

TOWN OF NIVERVILLE

By-law No. 894-26

BEING A BY-LAW of the Town of Niverville
to adopt a Development Plan.

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

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

AND WHEREAS By-law 794-18 was duly enacted by the Town of Niverville Council on November 6, 2018, adopting the Town of Niverville Development Plan;

AND WHEREAS Section 59(1) of The Planning Act requires a periodic review of the development plan on or before the deadline set out in the development plan or within five years after the development plan by-law is adopted;

NOW THEREFORE the Council of the Town of Niverville, in meeting duly assembled, enacts as follows:

1. THAT the Town of Niverville Development Plan attached hereto and marked Schedule "A" is hereby adopted.
2. THAT By-law no. 794-18 be repealed.

DONE AND PASSED in Council duly assembled, this day of , 2026.

Mayor

Chief Administrative Officer

READ A FIRST TIME this 18th day of August 2026.
READ A SECOND TIME this day of 2026.
READ A THIRD TIME this day of 2026.

Certified a true copy of By-law No. 894-26
of the Town of Niverville, given 1st reading
on the 18th day of August AD 2026.



Chief Administrative Officer

TOWN OF NIVERVILLE ***DEVELOPMENT PLAN***

By-law 894-26

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Part One: Introduction

Part One includes background information on the Development Plan's scope, use, structure, and implementation. This Part also contains a Community Vision Statement, Goals, and Objectives which were developed through completing a background review and engaging community members. This Community Vision Statement is foundational to the Plan's policies and will guide development in Niverville over the next planning horizon.

1.0 Planning Framework

1.1 DEVELOPMENT PLAN SCOPE, EFFECT AND LEGISLATIVE AUTHORITY

The **Town of Niverville Development Plan** ('the 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 (2024- 2049). Prepared under the authority of *The Planning Act*, the Plan repeals and replaces the *Town of Niverville Development Plan By-law No. 794-18*.

The Niverville Development Plan sets out the Town's vision and goals. It also 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 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.

1.2 DEVELOPMENT PLAN ADOPTION

All new development in Niverville shall be consistent with this Development Plan. The implementation of the Zoning By-Law, subdivision and development approvals, and public works shall be consistent with the provisions and intent of this document.

The 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*.

1.3 PLAN STRUCTURE AND INTERPRETATION

1.3.1 Plan Structure

This Plan is structured in four **Parts**. Each part is comprised of numbered Sections that cover specific topics:

- **Part One** introduces the document structure of the Plan, the overall community vision and goals, and tools to implement the policies outlined in later sections.
- **Part Two** outlines the intent, objectives, and policies for general topics that apply across the entire Town.
- **Part Three** outlines the intent, objectives, and policies for specific land use areas.
- **Part Four** contains the land use map showing where different land use area objectives and policies apply.

Part Two and **Part 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 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 Town of Niverville Development Plan.

As outlined in *1.3.2: Interpretation*, **Appendix 2: Definitions** contains a glossary of the terms used in this Plan.

Findings from **Appendix 3: Background Study** were used to ensure the policies contained herein are sensitive to Niverville's local context. The report provides an overview of Niverville and includes information related to its people, housing, socioeconomical context, development, sustainability, existing land uses, services and amenities, agriculture, natural environment, and infrastructure.

1.3.2 Interpretation

Use of Terms

- (1) Words and expressions used in this Plan have the meanings ascribed to them in *The Planning Act* and the *Provincial Land Use Policies*, unless the context requires otherwise.
- (2) Terms that are **both underlined and in bold font** have a defined meaning, which can be found in ***Appendix 2: Definitions***. For these terms, the defined meaning applies where they are underlined and in bold, and the normal meaning applies where they are not.
- (3) 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.
- (4) Where capitalized as the "Town of Niverville" or the "Town", refers to the Town of Niverville as a municipal government, or corporation. Where written in lower case as "the town" or as "Niverville", refers to the physical area of the municipality.

Map Boundaries

- (5) The boundaries of the designated areas shown on the Land Use Maps are intended to show the general arrangement of future land use and **development** in the town.
 - (a) 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.
 - (b) 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 of Niverville Zoning By-Law*.
 - (c) The Town Zoning By-Law boundaries may differ slightly from the Development Plan. However, in no case should the difference be contrary to the intent of the Development Plan.
- (6) Interpretation of the land use maps and policy intent of this Development Plan is at the discretion of Council and/or its designate.

Dimensions

- (7) The dimensional requirements (distance and area) identified in this 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 Plan.

Exempted Areas

- (8) Crown Lands areas, including provincial forests, wildlife management areas, ecological reserves and provincial parks, are under the administration and control of the Province and Government of Canada, and as such are exempted from the land use policies in this Plan.

