

# NIVERVILLE DEVELOPMENT PLAN



2018-05-15

Schedule 'A' to By-Law 794-18



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# PART ONE: INTRODUCTION

PART ONE provides for the context, authority and structure of this Development Plan. It includes a review of the Town's historical and current conditions, analysis of the trends, projections and influences that have implications for the future planning and development of the Town, and the identification and confirmation of the Town's vision and goals. PART ONE also provides guidance for using and interpreting this Plan.

# 1.0 Planning Context

## 1.1 HISTORICAL AND CURRENT CONDITIONS

The Town of Niverville is situated in the Red River Valley, approximately 55 kilometers south of Winnipeg and 40 kilometers west of Steinbach. The Town is bounded by the Rural Municipality of Hanover on the East, Northeast and Southeast, and by the Rural Municipality of Ritchot on the West, Northwest and Southwest. The proximity of the Red River and prime agricultural lands set the stage for the Town's early establishment as an agricultural centre.

Founded in 1877, Niverville has experienced continuous growth and development since its incorporation as a Town in 1993. Its close proximity to the major employment centres of Winnipeg and Steinbach make Niverville an attractive bedroom community for commuters, which has led much of the growth experienced by the Town.

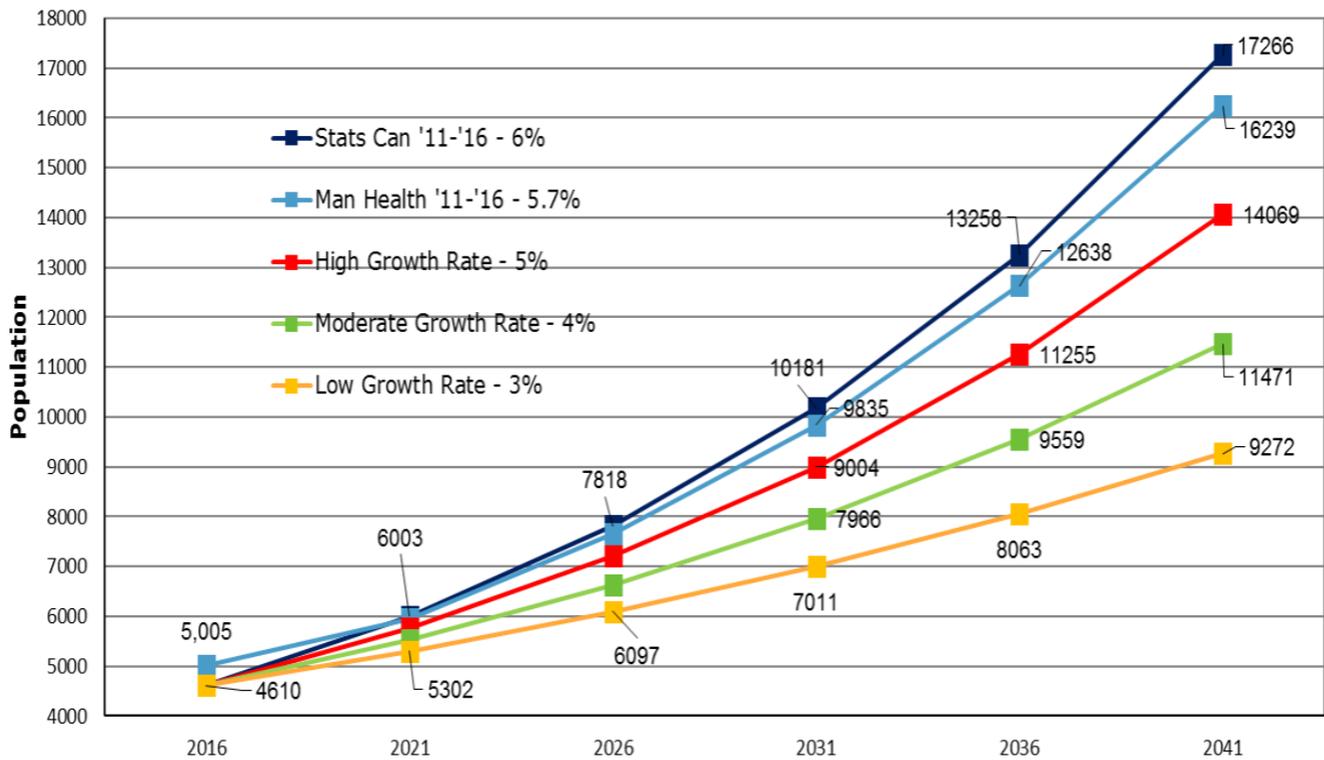
Over the past decade, the population of the Town has boomed, reaching a high of 4,610, according to recent (2016) census data from Statistics Canada. Over the next twenty-five years, the population is expected to more than double, with predicted population levels varying from between 9,000 and 14,000. This continuous and fast pace of growth in Niverville has created greater land pressures to accommodate housing, along with increased demands for infrastructure, recreation and education facilities, parks and services.

The Town will be challenged to address these demands while ensuring that the level and quality of services the residents of Niverville have come to enjoy is maintained and that new development benefits new and existing residents alike. To this end, the Town must find ways to promote greater commercial and industrial development that can increase the sustainability of its tax base.

## 1.2 TRENDS, PROJECTIONS AND INFLUENCES

As part of the Development Plan review, an analysis of the socio-economic, natural and built features and conditions of the Town was completed. This included analysis of demographic and population data, as well as an engineering assessment. The completed Background Planning and Engineering Report can be obtained from the Town office. A summary of the trends, projections and implications is outlined below.

NIVERVILLE POPULATION GROWTH ESTIMATES



1.2.1 Land Supply and Demand

- To determine land needs for the long-term planning horizon (25 years) for the Town of Niverville, a range of population estimates were assessed. The chart above graphically illustrates the various growth scenarios, highlighting the range of future populations depending upon the assumed growth rate.
- The annual Statistics Canada (6%) and Manitoba Health (5.7%) growth scenarios are based on the annual growth rates from the most recent 5 year data (2011 – 2016) and are representative of the fast pace of growth that Niverville has experienced since 2001.
- The low, moderate and high growth scenarios also reflect a fast pace of growth, but have been tempered by factoring in the Manitoba Bureau of Statistics (MBS) population predictions for the province and the fastest growing southeast and south central regions between 2013 and 2020. These predictions show a ‘high’ annual growth rate for Manitoba at 1.6%, and 1.7% for southeast and south central Manitoba. The low, moderate and high growth scenarios represent growth rates that fall between the recent high rates experienced and the more modest rates that MBS is predicting.
- By comparing the potential land demand across the different population growth rates with the amount of land available, the Town obtains a clearer picture of how much of growth can be accommodated within current Town limits. The result of this assessment is that available lands within the Town appear to be adequate to accommodate growth and land demand under the Low to High

Growth scenarios, but fall short of accommodating housing and employment acreage needs should Niverville continue to grow at or near its Manitoba Health or Statistics Canada growth rates. This would point to the need for a further annexation of lands at some future date.

- For the purposes of designating land for the long-term planning horizon of this Development Plan, it is assumed that existing lands within the Town's boundaries will be sufficient. Municipal permit data shows that the Town's current rate of residential construction falls between the rate of construction required to meet the housing demand under the "low" and "moderate" population growth scenarios. However, the pace of construction would have to pick up dramatically in order to match the High Growth Scenario. Factoring in the recent rate of construction makes the Statistics Canada and Manitoba Health growth rates much less realistic.
- Additionally, the Town can also moderate the need for additional lands by promoting infill, multi-unit developments and compact development through this Development Plan and the associated Zoning By-law.
- However, should Town growth or a large-scale development opportunity generate the need for additional land, the logical expansion of the Town would be to lands north of the Town, just west of the Industrial park, and to lands east of the Town, contiguous to existing designations. This pattern would be consistent with the direction of recent annexations in these areas and provide a logical 'squaring off' of the Town's boundaries. Because Niverville is within the Red River Designated Flood Area and the Town is diked on the western border, westerly expansion is not envisioned.

