

**UNDER THE AUTHORITY OF THE PLANNING ACT**

**NOTICE OF PUBLIC HEARING**

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

**THE GREY-ST. CLAUDE PLANNING DISTRICT BY-LAW NO. 1/09 being an AMENDMENT to the GREY-ST. CLAUDE PLANNING DISTRICT DEVELOPMENT PLAN BY-LAW NO. 2/99, as amended.**

**HEARING LOCATION:** RM of Grey Municipal Office  
34 Main Street North, Elm Creek, MB

**DATE AND TIME:** September 7, 2010 at 7:30 p.m.

**GENERAL INTENT:** To insert provisions for Rural Non-Farm Residential Subdivisions

**AREA AFFECTED:** All properties within the Grey-St. Claude Planning District

**FOR INFORMATION CONTACT:**

Kim Gibson, Secretary-Treasurer,  
Grey-St. Claude Planning District  
Phone (204) 436-2014  
Fax: (204) 436-2543

**A copy of the above proposal and supporting material may be inspected at the location noted above during normal office hours, Monday to Friday 8:30 a.m. to 4:30 p.m. Copies may be made and extracts taken therefrom, upon request.**

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# GREY - ST. CLAUDE PLANNING DISTRICT

## BY-LAW NO. 1/09

BEING A BY-LAW OF THE GREY-St. CLAUDE PLANNING DISTRICT BOARD to amend By-Law 2/99 being THE GREY-St. CLAUDE PLANNING DISTRICT DEVELOPMENT PLAN AS AMENDED

**WHEREAS** *The Planning Act*, being S.M. 2005, c. 30 of the Statutes of Manitoba provides as follows:

### **Adoption**

**45** *A board or council must adopt a development plan for the district or municipality by by-law.*

### **Amending development plan by-law**

**56** *An amendment to a development plan by-law may be initiated by the board*

**AND WHEREAS** it is deemed necessary and expedient to amend the Grey-St. Claude Planning District Development Plan By-law No. 2/99, as amended;

**NOW THEREFORE**, the Board of the Grey-St. Claude Planning District, in meeting duly assembled, enacts the following amendments:

**That:** PART III AGRICULTURE POLICY AREAS be amended to include the following:

### **1.3.10 Policies**

#### **Rural Non-farm Residential Subdivisions**

10. Notwithstanding Land Division Policies under Part III, Section 1.3.9, limited subdivision of agriculturally designated land may be considered according to the following:
  - a) An abandoned farmstead site as of the date of the adoption of this development plan and as defined by the zoning by-law provided they:
    - i. Will not have a negative impact on adjacent land uses;
    - ii. Meet mutual separation distances from livestock operations.
  - b) An occupied or abandoned farmstead site may be subdivided into no more than two non-farm residential titles and in accordance with criteria under 1.3.11
  - c) A small area of land (approximately 10 acres in size or smaller) that is isolated by natural or man-made barriers including waterways, roads, railways or similar barriers which is difficult to farm because of size or shape, may be subdivided from an existing parcel for non-farm residential purposes in accordance with criteria under 1.3.11.
  - d) A small area of land (approximately 10 acres in size or smaller) that is not suitable for agricultural production and/or is predominantly treed and/or characterized by other suitable natural features may be subdivided for non-farm residential purposes in accordance with criteria under 1.3.11.

11. The following criteria shall apply, to subdivisions being proposed under section 1.3.10 b), c) & d) as above:
  - a) Development occurring on the subdivided parcel will not have a negative impact on adjacent agricultural land uses and shall not restrict agricultural activities as defined in Provincial Land Use Policies;
  - b) Mutual separation distances from livestock operations will be respected;
  - c) the proposed subdivided lot should not include cultivated land beyond that defined by a shelterbelt or other landscape feature which defines the site;
  - d) The proposed subdivided lot shall be of such dimensions so as to maintain the rural character of the land without being wasteful of agricultural land;
  - e) The proposed subdivided lot shall, wherever possible, be directed away from prime agricultural land, viable lower class land, livestock operations, and other resource-related uses to avoid incompatibilities and so that land is not prematurely taken out of production or its use prematurely inhibited;
  - f) The proposed subdivision shall comply with all other policies of the Development Plan pertaining to such matters as road access, flooding and land uses;
  - g) The proposed residential use should be complimentary to existing urban centres and not impede the orderly expansion of communities with piped water and sewer services;
  - h) Municipal services such as roads, drainage, school bussing, fire protection or other infrastructure services shall be available to the proposed subdivision or can be provided without undue cost to the Municipality;
  - i) The proposed residential use will not require services beyond the Municipal standard for the area;
  - j) The proposed subdivision shall accommodate the proper function of a septic field or other acceptable method of domestic effluent disposal, and a potable water supply, pursuant to *The Environment Act*;
  - k) The proposed subdivision shall not result in more than two non-farm residential titles per 80 acre parcel;
  - l) Further re-subdivision of a parcel subdivided using any of the policies found in section 1.3.10 b), c) or d) will not be allowed.
12. Any proposal for either a single or multi-lot rural residential development may require the applicant to undertake further study or analysis by qualified professionals to determine any specific environmental or servicing implications.
13. The zoning by-law shall define an 'abandoned farmstead site' as a portion of land that once contained the primary residence of the producer of the agricultural operation, and normally characterized by a well-defined shelterbelt

DONE AND PASSED by the Board of the Grey St. Claude Planning District Board duly assembled this \_\_\_\_\_ day of \_\_\_\_\_ A.D., 20\_\_.

The Grey-St Claude Planning District

\_\_\_\_\_  
Chairman

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Secretary-Treasurer

READ A FIRST TIME this 6<sup>th</sup> day of October, A.D., 2010.

READ A SECOND TIME this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_.

READ A THIRD TIME this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20\_\_.