1.3.3 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 A*.
- **Step Five:** Conduct a general assessment based on all 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.

2.0 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. Key engagement activities included:

- December 7, 2023: Council workshop and visioning session
- December 19, 2023: Open House – Project Launch and Visioning, 15 to 25 attendees
- December 19, 2023 to January 19, 2024: Survey 1 – Visioning, 76 respondents

This input forms the basis for the community's vision for future growth and development in Niverville and sets the direction for the policies of this Plan. The following community vision statement will guide development in Niverville over the next planning horizon:

Niverville is a beautiful and caring community where everyone can choose to pursue sustainable, active lifestyles, while being supported by ample amenities and a thriving economy. We will be a leader in urban development that honours its agricultural roots while pursuing growth responsibly.

This community vision statement informs the following goals and objectives outlined in this section, as well as the Development Plan policies herein:

1. Niverville welcomes new people and opportunities, while maintaining its small-town feeling and sense of community.
2. Niverville is a diverse community which offers a mix of housing options for residents of all incomes, life stages, and backgrounds.
3. Niverville has appealing and viable commercial and industrial areas that attract business.
4. Niverville is a safe, aesthetically pleasing, and walkable community.
5. Niverville provides its residents with quality municipal services and opportunities for recreation and healthy living.

Goal One: Niverville will welcome new people and opportunities, while maintaining its small-town feeling and sense of community.

Niverville's welcoming and caring community spirit is a key value residents want to preserve while the town grows. Ensuring that new growth and development are 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.

Objectives

- 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 maintaining a compact urban form.
- c)** To protect the character of established neighbourhoods by mitigating the impacts of new development.
- d)** To enhance the built environment and promote social interaction by creating and improving community spaces through principles of placemaking, sustainability, and universal design.

Goal Two: Niverville is a diverse community which offers a mix of housing options for residents of all incomes, life stages, and backgrounds.

Niverville prides itself in being progressive and encourages the development of a variety of housing options for various stages of life — from large lot single-detached homes to more compact forms and multi-unit 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 Niverville continues to grow with new residents; the town has become less affordable in recent years and the shortage of workers (particularly in the service industry) may be linked to rising housing costs. The need for affordable housing options persists, particularly for youth moving out of their family homes, seniors looking to downsize, and low-income populations. Continuing to ensure housing variety and supply (e.g., by providing **medium- to higher-density residential** options) will allow people to age-in-place, remain in the community, and help maintain Niverville's affordability as the town continues to grow.

Objectives

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

Goal Three: Niverville has appealing and viable commercial and industrial areas that attract business.

Niverville has a large number of commuter residents that go outside of the town for employment. The proximity of larger 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.

Objectives

- a)** To promote and support opportunities for local, small-scale and start-up businesses that are reflective of Niverville's diverse population.
- b)** To enhance Niverville's role as a regional centre for commercial, industrial, cultural, and social activities.
- c)** To focus the development of larger-scale commercial and **mixed-use** development along the major Commercial Corridor.
- d)** To facilitate the development of the Town Centre as a well-developed hub for entertainment, amenities, and services that are at a pedestrian scale.

Goal Four: 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. Residents value the town's cleanliness and inclusion of nature in design (e.g., trees, plants, presence of songbirds in the town).

Residents prioritized maintaining and improving the attractiveness of the built environment 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, particularly around connectivity, maintenance, and increasing active transportation infrastructure (e.g., sidewalks, walking paths, trails). Placing an emphasis on good urban design that promotes Niverville's heritage and culture will help create an attractive community for both people living in and visiting the town.

Objectives

- a)* To improve connectivity and safety for pedestrians, cyclists, and motorists throughout all seasons.
- b)* To create a visually appealing streetscape and cohesive urban form along Main Street.
- c)* To increase the quantity and quality of public greenspace and open spaces.
- 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, utility and transportation networks, and enhances the quality of life, public health, and safety of its residents.
- f)* To integrate natural spaces and features into the Town's stormwater infrastructure.

Goal Five: Niverville provides its residents with quality municipal services and opportunities for recreation and healthy living.

As it continues to grow, Niverville faces increased demand for more facilities, amenities, and services, improved service delivery standards, and a quality of infrastructure that new residents moving from larger urban centres will expect the Town to provide. Additionally, residents raised concerns about the quality of infrastructure and levels of servicing, particularly in the older neighbourhoods in Niverville.

To sustainably accommodate new development and growth without straining established neighbourhoods, 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.

Objectives

- 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.

3.0 Implementation

The vision statement, 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.