## 1.2.2 Trends and Implications

- Based on 2016 demographic data, the Town of Niverville appears to attract young families with school age children. As such, there may be increased pressure for youth-related services such as education, recreation and daycare. The new high school and multiplex will address much of the Town's education, recreation and even daycare needs. However, there will also be a need to provide a new elementary school in the next 5 to 10 years. In preparation for this, the Town, School Division and Public Schools Finance Board need to determine options for siting the new school.
- While the statistics also indicate that a significant proportion of Niverville's households have higher than average household incomes (based on Manitoba's average) it will be important for the Town to ensure that affordability is retained as the Town grows, in particular for young families and seniors. This could be addressed through smaller-scale multi-unit developments, rental properties, secondary suites and smaller homes.
- The Town's low job growth in relation to population growth signifies that a high proportion of residents commute to jobs out of Town. To diversify its tax base and reduce reliance on residential property tax to pay for increasing service provision, the Town will need to find ways to increase local job growth. This will be challenging with Manitoba's largest and third largest city in close proximity. To overcome this challenge, the Town will need to work to its strengths and enable and encourage home-based and small businesses through flexible zoning and the provision of adequate shovel-ready land supply.

- Currently not all residences in Town are connected to the Town drinking water system as the older homes rely on private wells. Many of these older homes are located in the Central Business Area and adjacent Transitional Area (as designated in the current Development Plan). Should the Town wish to intensify these areas, as indicated in the current Development Plan, piped services would be more suitable for higher density development than reliance on private wells. Going forward, the Town should consider making piped services mandatory for any proposals for intensification areas with private wells. In particular to provide adequate fire flows and enable higher density and mixed-use development.
- In the longer term, the Town should require piped servicing for all properties within the Town, with mandatory hook up for all new development and within a short time period (such as 2 years) for existing development.
- The Town's population and lagoon operation will have to be closely monitored in the coming years. Any required upgrades should be budgeted for and scheduled for implementation well in advance of need. This will ensure that future growth is not compromised, including having to turn away a business or industry due to the inability of the current system to accommodate an atypical wastewater generator like a food processor.
- Given the location of the new high school and community recreation complex relative to the bulk of the Town's current population, improvements to the CPR rail crossing at PR 311 will be needed. Both developments will generate higher volumes of vehicle and pedestrian traffic and safe crossing for both will need to be addressed. As the Town grows and development intensifies west of the rail line, crossing safety will only intensify.
- Going forward, addressing rail line crossing could be part of a larger study/plan that looks at improving overall connectivity within the Town (including vehicular, cycling and pedestrian mobility), and protecting the integrity of the arterial and collector street network through careful and coordinated access management.
- As the Town grows and the pressure for infrastructure and services increases, the Town may want to consider the enactment of a by-law that requires cash or in-kind contributions from developers to help defray the costs of Town infrastructure triggered by new development.

### 1.3 COMMUNITY VISION AND GOALS

Through background research and consultation with Town Council, Administration, key stakeholders and the public, several priorities, concerns and interests were identified. These priorities, concerns and interests form the basis for the community's vision for the future growth and development of the Town and set the direction for the policies of the new Niverville Development Plan.

The community vision is presented through the following vision statements and goals:

***Niverville welcomes new people and opportunities, while maintaining its small-town feeling and sense of community.***

Loss of the small-town feel and sense of community that residents value is a key community concern related to the rapid growth of the Town. Ensuring that new growth and development is well-planned and carefully implemented will help to maintain and enhance the features and characteristics of small-town living that have attracted people to Niverville.

**Goals:**

- a) To ensure growth can be sustained by phasing the development of new areas in-line with the capacity of Town facilities and services.
- b) To minimize urban sprawl by facilitating intensification in appropriate areas and compact urban form.
- c) To protect the character of established neighbourhoods by mitigating the impacts of new development.
- d) To enhance the public-realm and promote social interaction by creating and improving community meeting spaces.

***Niverville is a diversified community which offers a mix of housing options for residents of all incomes and life stages.***

Niverville has been forward-looking by encouraging the development of a variety of housing options for various stages of life—from large lot single family developments to more compact forms and multifamily developments, to seniors centres and personal care homes. Niverville has also been known for housing affordability—especially for commuters looking for large homes or lots that are out of reach in larger urban centres. Community feedback indicates that loss of affordability is a concern as the Town grows with new residents; in particular, that the availability of ‘starter homes’ has already been eroded. Continuing to ensure housing variety and supply will help to maintain affordability as Niverville grows.

**Goals:**

- a) To support and encourage the development of more affordable housing options.
- b) To enable residents to ‘age in place’ in their community.
- c) To encourage a range of housing types in new developments.
- d) To support the development of smaller, starter homes.

***Niverville has appealing and viable commercial and industrial areas that attract business.***

Expansion of the industrial and employment base is a key issue. Niverville has a large number of commuter residents that go outside of Niverville for employment. The proximity of major urban centres, such as Winnipeg and Steinbach, make Niverville a natural commuting centre and as a result, there is a lower demand for local business. However, as Niverville continues to grow, a greater balance between residential and employment uses is needed. Residential growth alone cannot support the cost of the

services and amenities expected by local residents. By attracting more business to Niverville and supporting the development and growth of home-grown, start-ups, the Town increases and diversifies its tax base and jobs—making the Town more sustainable in the long-term.

### **Goals:**

- a) To facilitate the development of the Town Centre as a vibrant, well-developed hub for entertainment, amenities and services.
- b) To focus the development of larger-scale commercial development along the major Commercial Corridor.
- c) To promote and support opportunities for local, small-scale and start-up businesses.
- d) To enhance the Town's role as a regional centre for commercial, cultural and social activities.

### ***Niverville is a safe, aesthetically pleasing and walkable community.***

As a rapidly growing community, the majority of Niverville's built up area is relatively new and reflects the current style of residential development. In general, residents are happy with the quality of the neighbourhoods being developed in the community and how the Town is taking shape. Concerns that were identified focused primarily on improving the attractiveness of the public realm overall, such as greenspaces and streetscapes, and the Town Centre most specifically. Improvements to the local transportation network was also identified as a prime concern, in particular connectivity and maintenance. Placing an emphasis on good urban design that promotes Niverville's heritage and culture will help create an attractive community for both existing and future residents.

### **Goals:**

- a) To improve connectivity and safety for pedestrians, cyclists and motorists.
- b) To create a visually appealing streetscape and cohesive urban form along Main Street.
- c) To increase the quantity and quality of public greenspace.
- d) To foster and promote the development of Niverville's community identity.
- e) To ensure new development is compatible with surrounding uses and natural features.

### ***Niverville provide its citizens with quality municipal services and opportunities for recreation and healthy living.***

Niverville's future will be challenged to meet the demand for more facilities, services and amenities and higher expectations for service standards that will come with an increasing population, many of which have come from larger urban centres. To sustainably accommodate new development, the Town will need to ensure that the capacity of existing infrastructure and services is sufficient and that levels of service and provision of amenities is appropriate for the scale of development.

### **Goals:**

- a) To ensure a sufficient supply of good quality drinking water.
- b) To improve overall drainage for existing and new development.
- c) To ensure the capacity of community facilities and services can support new development.

- d) To enhance community recreation facilities and provide year-round active living opportunities.
- e) To ensure that the full costs of new development are paid for by those who benefit.

# 2.0 Planning Framework

## 2.1 DEVELOPMENT PLAN SCOPE, EFFECT AND LEGISLATIVE AUTHORITY

The Niverville Development Plan is Council's comprehensive policy document for the management of growth and development within the municipal planning area over the next 25-year planning horizon (2017- 2042). Prepared under the authority of *The Planning Act*, the Plan repeals and replaces the Town of Niverville Development Plan By-law No. 657-08.

The Niverville Development Plan sets out the Town's vision and goals and provides guidance, through objectives and policies, for making land use and development decisions that are in line with these goals. The Plan provides a degree of certainty to council, administration, developers and the public about what future developments may be permitted in the community, addressing their appropriateness and scale, and guiding business and development toward appropriate locations. The Plan also provides continuity over time by providing a common framework for land use decision-making by successive public bodies.

In accordance with *The Planning Act* provisions for development plans, the Niverville Development Plan provides policy directions that reflect the physical, social, environmental and economic objectives of the Town, and maps to show the locations and directions for future development. *As per The Planning Act*, the Development Plan must be generally consistent with the Provincial Land Use Policies set out in the Provincial Planning Regulation, which reflect the provincial interest in land use, development and infrastructure.

