acceptable to the community.

## **5.6 VARIATION ORDERS**

The Planning Act enables Council to issue Variation Orders for the purpose of varying or altering the application of the Zoning By-law. Council may attach conditions of approval to a Variation Order, which could include requiring the applicant to enter into a development agreement with Council in order to maintain the intent and purpose of the Development Plan or Zoning By-law. Council may authorize its Development Officer to grant or refuse a minor Variation Order as set out in *The Planning Act*.

## **5.7 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 the provision of open space, etc.

## **5.8 DEVELOPMENT PERMITS**

New development generally requires a development permit issued by the municipality. As per the Planning Act, before a permit is issued, proposals will be reviewed to determine conformance with this Development Plan and municipal Zoning By-law.

## **5.9 DEVELOPMENT OFFICER**

The Development Officer or designated employee 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.

## **5.10 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 this Development Plan.

## **5.11 PLANNING COMMISSION**

As per the Planning Act a Council may establish a planning commission to hold hearings and make recommendations regarding variances and conditional uses, amongst other responsibilities.



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

Land development and land use proposals for individual building projects are also subject to the provisions of other municipal by-laws, such as building by-laws, lot grading by-laws, building safety and property standards bylaws, licensing by-laws, and the Manitoba Building Code. These by-laws and regulations not only complement the Zoning By-law, but set out the terms, conditions, and procedures upon which building permits may be issued. Through the building by-laws and regulations, Council can establish the minimum standards of construction, maintenance and occupancy which new and renovated buildings have to meet in order to protect the safety and health of the public.

## **5.13 SPECIAL STUDIES, SECONDARY PLANS, AND CONCEPT PLANS**

Applicants may be required to undertake and submit special studies, secondary plans, or concept plans 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 be required to 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. 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 Development Plan. In addition to the previously mentioned special studies, Concept Plans can provide information with regard to the following:

- a. Schematic layout of future roadways, with provisions for integration in a safe and efficient manner with other existing and anticipated roadways in the area, and in conformance with accepted engineering standards;
- b. Schematic arrangement of building lots, with lot sizes that are appropriate for the nature of the anticipated development;
- c. Conceptual layout of buildings and landscaping;
- d. Location and size of proposed buffers, parks, and open spaces;
- e. Sufficiently detailed contour information to evaluate slope and drainage conditions;
- f. Schematic design of the various utility and service systems anticipated within the development area, such as hydro, natural gas, telecommunication, storm drainage, water supply, and wastewater systems; and
- g. Where appropriate, an assessment of the impact of the proposed development on the environment.

## **5.14 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.

## **5.15 CAPITAL EXPENDITURES**

Council, other levels of government, school boards, health authorities, and all other agencies with a stake in development in the Municipality, should consult the Development Plan when revising capital expenditure programs to be consistent with this Development Plan.

## **5.16 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 this 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.