3.1 LAND USE REGULATORY TOOLS

3.1.1 Zoning By-Law

- (1) The *Town of Niverville Zoning By-Law* sets out specific regulations for land use and **development** that are reflective of this 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 or considering an amendment to the *Zoning By-Law*. If deemed necessary by Council, existing uses can be zoned to reflect actual use.

Conditional Use Approvals

- (2) The *Zoning By-Law* has provisions for the approval of various types of **development** as a conditional use in each zone. This process provides the Town with the flexibility 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 the Town with the opportunity to establish conditions of approval appropriate for each proposal. The policies and objectives contained in the Plan provide guidance for the conditional approval process.

Variance Orders

- (3) *The Planning Act* enables the Town to issue variance orders for the purpose of varying or altering the application of its *Zoning By-Law*. The ways that a zoning by-law may be varied are outlined in *The Planning Act*. Council may attach conditions to a variance order to maintain the intent and purpose of the Plan or the *Zoning By-Law*. Council may authorize administration to grant or refuse a minor variance as set out in *The Planning Act*.

Legal Non-Conforming Uses

- (4) In accordance with Sections 86(1) to 93 of *The Planning Act*, where land is designated in this Plan which differs from the existing use, the existing use will generally be allowed to continue as a non-conforming use.
- (a) The use may not be intensified or changed to another non-conforming use.
- (b) Any future development or redevelopment of the building or parcel of land will be required to comply with the use designated in this Plan.
- (5) A person with an interest in a building, a parcel of land, or an operation involving a non-conforming use is required to apply to the Town for a certificate of non-conformity. This certificate confirms that the building, parcel, use of land, or intensity of use was lawfully in existence before the enactment of the *Town of Niverville Zoning By-Law 2024* (i.e., a legal non-conforming use).
- (6) If a non-conforming use has not been issued a certificate of non-conformity at the date that the *Niverville Zoning By-Law* is enacted, it cannot be considered a legal non-conforming use unless evidence is provided that the use was lawfully in existence prior to the adoption of the current zoning by-law.

Existing Uses

- (7) Where there is development that does not currently comply with this Plan's long-range policies, these areas may still be zoned in the Town Zoning By-Law according to their present use to avoid the creation of non-conforming uses and need for certificates of non-conformity, provided that the overall intent of the Plan is maintained. Zoning applied to a property may conflict with the Development Plan designation to accommodate existing uses however, any redevelopment of the building or parcel of land must be consistent with this Plan's policies.

3.2 LAND USE PLANNING TOOLS

3.2.1 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 Plan, 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.

3.2.2 Concept Plans

As part of the development approval process, Council may require developers 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 (see **Sections 4.2.6** and **4.2.7**).

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.

3.2.1 Supporting Studies

Developers 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.

3.3 DEVELOPMENT APPROVAL TOOLS

3.3.1 Development Permits

All developments require a development permit issued by the Town, except where specifically exempted for in the *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 Plan and the *Zoning By-Law*.

3.3.2 Development Officer

Council may authorize the Development Officer to issue development permits, zoning memorandums, non-conforming certificates, and other similar documents and allow minor variances to the requirements of the Zoning By-Law.

3.3.3 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 are not limited to:

- the use of land or structures
- the installation and financing of infrastructure
- area grading and leveling of land
- amenities (e.g., sidewalks and parks)
- the dedication of land
- other matters as outlined in *The Planning Act*

3.3.1 Subdivision Approval

No subdivision of land shall be permitted unless it conforms with the general intent and provisions of this Plan and *The Planning Act*.

Proposals involving the subdivision of land for individual or multi-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*.

3.3.2 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.

3.3.3 Land Dedication / Cash-in-Lieu

Where land is being subdivided for residential use, the Developer shall dedicate land in accordance with the provisions of *The Planning Act*, including but not limited to the following:

- (1) **Infrastructure Dedication** — Land necessary for roads, drainage, utilities, sidewalks, and required rights-of-way shall be dedicated as determined by the Town.
- (2) **Greenspace Dedication** — A minimum of five percent (5%) of the land being subdivided shall be dedicated as publicly accessible and usable greenspace, consistent with Town standards.
- (3) **School Site Dedication** — Ten (10) acres of land shall be dedicated for future school development, at a location approved by the Town in consultation with the applicable School Division.
- (4) **Municipal Purposes Dedication** — An additional three percent (3%) of the land being subdivided shall be dedicated for municipal purposes, including community facilities or other public needs identified by Council.
- (5) **Designated Officer Discretion — Scope-Based Exemption** Notwithstanding the dedication requirements in this section, a Designated Officer may determine that the full or partial dedication of land is not required where the nature, scale, or scope of the proposed subdivision is such that the dedication would not serve a practical municipal purpose. In making this determination, the Designated Officer shall consider:
 - (a) whether the subdivision is minor in scale;
 - (b) whether the subdivision does not generate a need for additional infrastructure dedication, greenspace dedication, school sites, or municipal-purpose lands; and
 - (c) whether the objectives of *The Planning Act* can be met without the required dedication.