The Development Plan must be approved by the Province before it can be adopted and implemented by Council, and any amendments to the Plan are subject to Provincial review against the Provincial Land Use Policies.

## 2.2 REVIEW AND AMENDMENTS

Given the ongoing nature of the planning process, this Plan is open to review and amendment as needed over time and as conditions change. Review and amendment processes are governed by *The Planning Act*.

The Development Plan review process provides the opportunity for the community to make adjustments to the goals, objectives and policies of the Plan in response to new conditions, economic opportunities and evolving community values. *As per The Planning Act*, Council has established that a re-evaluation of the goals, objectives and policies in this document will be initiated within 5 years of the adoption date of the By-law.

Developments that are generally consistent with the intent of the Development Plan can be given further consideration. Should there be instances where the community wishes to consider a proposed

development that is inconsistent with the Plan, an amendment to the text of the Plan or to the Future Land Use Map can be initiated. In some instances, such as the re-designation of land or an expansion to Town boundaries, amendments may also require certain studies to be completed to support and justify the need for the amendment.

## 2.3 PLAN STRUCTURE & INTERPRETATION

### 2.3.1 Structure:

This Plan is structured in four PARTS. Each PART is comprised of numbered Sections that cover specific topics. In PARTs TWO and THREE, each Section outlines the intent, objectives and policies for specific topics. PARTS TWO and THREE, along with the associated land use designations illustrated on the Land Use Map in PART FOUR, represent the legal content of this Development Plan and will be used for decision-making on land use and development activity in the Town of Niverville.

A series of Reference Maps in Appendix 1 provide supplementary information for the provisions of this Plan and may be updated periodically. Reference Maps are conceptual only and should not be used to make site specific decisions. These maps do not form part of the legal content of the Niverville Development Plan.

### 2.3.2 Interpretation:

#### Use of Terms

Terms that are both italicized and in bold have a defined meaning, which can be found in Appendix 2: Definitions. For these terms, the defined meaning applies where they are italicized and in bold, and the normal meaning applies where they are not.

The terms "such as" or "including" are used in this Development Plan to provide examples to clarify or expand upon the wording. Where examples are provided, they are not intended to be the only specific situation which might be considered.

#### Map Boundaries

The boundaries of the designated areas shown on the Land Use Map are intended to show the general arrangement of future land use and development in the Town. Where a boundary coincides with a physical feature on the map, such as a roadway or waterway, the boundary is deemed to be that feature. However, where a boundary does not coincide with a physical feature on the map, it is intended that the Council have some latitude in determining the precise location of the boundary, with more precise boundaries being provided in the Town Zoning By-law.

### Dimensions

The dimensional requirements (distance and area) identified in this Development Plan are intended to serve as guidelines only. Certain situations may necessitate a degree of flexibility in the application of these standards, provided that it complies with the general intent of the Development Plan.

### Non-conforming Uses

In general, where land is designated or described in the Plan and differs from the existing use, the property may be zoned in the Zoning By-law to reflect its existing use. Any subsequent land use change must be in conformity with the Plan.

## 2.3.3 Using the Development Plan:

The following is a general guide describing how to use this Plan in relation to a proposed development:

**Step One:** Review the Land Use Map in PART FOUR to determine the designation of the land.

**Step Two:** Review the policies in PART THREE, focusing on those policies which are relevant to the current designation of the land – specifically what is the intent of the designation and what is allowed.

**Step Three:** Review the policies in PART TWO, in the context of the proposed development.

**Step Four:** Review all applicable Reference Maps in Appendix 1.

**Step Five:** Conduct a general assessment based on all of the relevant policies as to whether a project is appropriately conceived and developed. Should any policies appear to conflict, the interpretation of the Development Plan is at the discretion of Council and/or its designate.

## 2.4 IMPLEMENTATION

The vision statements, goals, objectives and policies of this Development Plan provide the Town with a planning framework for establishing long term, strategic planning directions, and a tool for making day-to-day decisions on planning matters. However, on its own, the Development Plan is not a complete tool to implement and enforce the policies and programs it identifies. Rather, it must be used in conjunction with other plans, tools, controls and Provincial policies, regulations, guidelines, and licensing requirements available to the municipality under *The Planning Act* and other legislation.

### 2.4.1 Secondary Plans:

As per the *Planning Act*, Council may adopt secondary plans by by-law to deal with specific issues or directions identified in the Town's development plan by-law, such as a greenspace master plan, or to provide a secondary level of planning guidance for the development of particular lands, such as a new neighbourhood or industrial park.

As a by-law, any changes to secondary plans are made by formal amendment that includes a public hearing. A secondary plan must generally conform to an adopted Development Plan.

### **2.4.2 Zoning By-law:**

The Town's Zoning By-law sets out specific regulations for land use and development that are reflective of the Development Plan. The Zoning By-law identifies specific zones for certain types of uses. Permitted and conditional uses and development standards are prescribed for each zone. A Zoning By-law must generally conform to an adopted Development Plan. The objectives and policies in the Development Plan provide guidance to Council when preparing the Zoning By-law or considering an amendment to the Zoning By-law. If deemed necessary by Council, existing uses can be zoned to reflect actual use.

### **2.4.3 Subdivision Approval:**

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review and approval process, providing an opportunity for development proposals to be evaluated in accordance with the provisions of the Development Plan. A subdivision proposal cannot proceed without the approval of the Town Council and the Provincial Approving Authority. Council and / or the Provincial Approving Authority may attach conditions to a subdivision approval in accordance with provisions of *The Planning Act*.

### **2.4.4 Development Permits:**

All developments require a development permit issued by the Town, except where specifically exempted for in the Town Zoning By-law. The issuance of development permits represents a review and approval process for individual land use or building development projects. Before a permit is issued, proposals will be reviewed to determine their conformance with the Development Plan and the Zoning By-law.

### **2.4.5 Concept Plans:**

As part of the development approval process, Council may require development proponents to prepare Concept Plans to illustrate the proposed land-use and circulation for a development area or site through a combination of text, maps and graphics. Concept Plans may be supported by accompanying studies on the proposed servicing, drainage, utility and transportation aspects of the proposal.

Unlike secondary plans, Concept Plans are non-statutory documents approved by Council resolution and can be modified as necessary with Council approval.

### **2.4.6 Supporting Studies:**

Proponents may be required to undertake and submit studies as part of the approval process for certain development proposals. Engineering or other professional studies may be required to determine the impacts of development on infrastructure or the environment, such as a traffic study to identify potential impacts on both the Town road system and the Provincial Highway system.

### **2.4.7 Development Agreements:**

Section 135 (3) and Section 150 of *The Planning Act* provide Council an opportunity to implement a development agreement as a condition of a subdivision approval, amending a zoning by-law, making a variance order, or approving a conditional use. The matters dealt with via a development agreement can include, but not be limited to: the use of land or structures, the installation and financing of

infrastructure, area grading and leveling of land, amenities (including sidewalks, boulevards, and parks), the dedication of land, and other matters as outlined in *The Planning Act*.

### **2.4.8 Building 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 by-laws, licensing bylaws, 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 may 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. The standards required in these by-laws and regulations also affect the physical appearance and environmental quality of a development.

### **2.4.8 Capital Levies and Development Fees:**

The Town may, in accordance with provisions of the *Municipal Act*, require the applicant to pay certain capital levies and lot fees when subdividing lots.

### **2.4.9 Land Dedication / Cash-in-Lieu:**

Where land is being subdivided for residential use, land required for parks or natural areas may be dedicated in accordance with the provisions of *The Planning Act*. As an alternative to land dedication, Council may require the dedication of funds in lieu of land, as provided for in *The Planning Act*.

### **2.4.10 Capital Works Program:**

Through various expenditures for roadways, water and wastewater systems and recreational facilities, the Town of Niverville's Capital Works Program influences the location and direction of development. By developing a long-term Capital Works Program that is consistent with the goals and policies of this Development Plan, Council's strategic planning and investment will lead development towards the achievement of the community vision.

### **2.4.11 Tax / Service Sharing Agreements:**

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

### **2.4.12 Strategic Plans for Economic Development:**

As outlined in the *Municipal Act*, the Town may adopt a strategic plan for economic development. Strategic plans should be consistent with the Development Plan. It is also recommended that existing or proposed community vision statements and action plans prepared as part of the community round table process be taken into account to ensure consistent objectives, policies and programs.