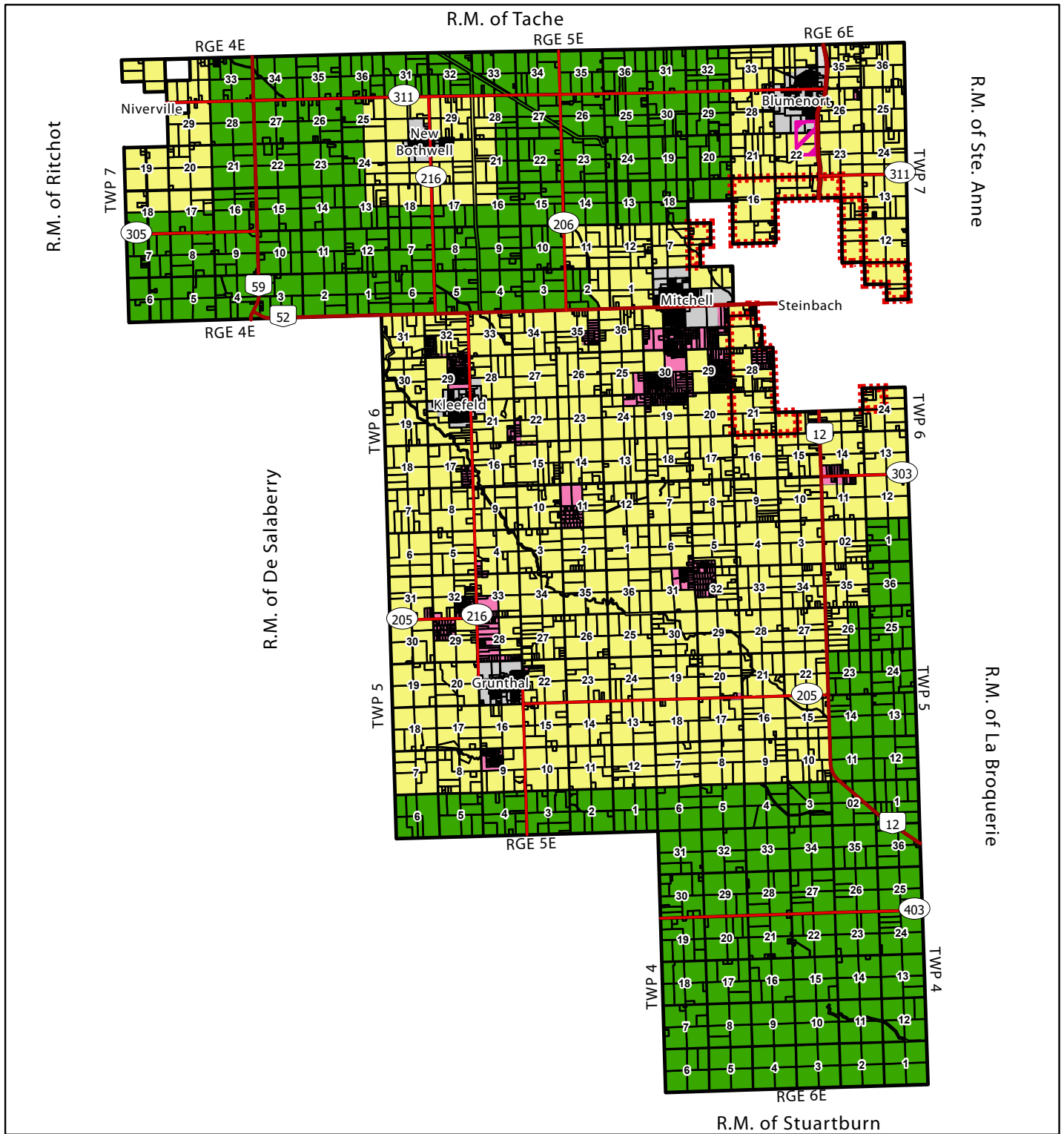
## **5.17 MUNICIPAL COOPERATION**

Further to Part 2, Section 2.12, implementation of the Development Plan may benefit from or require cooperation between one or more municipalities. *The Municipal Act* provides for tax sharing agreements, service sharing agreements, and cost sharing agreements between municipalities.

## 6. LAND USE MAPS

The Land Use Policy Maps attached to this Development Plan are 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.

### 6.1 POLICY MAPS



## MAP 1: OVERALL LAND USE

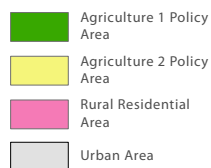
### RM of Hanover Development Plan By-Law 2417-18

Data Source: Province of Manitoba  
Date: October 1, 2018  
Revised: May 3, 2021

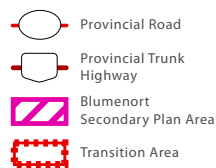
All Boundaries and Locations for General Reference Only