# PART TWO: GENERAL POLICIES

PART TWO includes general policies that apply to all land uses and development in the Town and should be reviewed for all proposed activity. The policies in this section provide guidance for the overall planning and management of land use and infrastructure in the Town, as well as for specific development and activities, regardless of their designation or location. This Part of the Plan should be read in conjunction with PART THREE.

# 3.0 Growth Management

Sustainable development and growth is a priority for the community. Urban sprawl is deemed neither economically viable for developers, nor for the community to maintain moving forward. A balanced approach of providing new land for development and promoting intensification of existing built-up areas will enable the Town to provide an adequate supply of land while moderating the need for Town expansion. To utilize Town lands efficiently, decisions should take into account a range of planning considerations, such as the provision of municipal services, connectivity with the transportation network, availability of greenspace and the impacts on existing uses.

## 3.1 Objectives:

- a) Provide an appropriate supply and type of developable land to meet the Town's needs;
- b) Promote the planned, orderly and efficient use of land;
- c) Optimize existing infrastructure investments and minimize the need for new infrastructure;
- d) Ensure connectivity and compatibility of new development/redevelopment with surrounding uses;
- e) Promote regional cooperation.

## 3.2 Policies:

### 3.2.1 DESIGNATED SUPPLY OF LAND

To ensure an adequate supply of land is designated for residential, commercial and industrial development, as well as for public recreation and open space uses, the Town will update and amend this Development Plan as necessary. Where the re-designation of lands is proposed for development, Council may require the proposal to demonstrate that:

- i) There is an insufficient supply of land designated to meet projected demand;
- ii) The infrastructure and services appropriate for the development can be economically provided to the satisfaction of the municipality;
- iii) The designation and development proposed will be compatible with the adjacent transportation system; and
- iv) The proposal supports the vision and goals of the Town and is generally consistent with the Provincial Planning Regulation.

A Concept Plan may be required as part of the amendment application. See 3.2.6 and 3.2.7 for direction on Concept Plans.

### 3.2.2 TOWN EXPANSION

Should the future annexation of lands in adjacent RMs be necessary to provide additional lands for development to maintain the viability of the Town, Council will endeavor to work with the affected Rural Municipality on a mutually suitable arrangement and provide information to demonstrate that:

- i) The current inventory of lands suitable for development are unavailable or inadequate to meet potential future demand; and
- ii) The proposal is a logical extension of the built-up area and the strategy for extending municipal infrastructure and services to support the expansion is sound.

### 3.2.3 REGIONAL COOPERATION

As Niverville is a growing centre in the region, Council will endeavor to work with adjacent Rural Municipalities on managing development opportunities located around the Town's borders to ensure compatibility with urban development. Tax and servicing-sharing agreements may be utilized to support joint-planning.

Where opportunities arise, Council may also work with adjacent municipalities and the Winnipeg Metropolitan Region on matters of common interest, including growth management, economic development and tourism, transportation, infrastructure and natural resources.

### 3.2.4 CONTIGUOUS AND INFILL DEVELOPMENT

To moderate the need for Town expansion and ensure that infrastructure and servicing can be extended as efficiently and economically as possible, Council will encourage and give priority to development that is contiguous to the built-up area or infills vacant or underutilized lots and parcels within the built-up, serviced area. "Leapfrog" developments that require the extension of services across large, undeveloped areas will be discouraged.

### 3.2.5 RETENTION OF LARGE PARCELS

Large agricultural land holdings in the Town will be zoned for Agricultural use, until such time that the land is needed for urban development and rezoned. To minimize the fragmentation of these large parcels prior to rezoning, Council will limit the subdivision of lands zoned Agricultural.

### 3.2.6 CONCEPT PLANS

To ensure new development is adequately serviced, compatible with surrounding uses and properly integrated within the Town's transportation and drainage system, development proponents will be required to submit Concept Plans for development applications that:

- i) open a public right-of-way;
- ii) create a new public thoroughfare;
- iii) require the installation of new municipal facilities or infrastructure; or

- iv) are of significant scale, intensity or density to have impacts on surrounding land use and development.

### **3.2.7 CONCEPT PLAN PROVISIONS**

Where a Concept Plan is required, the Town may require that any or all of the following elements must be addressed:

- i) Location and density of land uses;
- ii) Conceptual layout of future roadways and pathways that are safely and efficiently integrated with other existing and anticipated roadways and pathways in the area;
- iii) Conceptual arrangement of building lots, with a configuration and lot sizing that is appropriate for the nature of the anticipated development;
- iv) Conceptual site layout of buildings, parking, vehicular circulation and landscaped areas, where applicable;
- v) Location and size of proposed buffers, parks and open spaces;
- vi) Sufficiently detailed contour information to evaluate slope and drainage conditions;
- vii) Conceptual design of the municipal services anticipated within the development area, including storm drainage, water supply and wastewater systems;
- viii) Engineering assessment of the impact of the proposed development on existing services (including water supply, wastewater collection, stormwater drainage, and transportation systems), and where appropriate, a general evaluation of the capacity of these services to accommodate the proposed development;
- ix) Development phasing; and
- x) Design measures taken to avoid or mitigate any detrimental impact on lands deemed by provincial authorities to be environmentally significant or sensitive.

Council may request that Concept Plans be accompanied by any additional information required to assess the potential impacts and compatibility of the proposed development.

### **3.2.8 COMPARTIBLE DEVELOPMENT**

To ensure that development is compatible with surrounding uses, the land on which it will be situated and with the infrastructure necessary to support it, and that impacts have been appropriately considered, proposal for development should demonstrate that:

- i) Proposed land use(s) will be developed in such a manner to mitigate against potential negative impacts on adjacent lands and the adjoining area;
- ii) The land is physically suited for the purpose intended and in particular that the soil and drainage conditions are adequate for the proposed development;

- iii) Appropriate arrangements have been made for the adequate provision of road access, water supply, sewage disposal, solid waste disposal, storm drainage, shallow utilities, and land for parks and open spaces, and;
- iv) Appropriate remedial measures have been or will be taken to protect public health, safety and property for any known environmental hazards.

### **3.2.9 URBAN DESIGN**

To help encourage a high standard of building and site design in the Town of Niverville, proposals for new or expanding commercial, institutional and multi-unit residential development are encouraged to:

- i) Be sensitive to the scale, orientation, building setbacks, materials and landscaping of surrounding properties in order to create a planned and unified appearance, particularly along arterial and collector roadways;
- ii) Preserve trees and use natural vegetation and other decorative landscape features as a natural complement to other man-made features of the development;
- iii) Appropriately integrate and screen parking, loading, service and storage areas; and
- iv) Ensure elements such as signs and exterior lighting are appropriate to the nature and scale of the development and located so as to minimize unattractive views or excessive glare to nearby residential properties; and
- v) Provide adequate privacy and ensure adequate separation between building walls.

# 4.0 Transportation Network

Establishing a safe, efficient and connected transportation network that accommodates a variety of transportation modes is a critical element for the overall planning and development of the Town. Land use decisions need to take into account the impacts of development on existing roads and consider the needs of pedestrians and cyclists, and factor in the improvements needed to accommodate growth and how those costs will be financed.

## 4.1 Objectives:

- a) Encourage integration and connectivity between municipal and provincial transportation networks.
- b) Ensure development is compatible with the existing network, or contributes to necessary upgrades.
- c) Promote a variety of transportation modes, including active transportation opportunities.
- d) Ensure that the function of the rail line and the safety of residents is considered in future development decisions.

## 4.2 Policies:

### 4.2.1 SYSTEM COMPATIBILITY

To promote a safe, convenient, efficient and economical road transportation system within the Town of Niverville for the movement of people and goods, proposals for development should:

- i) Demonstrate the compatibility of the development and its location in relation to the capacity and function of the existing road network;
- ii) Design roads associated with new developments to be integrated with the existing road network; and
- iii) Separate vehicular, bicycle and pedestrian traffic along major traffic routes, using bike lanes, sidewalks, pathways and pedestrian crossings.