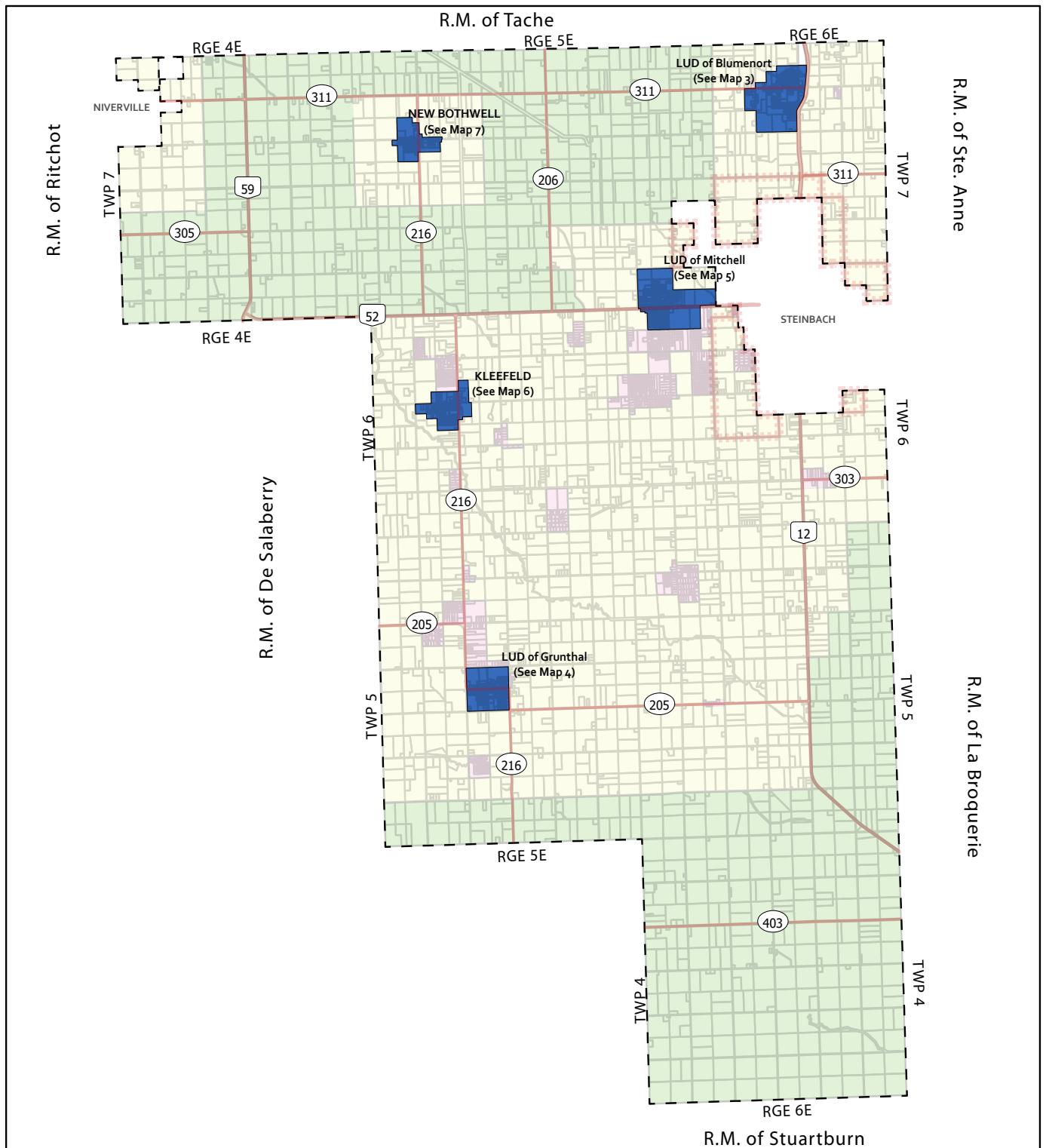


### Land Use Designations



### Other Features





## MAP 2: URBAN CENTERS

RM of Hanover Development Plan  
By-Law 2417-18

Data Source: Province of Manitoba

Date: October 1, 2018

Revised: May 3, 2021

All Boundaries and Locations for General Reference Only

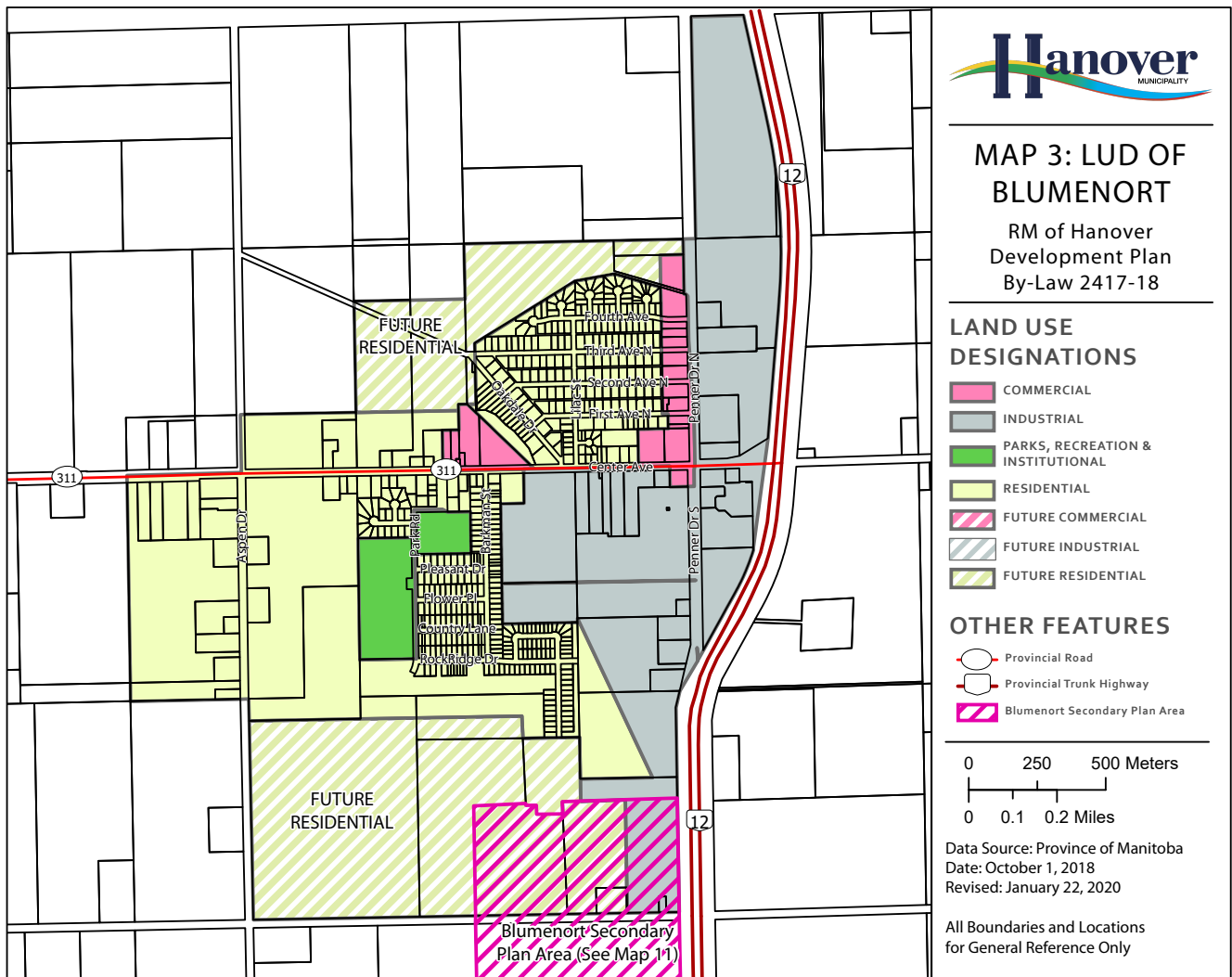


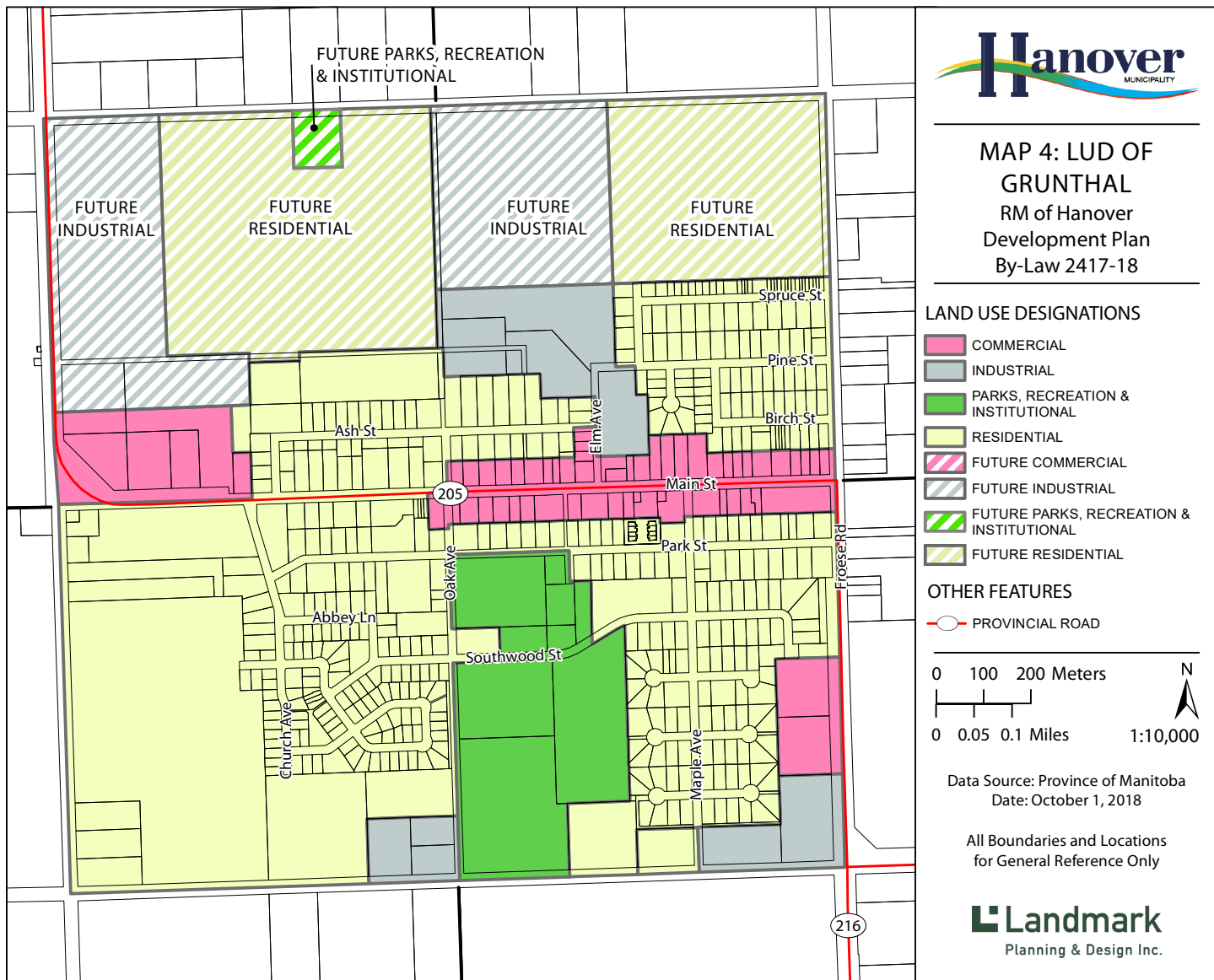
### FEATURES

-  Provincial Road
-  Provincial Trunk Highway

 URBAN CENTERS









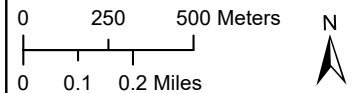
**MAP 5: LUD OF  
MITCHELL**  
RM of Hanover  
Development Plan  
By-Law 2417-18  
As Amended

**LAND USE DESIGNATIONS**

- COMMERCIAL
- INDUSTRIAL
- PARKS, RECREATION & INSTITUTIONAL
- RESIDENTIAL
- FUTURE COMMERCIAL
- FUTURE INDUSTRIAL
- FUTURE RESIDENTIAL