### 4.2.2 SYSTEM CONNECTIVITY

To promote a local transportation network that maximizes connectivity for pedestrians, cyclists, private vehicles and emergency response services, proposals for new developments are encouraged to:

- i) Limit the use of cul de sac streets in new developments wherever possible, or consider the provision of a pedestrian/cycling connection when cul-de-sacs are used;
- ii) Limit block length in new developments to facilitate greater street connectivity; and
- iii) Consider options for active transportation.

### 4.2.3 TRAFFIC IMPACT STUDY

For large scale development proposals or uses that would generate significant volumes of traffic, Council may require traffic impact studies to determine future intersection improvements, turning lanes, acceleration/deceleration lanes, signage and signalization, as necessary. Where the development is adjacent to Provincial Road No. 311, the study will be referred to the appropriate provincial agency for review.

Where it is determined that a proposed development will necessitate transportation improvements, the costs of these improvements should be the responsibility of the development proponent.

### 4.2.6 MAIN STREET / PR. 311

The main roadway serving and central to the Town of Niverville is Provincial Road No. 311, also known as Main Street. As the Town's primary commercial corridor, the roadway must be designed to serve local traffic—including vehicles, cyclists and pedestrians—while at the same time recognizing its function as a provincial road for moving goods and services. To protect these two functions and municipal investments in improvements, access will be carefully managed on this roadway by:

- i) Encouraging a clustered pattern of development that consolidates local traffic at major points of entry;
- ii) No permitting strip development, where each lot relies on direct access; and
- iii) Ensuring proposed developments are compliant with provincial requirements.

Developments requiring access to provincial roads and are subject to provincial and Highway Traffic Board approval. Approval and costs for required any necessary road improvements should be the responsibility of the developer.

### 4.2.5 HIGHWAYS PROTECTION

As the Town of Niverville and surrounding region continue to grow, increasing pressure on the provincial highway system may necessitate future widening or expansion of provincial roads serving Niverville. To ensure there is adequate land available for future widening or expansion, development/subdivision will not be permitted in those areas identified by the province for highway widening or expansion, unless provisions suitable to the province are made.

### 4.2.7 RAIL LINE SAFETY

To promote resident safety and prevent adverse effects from noise, vibration, odour and other contaminants, development proposed adjacent to the railway corridor should be adequately buffered and/or separated from rail related uses and conform to the setbacks required by applicable provincial or federal authorities and taking into consideration the Federation of Canadian Municipalities RAC Guidelines.

Additionally, as the Town grows and generates higher volumes of vehicular and pedestrian traffic crossing the rail line, the Town will consider all measures necessary to provide safe vehicular and pedestrian rail crossings.

#### **4.2.8 PARKING FACILITIES**

To minimize congestion on public roadways, the following uses should provide on-site accommodations for parking, loading and exterior service needs:

- i) Developments located in the COMMERCIAL CORRIDOR and INDUSTRIAL designations;
- ii) Medium, high density and mixed-use residential buildings and complexes; and
- iii) Institutional and recreational facilities.

To encourage a cohesive built form and pedestrian scale within the TOWN CENTRE, development fronting onto on Main Street should have minimal on-site parking, with most parking to be accommodated on-street. Any on-site parking in the TOWN CENTRE should locate to the rear of primary buildings.

# 5.0 Utilities and Services

Maintaining and improving the services and infrastructure that support development is critical to sustaining Niverville's growth and ensuring the health and well-being of existing and future users. To ensure the Town can sustain appropriate levels of services as the Town grows and expands, and to ensure that development does not result in unexpected or unreasonable costs to the Town and its citizens, the capacity of utilities and services must be considered when reviewing proposals for new development.

## 5.1 Objectives:

- a) Optimize existing infrastructure investments and avoid premature extension or expansion;
- b) Provide adequate lands for future utilities, infrastructure and facility expansions;
- c) Ensure the impacts of development on infrastructure and services are identified and that the costs of any needed upgrades or improvements are shared by those who benefit;
- d) Support energy conservation and the use of alternative energy systems.

## 5.2 Policies:

### 5.2.1 WASTEWATER SYSTEMS

To ensure that all wastewater is appropriately collected and treated to Town and provincial standards, all new developments must connect to the Town's wastewater collection system. No new or redevelopment of onsite wastewater management systems will be permitted within the Town.

### 5.2.2 WATER SYSTEMS

To support the move towards a Town-wide, piped water system and ensure all residents and businesses have access to a safe supply of drinking water, the following requirements apply:

- i) All new developments will be required to connect to the Town's water distribution system at the time of development. Should new development require the construction, extension or alteration of the Town water distribution system, a development agreement will be required;
- ii) When Town water is introduced to existing developed areas that have onsite water systems, the connection of existing development to Town water services will be phased in, within timeframes established by Council.
- iii) Proposed redevelopment or infill of sites with existing onsite water supply must connect to Town water services at the time of development; and
- iv) Abandoned wells must be capped and sealed to provincial standards and regulations.

### 5.2.3 SERVICING PLANS

To ensure the Town's sewer, water and land drainage infrastructure can support proposed new development, Council may require that proponents of development, and in particular developments that use water and/or produce wastewater in large volumes (e.g. 'wet industries') prepare conceptual servicing plans and servicing reports that demonstrate any impacts to municipal services and identify the type and cost of any necessary improvements. Developments that would significantly impact the function or capacity of municipal services and put unreasonable financial burden on the public should not be approved.

### 5.2.4 INFRASTRUCTURE SIZING

To ensure that Town services have the capacity to support anticipated growth and development, the design and installation of major facilities, such as lift stations and forcemains, associated with specific developments should be sized to accommodate the longer-term development of the Town. In cases where the costs are front-ended by a development proponent, Council will endeavor to collect funds within a reasonable time frame from future benefitting landowners and repay appropriate costs to the development proponent.

### 5.2.5 EXTENSION OF SERVICES

To promote coordinated land use decisions and logical infrastructure investments, the Town will only extend municipal wastewater and/or water systems beyond Town boundaries to service developments in adjacent municipalities when agreements are arranged between the Town and affected municipalities.

### 5.2.6 STORMWATER MANAGEMENT/DRAINAGE

As the Town of Niverville is within a low-lying area and surrounded by a community dike, appropriate onsite stormwater management is critical to ensure that run-off associated with urban development will not compromise the existing provincial drainage and flood protection infrastructure.

Proposals for development must demonstrate that post-development stormwater flows off-site will be the same as, or reduced from, pre-development flows. Larger sale subdivisions and developments will be required to submit plans for drainage, in accordance with provincial hydraulic design requirements for stormwater management within the Red River Valley Designated Flood Area.

### 5.2.7 PROVINCIAL DRAINAGE SYSTEM

As per provincial policy, new development should not plan for any liquid to drain into the highway drainage system. Where such drainage is unavoidable, permission is required from the appropriate provincial agency. The costs of any revisions required to the existing highway drainage system, which are directly associated with a particular development, will be the responsibility of the developer.

### 5.2.8 SOLID WASTE MANAGEMENT

To extend and optimize existing landfill sites and encourage sustainable waste management practices, waste reduction, reuse, recycling and recovery is encouraged.

### 5.2.9 LOCATION OF UTILITIES AND SERVICES

Essential activities of government, including public and private utilities, will be allowed in any land use designation, subject to requirements in the Zoning By-law. In undeveloped areas, the location of new utility and service corridors should be outlined in Concept Plans. The following location priorities are provided as guidelines for the development of new utility and service corridors:

- i) As a first priority, new corridors should be located within existing roadway rights-of-way, wherever possible;
- ii) As a second priority, corridors should be located immediately adjacent to and parallel with roadway rights-of-way;
- iii) Where a roadway location is not practical, as a third priority, corridors should be located along property lines.

Permission is required from the appropriate provincial agency to place any structure/development, above or below ground level within the right-of-way of a provincial highway.

### 5.2.10 CORRIDOR PROTECTION

To preserve future access and protect existing utility and service corridors from incompatible development, no buildings or major structures may be located or developed within existing utility or service corridors, unless specific approval has been granted by the affected corporation or agency.

### 5.2.11 ALTERNATIVE ENERGY

To encourage the use of alternative, renewable resource-based energy sources, the Town of Niverville supports the development of on-site wind energy systems, solar collectors and geo-thermal systems for electricity production that will not negatively impact adjacent uses or development. To enable these energy systems within the Town, site-specific provisions will be established in the Town's Zoning by-law.

### 5.2.12 PROTECTIVE SERVICES

To ensure that the protective services that serve the Town, including police, fire and ambulance, are expanded as the Town grows in size, consideration of the impacts of new developments on the equipment and operational requirements of these services should be factored into development decisions.

### 5.2.13 SCHOOL CAPACITY

When considering new areas for residential development, consultation with the local School Board and Public Schools Finance Board is required to determine the impacts of residential growth on school services

and to identify whether new school sites will be needed in the development area (including information on the timing, parcel size and type of schools/sites). Where approved by the Public Schools Finance Board, future school sites will be identified in plans for new development.

# 6.0 Environment and Heritage

The Town of Niverville is located along the Crow Wing Trail in the Red River Valley. Protection from flooding is necessary for existing and planned development of the Town and will be an ongoing concern as the frequency and severity of flooding increases as a result of climate change. Natural and heritage resources of the Town also require protection from the impacts of development, to ensure they can be enjoyed by present and future generations.

## 6.1 Objectives:

- a) Minimize risk to people, property and the environment from flooding;
- b) Minimize pollution risk to water sources that serve the Town and provide habitat to wildlife;
- c) Preserve and protect known natural areas and heritage resources from incompatible development and land uses that may threaten their integrity or function.

## 6.2 Policies:

### 6.2.1 DESIGNATED FLOOD AREA

While the community of Niverville is protected by a ring dike, lands outside the dike are within the Red River Valley Designated Flood Area (RRVDFA). The development of any permanent structures within the RRVDFA requires a Designated Flood Area Permit from the appropriate provincial authority and flood protection up to the established Flood Protection Level (1 in 200-year flood).

### 6.2.2 GROUNDWATER PROTECTION

To protect the Niverville's groundwater supply, activities that may cause pollution under normal operating conditions or that pose a high risk of accidental contamination shall not be permitted within the Town unless it can be demonstrated by adequate field investigation and analysis that the proposed activities will not cause pollution of existing or potential groundwater supply in the area.

### 6.2.3 SURFACE WATER PROTECTION

To minimize contamination to surface water, vegetated buffers around retention ponds and drains are encouraged to help reduce pollutants into surface water.

### 6.2.4 HERITAGE RESOURCES

Where appropriate and feasible, the development, designation and preservation of heritage resources (such as the Crow Wing Trail) will be coordinated with other heritage and recreational resources in

adjacent municipalities to maximize interpretive and tourism potential.

#### **6.2.5 HERITAGE RESTORATION**

To help retain and enhance Niverville's heritage, redevelopment proposals that will rehabilitate/restore the original architectural characteristics of structures with heritage significance are encouraged.

# PART THREE: LAND USE POLICIES

PART THREE of the plan provides the development strategy, objectives and policies for each of the land use designations in the Town. The policies of this section should be read in conjunction with the policies and objectives of PART TWO.

# 7.0 Town Centre

The strategy for the TOWN CENTRE area, as shown on the Land Use Map in PART FOUR, is to create an identifiable and vibrant community core by making Main Street the priority location for local economic, civic and social activity and supporting this activity by directing higher density residential development and public amenities to the area adjacent to Main Street. The policies of this section support this vision by encouraging commercial and residential intensification, improving pedestrian connectivity and access, and enhancing the visual appearance of buildings and streetscapes.

## 7.1 Objectives:

- a) Promote Main Street as the priority for civic and professional offices, restaurants, local retail and service uses, and arts and cultural facilities;
- b) Promote a cohesive, attractive pedestrian-scale built-form, in particular along Main Street;
- c) Encourage the intensification of the TOWN CENTRE through infill, redevelopment and higher density development;
- d) Provide for residential mixed-use area that creates a transition between the predominantly commercial uses on Main Street and adjacent lower density NEIGHBOURHOOD areas.

## 7.2 Policies:

### 7.2.1 TOWN CENTRE USES

To create a vibrant community core that caters to business, living and socializing, the TOWN CENTRE will accommodate an appropriate mix of commercial, institutional and residential uses that complement and support each other. The TOWN CENTRE is defined by two distinct mixed-use areas:

- i) *Commercial Main Street*: encourages predominantly general and specialty retail, restaurant, service and civic commercial uses along Main Street, with complementary institutional development. Residential uses will be permitted along Main Street as part of a mixed-use commercial/residential structure, where residential units are located above the ground floor commercial use; and
- ii) *Residential Mixed Use*: encourages predominantly medium and high density residential uses on properties adjacent to those fronting Main Street. Low impact, **small-scale commercial** development is also encouraged in this area – either as a residential conversion or as part of a mixed-use commercial/residential structure that incorporates small-scale commercial use on the ground floor.

### 7.2.2 INTENSIFICATION

Increases to the intensity and/or density of uses within the TOWN CENTRE is encouraged to support a strong central identity and presence. Increasing the intensity of development within the TOWN CENTRE will have impacts on existing infrastructure, services and uses. To ensure that impacts are appropriately

identified and addressed, proposals that will increase the density or intensity of a site or building through infill, redevelopment, conversion or other methods, may be required to prepare:

- i) Impact studies that address traffic and parking impacts, in particular for development within the residential mixed-use area;
- ii) Servicing studies that address drainage, drinking water and/or sewer needs and impacts;
- iii) Site elevations and drawings that address parking, access, fencing, etc; and/or
- iv) Landscaping plans.

To provide support and reduce community concerns, and to assist development proponents on how best to meet infrastructure standards and by-law requirements, such proposals will undergo administrative review. An administrative review may recommend the proponent consult with the community to obtain support.

### 7.2.3 TRANSITION

To respect the character and value of established NEIGHBOURHOOD areas adjacent to the TOWN CENTRE, proposals for development within the TOWN CENTRE will provide for a transition of heights through the stepping down of buildings towards established NEIGHBOURHOOD areas. Where needed, the use of setbacks or buffers may be required to delineate the transition.

### 7.2.3 SMALL-SCALE COMMERCIAL

Commercial uses located on properties not fronting on Main Street will be limited to low impact, **small-scale commercial** uses that complement residential development and are accommodated within the residential mixed-use zone. To ensure these uses are well-integrated and compatible with surrounding residential uses, these uses should:

- i) Be developed adjacent to an intersection, in order to minimize traffic impacts within the local neighbourhood;
- ii) Be located near other neighbourhood amenities, such as schools, churches, etc, where possible and appropriate;
- iii) Consider the building setbacks and landscaping of surrounding uses;
- iv) Be compatible with the predominantly residential character of the area; and
- v) Provide appropriate signage, and screening for parking and outdoor storage.

### 7.2.4 URBAN FORM AND DESIGN

To improve the aesthetic and physical environment of the TOWN CENTRE, the following actions are encouraged:

- i) Permitting reduced front setbacks and side yards and limiting parking to the rear of buildings for properties fronting Main Street to increase visual cohesiveness;

- ii) Maintaining and enhancing landscaped boulevards and medians, treed sidewalk areas, and public meeting spaces along Main Street and other areas where pedestrian traffic is most concentrated;
- iii) Undertaking beautification programs through streetscape improvements, the rehabilitation of buildings and upgrading existing building facades;
- iv) Promoting consistency for outdoor signs with respect to appearance, size, projection height and effects on adjoining properties;
- v) Protecting historically important and/or architecturally significant buildings;
- vi) Ensuring the provision and maintenance of adequate on-street parking and sidewalks; and
- vii) Enhancing the visual appeal of buildings and landscaping along Main Street by developing design guidelines for Main Street.

# 8.0 Commercial Corridor

The strategy for the COMMERCIAL CORRIDOR areas, as shown on the Land Use Map in PART FOUR, is to encourage and support opportunities for commercial and employment uses that serve the Town and surrounding region by providing appropriately sized and located land to accommodate commercial uses that have larger land requirements and for business that need good access to arterials. Because the 'bookend' locations of the COMMERCIAL CORRIDOR areas presents 'the face' of the Town to those arriving, commercial developments should promote good urban design.

## 8.1 Objectives:

- a) Encourage the development of attractive, commercial groupings at each gateway into Town;
- b) Preserve the function of Provincial Road no. 311, the main corridor through Town, primarily for commercial and employment uses;
- c) Support some mixing of complementary uses that will help stabilize and enhance commercial development;
- d) Ensure an adequate supply of serviced commercial land.