**OTHER FEATURES**

- 52 PROVINCIAL TRUNK HIGHWAY

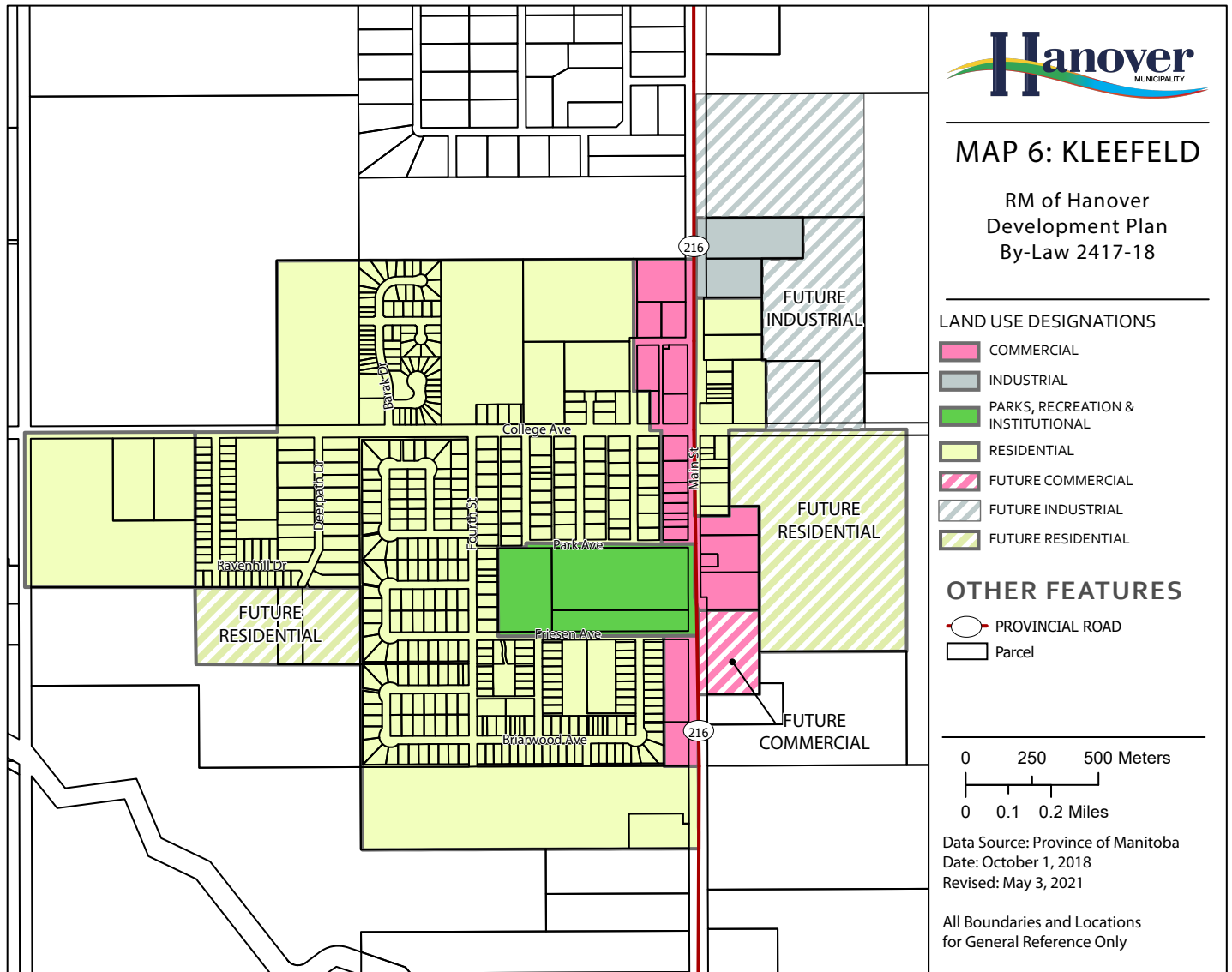


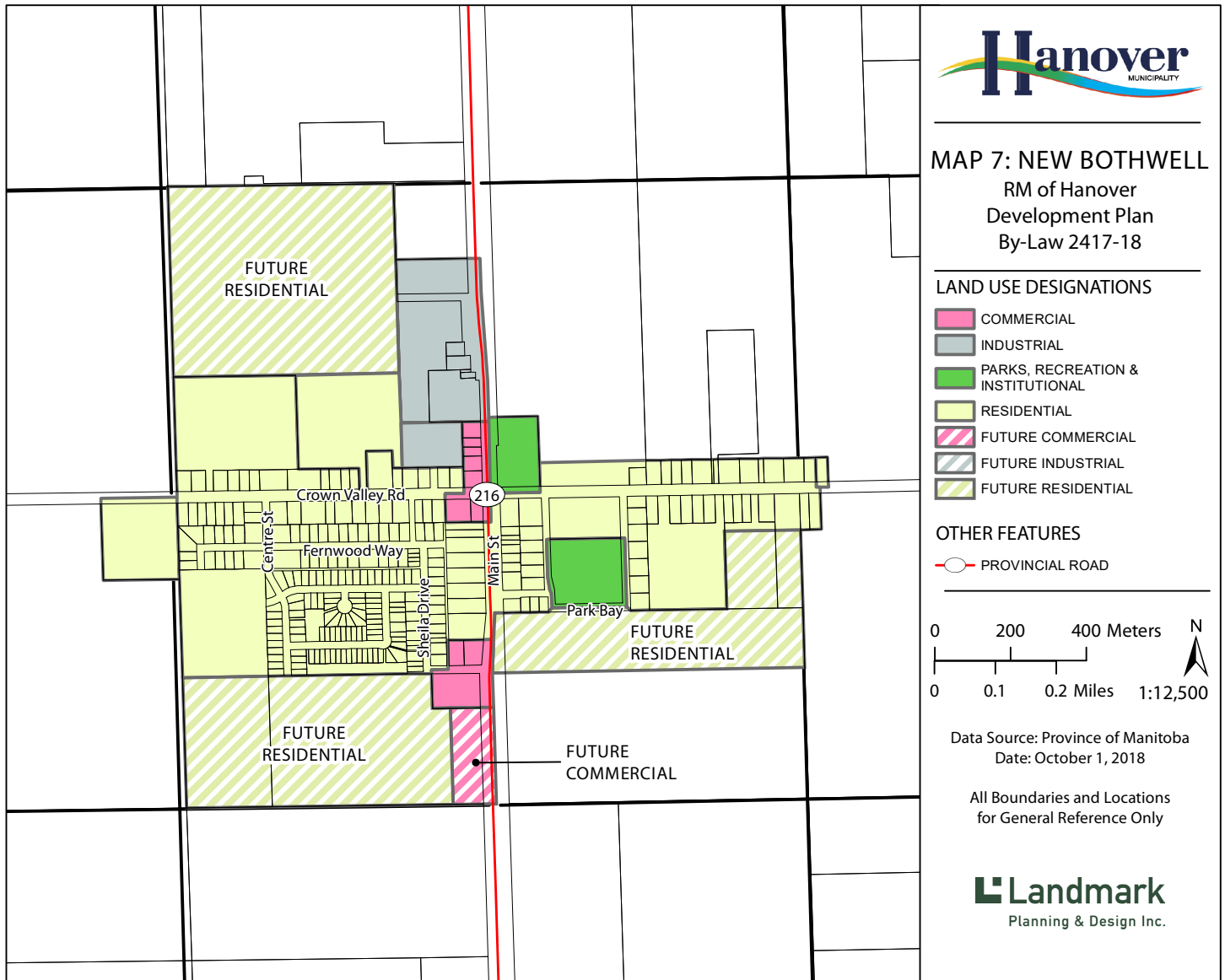
Data Source: Province of  
Manitoba  
Date: October 1, 2018  
Revised: November 28, 2019