## 8.2 Policies:

### 8.2.1 COMMERCIAL CORRIDOR USES

To facilitate economic development in the Town of Niverville, COMMERCIAL CORRIDOR areas are intended primarily for general commercial uses and uses that:

- i) Require larger parcels of land or building area than what is appropriate or available in the TOWN CENTRE;
- ii) Require space for outdoor display/storage;
- iii) Cater to the travelling public, such as hotels and gas stations; or
- iv) Are regional in nature.

### 8.2.2 RESIDENTIAL USES

Higher density residential uses may be accommodated in Commercial Corridor areas where they complement adjacent uses and mitigate incompatibility, subject to appropriate zoning. Residential development that is part of a mixed-use commercial/residential structure or planned development is encouraged.

### 8.2.3 INSTITUTIONAL USES

Complementary recreation, cultural and institutional uses that are more regional in scale may be appropriate in COMMERCIAL CORRIDOR areas, subject to appropriate zoning.

#### **8.2.4 INDUSTRIAL USES**

Existing industrial uses located along Provincial Road no. 311 on the east side of the Town are accommodated in the COMMERCIAL CORRIDOR area, subject to appropriate industrial zoning. No further industrial development should occur in COMMERCIAL CORRIDOR areas.

#### **8.2.5 DEVELOPMENT STANDARDS**

To promote development that is of high quality and compatible with surrounding uses, proposals for commercial uses in COMMERCIAL CORRIDOR areas are required to include plans for circulation, landscaping, lighting, fencing and exterior elevations.

Where large-format retail uses are proposed, additional information such as a traffic impact study, signage plans and building design information may be required.

#### **8.2.6 SERVICING**

New commercial areas must be readily serviceable by extension of municipal water and sewer and must provide and connect with these services.

# 9.0 INDUSTRIAL

The strategy for the INDUSTRIAL areas, as shown on the Land Use Map in PART FOUR, is to attract and support further industrial development and employment growth at strategic locations that complement surrounding uses. Industrial uses requiring larger site areas and which have more potential to impact non-industrial uses are encouraged to locate in the Town's Industrial Business Park, while low impact uses may be accommodated in a mixed use industrial area. Increasing industrial development will have a positive impact on the Town of Niverville's economy and provide a source of employment for residents.

## 9.1 Objectives:

- a) Maximize employment opportunities for local residents;
- b) Ensure that future industrial development will be compatible with other development in the area and not create unacceptable nuisance or risks;
- c) Facilitate industrial business park development opportunities;
- d) Ensure an adequate supply of serviced, industrial lands;
- e) Create a safe, attractive and efficient industrial area.

## 9.2 Policies:

### 9.2.1 INDUSTRIAL USES

To promote economic development and employment for the Town, industrial uses will be directed to and accommodated in INDUSTRIAL areas within the Town. A range of industrial uses is encouraged in appropriate locations, with **lower impact industrial uses** being directed to INDUSTRIAL areas that are in closer proximity to non-industrial uses, and **higher impact industrial uses** directed to INDUSTRIAL areas further away.

### 9.2.2 INDUSTRIAL MIXED-USE

The development of a mixed-use environment that accommodates office, warehouse and **lower impact industrial uses** is encouraged in INDUSTRIAL areas that are in closer proximity to non-INDUSTRIAL areas. To promote compatibility between uses and with adjacent areas, standards for landscaping and design will be higher than in general INDUSTRIAL areas.

### 9.2.3 RESIDENTIAL INTERFACE

Where industrial development is proposed to be located in close proximity to existing or planned residential development, the industrial development must incorporate buffers to separate and screen industrial activity, including but not limited to landscaped setbacks or berms, fences or walls. The size and type of buffer required will be dependent upon the scale and intensity of the proposed industrial use and the degree to which noise is a factor.

#### **9.2.4 RESIDENTIAL USES**

Residential and other incompatible uses will not be permitted within INDUSTRIAL areas to ensure that industrial uses can safely operate and/or expand.

#### **9.2.5 NIVERVILLE INDUSTRIAL PARK**

Due to the potential nuisances that can be associated with industrial development (such as noise, odour, smoke, dust, etc), proposals for higher impact industrial uses and in particular those with outdoor operations, will be encouraged to locate in the Niverville Industrial Business Park.

#### **9.2.6 MUNICIPAL SERVICES**

New industrial developments, or significant expansion of existing industries, will be evaluated to ensure appropriate road access and adequate capacity within the Town's water and sewer systems, where applicable. Where a major industrial subdivision is proposed, additional information such as a traffic impact study and buffering plans may be required.

# 10.0 Parks and Open Space

The strategy for PARKS AND OPEN SPACE areas, as shown on the Land Use Map in PART FOUR, is to protect, invest in and optimally maintain a diverse and interconnected system of public amenities and natural areas that are integral to the livability of the Town and contribute to the physical and social health and well-being of its residents. Parks and Open Space areas are intended to provide lands for recreation and leisure, active transportation and to set aside lands to be kept as natural, open space.

PARKS AND OPEN SPACE areas not only provide an essential community resource, but also play an important role in defining the character and identity of the community. When such resources are lacking, people are forced to go outside of their community to enjoy a healthy lifestyle and to meet their basic quality of life needs. As Niverville continues to grow and diversify, and the recreational and greenspace needs of the population increase, there is a responsibility by both the Municipality and developers to ensure an adequate supply of land is devoted for PARKS AND OPEN SPACE and that the land is useable and accessible to the community.

## 10.1 Objectives:

- a) Protect environmentally sensitive areas and features of community significance;
- b) Facilitate year-round, active living and recreational opportunities;
- c) Enhance community greenspace and connectivity;
- d) Optimize community greenspaces through the co-location of compatible recreation and institutional facilities.

## 10.2 Policies:

### 10.2.1 PARKS AND OPEN SPACE USES

To protect and promote greenspace for recreation, ecological and aesthetic functions as the Town grows and develops, PARKS AND OPEN SPACE areas are encouraged and may accommodate the following uses:

- i) Recreation and open space uses such as parks and natural areas, various sports and recreation facilities such as arenas, golf courses, sports fields, swimming areas, and ice rinks;
- ii) Institutional facilities, including schools, libraries and museums; and
- iii) Public greenways and trails.

### 10.2.2 SHARED GREENSPACE

To promote the efficient and effective use of greenspace in the Town, and improve service integration and user convenience, the **co-location** of uses that have a compatible greenspace component (such as parks, recreation facilities, schools and daycares), should be considered and encouraged.

On land designated PARKS AND OPEN SPACE, where a proposal for the co-location of uses will intensify the development of the land (such as through added buildings, parking and accesses), a sufficient amount of greenspace should be preserved to satisfy the greenspace needs of each use as well as broader community needs. Consultation with the community on such proposals is encouraged.

### 10.2.3 GREENSPACE LINKAGES

To improve the connectivity of PARKS AND OPEN SPACES and to promote more active and environmentally sustainable forms of transportation, sidewalks, paths and bike lanes should be incorporated into proposals for new development, and where possible, into existing built-up areas of the Town through redevelopment activities.

Where appropriate, proposals for development/redevelopment should incorporate the sidewalks, paths and bike lanes identified in Reference Map 1: Active Transportation, to further implement the Town's vision.

### 10.2.4 GREENSPACE MASTER PLAN

To establish an overall, coordinated plan for PARKS AND OPEN SPACE areas and public recreation facilities Council will consider the preparation of a Greenspace Master Plan that will:

- i) Identify a hierarchy for public greenspace that accommodates a variety of uses;
- ii) Guide the management of existing greenspace resources, including the establishment of landscaping standards and maintenance levels appropriate for the different types of greenspace; and
- iii) Prioritize the development of future parks, trails and open spaces.

The preparation of a Greenspace Master Plan should ensure appropriate stakeholder and public consultation and consider the connectivity of community trails and greenspaces with the broader regional system of trails and greenspaces.

### 10.2.5 COOPERATIVE APPROACH

The Town of Niverville will work with other jurisdictions, public agencies and the private sector to provide open space and recreational facilities to meet the short and long-term needs of the community and enhance the quality of life for residents.