All Boundaries and Locations  
For General Reference Only

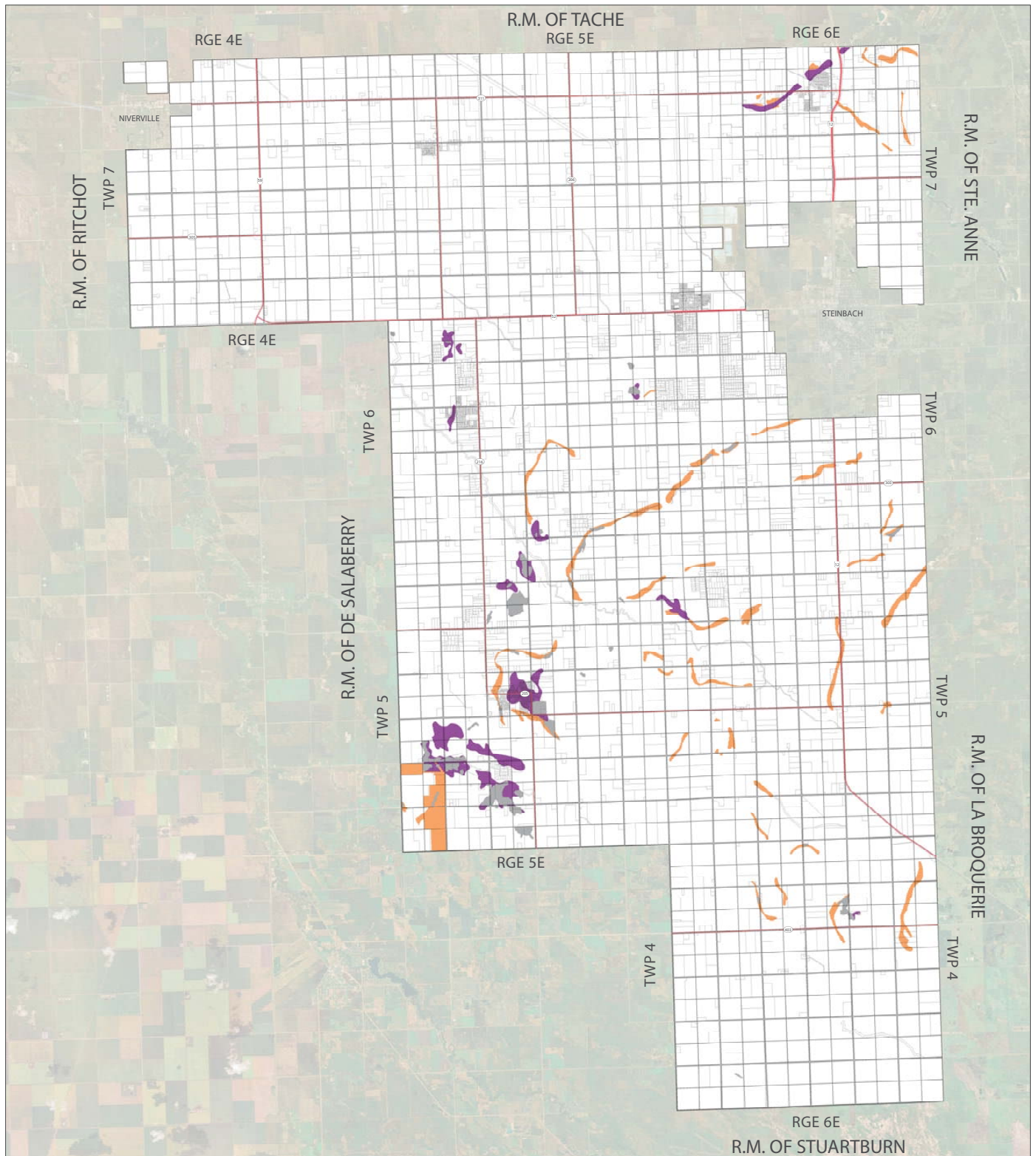
**Landmark**  
Planning & Design Inc.







## 6.2 REFERENCE MAPS



## MAP 8: AGGREGATE RESOURCES

RM of Hanover Development Plan  
By-Law 2417-18

Data Source: Province of Manitoba  
Date: October 1, 2018

All Boundaries and Locations for General Reference Only



1:45,000



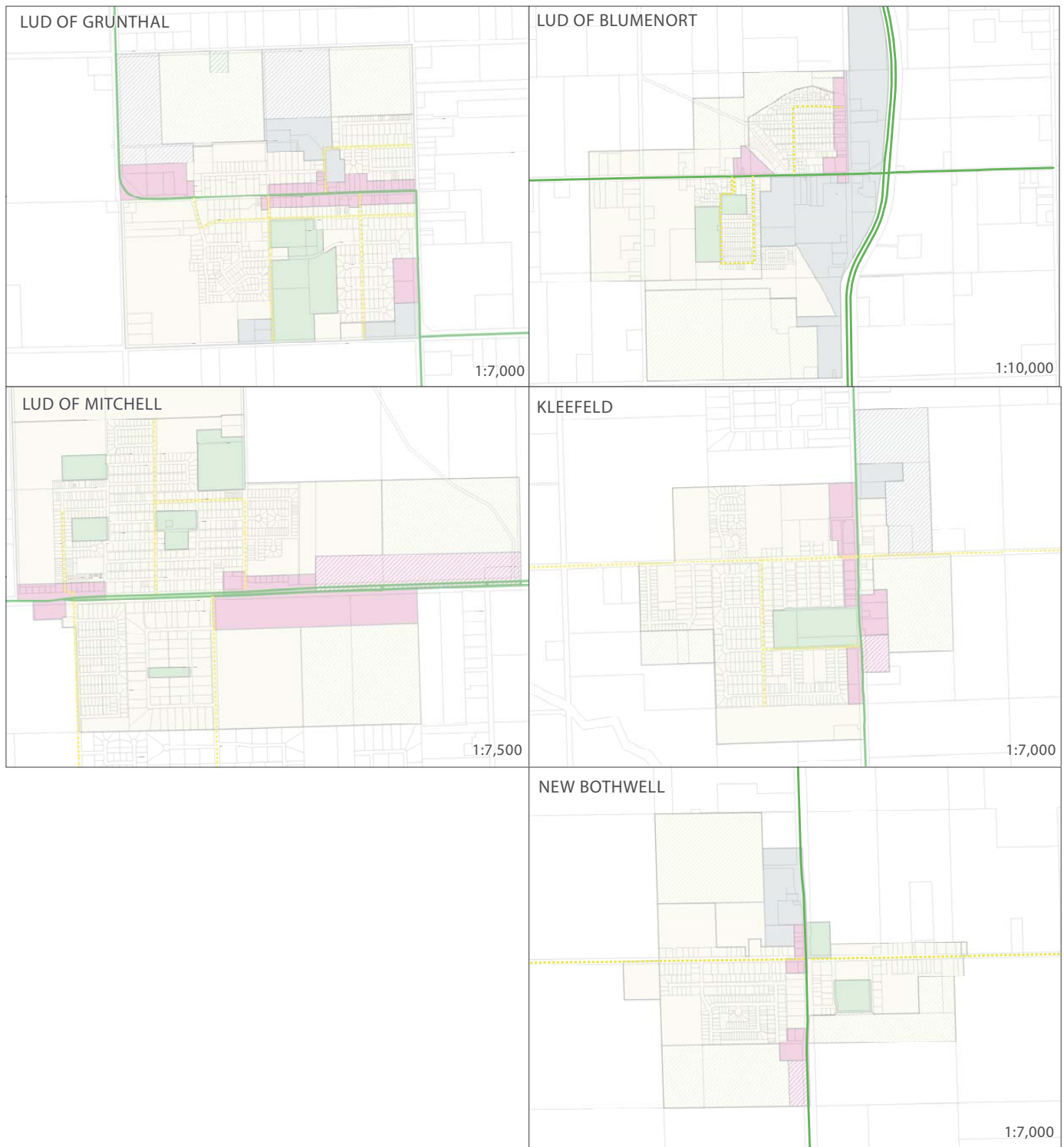
### FEATURES

- PROVINCIAL ROAD
- PROVINCIAL TRUNK HIGHWAY

- GRAVEL OPERATIONS
- MODERATE AGGREGATE POTENTIAL
- HIGH AGGREGATE POTENTIAL



Landmark  
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# MAP 9: URBAN CENTRES ROAD HEIRARCHY

RM of Hanover Development Plan  
By-Law 2417-18

Data Source: Province of Manitoba  
Date: October 1, 2018

All Boundaries and Locations for General Reference Only



## ROAD HIERARCHY

— ARTERIAL      ..... COLLECTOR



**Landmark**  
Planning & Design Inc.