### **10.2.6 MULTIFUNCTIONAL DESIGN**

Community greenspaces, such as parks and fields, have the potential to temporarily store stormwater and aid with infiltration, helping to manage water run-off, which can be exacerbated by the effects of climate change. To promote multifunctional community greenspaces that address both environmental and social needs, the design of PARKS AND OPEN SPACE uses, and open spaces associated with new developments, should incorporate run-off and water retention solutions, as well as features that encourage recreation, socialization and relaxation, where appropriate.

### **10.2.7 SUBDIVISION RESTRICTION**

To prevent the fragmentation of land designated PARKS AND OPEN SPACE, such lands may only be subdivided under circumstances where it is deemed as excess or not suitable for PARKS AND OPEN SPACE uses.

# 11.0 Neighbourhood

The strategy for the NEIGHBOURHOOD areas, as shown on the Land Use Map in PART FOUR, is to promote the development of safe, active and attractive residential communities that include and engage residents from all life stages, incomes and backgrounds. This will be done by enhancing the amenities of established neighbourhoods and through the development of high quality new neighbourhoods.

## Objectives

- a) Ensure an adequate supply of land is designated to accommodate projected residential development;
- b) Improve the quality of established neighbourhoods by enhancing neighbourhood amenities and facilities;
- c) Encourage a mix of housing types and affordability levels in the design of new neighborhoods;
- d) Promote the incorporation of good urban design, greenspace and features that promote active living and social interaction.

## Policies

### 11.2.1 NEIGHBOURHOOD USES

To promote diverse, active and affordable neighbourhoods, NEIGHBOURHOOD areas should accommodate a range of housing, including single, two and multi-unit dwellings at different scales and densities. Mixed commercial/residential structures may also be accommodated. Residential uses are subject to appropriate zoning.

### 11.2.2 COMPATIBLE USES

To foster the development of high quality and complete residential neighbourhoods, proposals for residential development within the NEIGHBOURHOOD designation should include:

- i) A diversity of housing options, affordability levels and densities;
- ii) Public open spaces and/or recreation amenities that are within walking distance from most homes;
- iii) Naturalized surface water drainage management;
- iv) Trail facilities that connect to the Town's active transportation network; and
- v) Sidewalks on collector roads.

### 11.2.3 SECONDARY USES

**Home-based businesses** and **secondary suites** are considered 'secondary uses', as they are secondary to the primary use of a home as a residential dwelling. To encourage affordable housing and economic

development opportunities, **home-based businesses** and **secondary suites** are permitted as secondary uses in NEIGHBOURHOOD areas, subject to zoning provisions.

#### 11.2.4 RECREATIONAL AND INSTITUTIONAL USES

Recreational and institutional uses, such as playgrounds, ice rinks, courts, schools, churches and care facilities can add value and amenity to residential areas. Such uses may be accommodated in NEIGHBOURHOOD areas in appropriate locations and subject to appropriate zoning. See *policy 11.2.8 for siting considerations*.

#### 11.2.5 NEIGHBOURHOOD-SCALE COMMERCIAL

**Small-scale commercial** uses that are neighbourhood-oriented in scale may be accommodated in NEIGHBOURHOOD areas. To ensure these uses are well-integrated and compatible with surrounding residential uses, these uses should:

- i) Be developed adjacent to an intersection, in order to minimize traffic impacts within the local neighbourhood;
- ii) Be located near other neighbourhood amenities, such as schools, churches, etc, where possible and appropriate;
- iii) Consider the building setbacks and landscaping of surrounding uses;
- iv) Be compatible with the predominantly residential character of the area; and
- v) Provide appropriate signage, and screening for parking and outdoor storage.

#### 11.2.6 RURAL RESIDENTIAL

To promote a compact and serviceable pattern of development within the Town, further zoning or development of **rural residential** development will be limited. Where **rural residential** development is served by municipal services, subdivision into smaller lots may be considered.

#### 11.2.7 INFILL DEVELOPMENT

The infill of new housing within established NEIGHBOURHOOD areas is encouraged, in particular on vacant sites. To minimize impacts on adjacent properties, proposals for infill development should demonstrate consistency with:

- i) The size and configuration of surrounding lots;
- ii) The prevailing heights, massing, coverage and building/dwelling type;
- iii) The prevailing setbacks of buildings from the street;
- iv) The prevailing patterns of rear and side yard setbacks and the amount and location of private open space on a lot;
- v) The location and predominance of garages on the street; and

- vi) The architectural style of surrounding buildings.

### **11.2.8 HIGHER DENSITY/INTENSITY USES**

Higher density and intensity uses (such as medium and high density residential, residential/commercial mixed-use structures and many recreational or institutional uses) may be accommodated in NEIGHBOURHOOD areas. To ensure these uses are appropriately located, the following considerations apply to the siting and development of these uses in NEIGHBOURHOOD areas:

- i) Frontage on, or direct access to, a collector or arterial street, or at an intersection, to ensure sufficient access and traffic movement and minimize through traffic in residential areas;
- ii) Lot is of sufficient size to accommodate onsite parking/loading facilities, landscaping/buffering and, where necessary onsite water retention; and
- iii) Central location for recreation and institutional uses in order to maximize active transportation.

Landscape and drainage plans are required for the above uses. Council may also request concept plans, or plans for circulation, lighting, fencing and exterior elevations and any studies to determine the impacts on municipal services, traffic flows and surrounding land uses.

### **11.2.9 SCHOOL SITE CONSIDERATIONS**

In addition to 11.2.8 above, when considering the location of future school sites, the following considerations should also apply:

- i) Location adjacent to a park or public reserve area, in order to provide for the shared use of facilities and space;
- ii) Co-location of schools with other public facilities (e.g. recreation facilities, daycares) should be encouraged where appropriate and feasible;
- iii) Incorporation of onsite pick up and drop off zones, school bus loop, and staff and visitor parking; and
- iv) Incorporation of active transportation facilities, such as sidewalks, cross walks, bike parking/lock-up, and connections to active transportation routes.

### **11.2.10 ESTABLISHED NEIGHBOURHOODS**

To protect the function and character of existing residential areas, new development proposed adjacent to established NEIGHBOURHOOD areas should complement the existing use, building form and density. Where there is a change in use, building form and/or density proposed, measures to provide a transition in scale and/or buffering to minimize impacts on existing residential neighbourhoods may be necessary.

### **11.2.11 NEW NEIGHBOURHOODS**

In general, new residential development should be directed to compatible locations that do not conflict with adjacent uses. Where the location of new residential development is proposed to abut existing commercial or industrial uses, the developer should provide for, where necessary, appropriate

separation, buffering, screening, landscaping and/or berming to mitigate potential adverse impacts, if any, upon the proposed residential uses.

#### **11.2.12 AFFORDABLE HOUSING**

To promote housing affordability within the Town, the development of entry level housing in different formats, in addition to rental housing and apartments, will be encouraged in NEIGHBOURHOOD areas.

#### **11.2.13 DEDICATED LANDS**

Where lands are dedicated for parks or open space purposes at the time of subdivision, the siting of such lands should consider the location of other public reserve lands and adjacent uses, and efforts should be made to link uses, when possible and appropriate.

#### **11.2.14 EXISTING AGRICULTURAL USES**

Existing agricultural uses may continue in NEIGHBOURHOOD areas where lands are zoned for agricultural use. New or expansions of existing livestock operations are not permitted within Town boundaries.

# PART FOUR: LAND USE MAP

# APPENDIX 1: REFERENCE MAPS

# APPENDIX 2: DEFINITIONS

# Definitions:

**Higher impact industrial uses:** refers to general to heavy industrial uses, with some or all operations occurring outdoors.

**Home-based business:** refers to an occupation or activity that is secondary to the use of the premises as a dwelling and that does not alter the exterior of the property or affect the residential character of the neighbourhood.

**Intensification:** refers to development proposals that increase the density or intensity of a site or structure within an existing built-up area, such as proposals for infill, redevelopment or conversion.

**Rural residential:** refers to residential development on .5 acre or larger lots.

**Lower impact industrial uses:** refers to light to general industrial uses, with the majority or all operations occurring indoors.

**Secondary Suite:** refers a self-contained unit within/attached to a primary, single unit dwelling, such as basement suite.

**Small-scale Commercial:** refers to a commercial use that has minimal impacts (such as parking) and would blend into a residential area, such as a personal service.