Any exemption granted under this clause shall be documented in writing and placed on the subdivision file. This provision does not limit Council's authority to require funds in lieu of land under *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*.

3.4 OTHER TOOLS AND PROGRAMS

3.4.1 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.

3.4.2 Municipal Cooperation

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.

3.4.3 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.

3.4.4 Integrated Watershed Management Plans

The *Planning Act* requires Council to consider the application of any watershed management plan or regulation approved under the *Water Protection Act* when preparing, amending, or re-enacting a Development Plan By-law. The Seine Rat Roseau Watershed District is serving as the Water Planning Authority in the preparation of the *Seine River Integrated Watershed Management Plan*.

While the early versions of these management plans have focused on “best management practices,” Council is aware such plans relate to land use within Niverville. In accordance with this requirement, it is recommended that subdivision applications for lands within Niverville be circulated on a regular basis to the Seine Rat Roseau Watershed District for their comments.

3.4.5 Building By-laws and Regulations

Through a Building By-Law adopted under *The Manitoba Building and Mobile Homes Act*, the Town can establish the minimum provisions or standards which new and renovated buildings must meet, in order to protect the safety and health of the public. This will control the minimum standard of construction, maintenance, and occupancy within a developed or redeveloped area. The standards required in these by-laws and regulations also affect the physical appearance and environmental quality of a development.

3.4.6 Other By-laws

The Town may adopt other by-laws concerning the use, development and maintenance of land. In addition to building by-laws, Council may consider implementing property maintenance by-laws, access/approach by-laws, drainage by-laws and other types of by-laws (e.g., *Town of Niverville Standards for Design and Construction of Public Works*) affecting the use of land as necessary. 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. These by-laws should align where possible to this Plan and with the Zoning By-Law.

3.4.7 Acquisition and Disposal of Land

The Town may acquire an interest in land or sell, lease, or otherwise dispose of land for the purpose of implementing the Development Plan.

3.5 MONITORING PERFORMANCE

Progress and success can be determined from periodic assessments of the Development Plan’s key elements and agenda. These periodic assessments will look at the success of the development management strategies of the plan and the quality of the environments that were created. These assessments may reveal emerging priority areas that may be addressed through the Town Zoning By-Law, Capital Budgets, or changes to the Development Plan itself.

3.6 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. The *Provincial Land Use Policies* are a Regulation under *The Planning Act* and serve as a guide for the Town in undertaking amendments or statutory reviews of the Development Plan.

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 five (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 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.

Part Two: General Policies

Part Two includes general policies that apply to all land uses and development in Niverville 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***.

4.0 Growth Management

Sustainable development and growth are priorities for the community. Urban sprawl is not 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 consider 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.

4.1 OBJECTIVES

- (1) Provide an appropriate supply and type of developable land to meet the Town's needs.
- (2) Promote the planned, orderly, and efficient use of land.
- (3) Optimize existing infrastructure investments and minimize the need for new infrastructure.
- (4) Ensure connectivity and compatibility of new **development** and/or **redevelopment** with surrounding uses.
- (5) Promote regional cooperation.

4.2 POLICIES

4.2.1 Designated Supply of Land

- (1) 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.
- (2) Where the re-designation of lands is proposed for **development**, Council may require the proposal to demonstrate that:
 - (a) There is an insufficient supply of land designated to meet projected demand.

- (b) The infrastructure and services appropriate for the **development** can be economically provided to the satisfaction of the municipality.
 - (c) The designation and **development** proposed will be compatible with the adjacent transportation system.
 - (d) The proposal supports the vision and goals of the Town and is generally consistent with the *Provincial Planning Regulation*.
- (3) A Concept Plan may be required as part of the amendment application. See **4.2.6** and **4.2.7** for direction on Concept Plans.

4.2.2 Town Expansion

- (1) Should the future annexation of lands in adjacent Rural Municipalities 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:
- (a) The current inventory of lands suitable for development are unavailable or inadequate to meet potential future demand.
 - (b) 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.
- (2) The Town shall limit expansion west towards the Red River in order to minimize risks associated with flooding.

4.2.3 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.

4.2.4 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.

4.2.5 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.

4.2.6 Concept Plans

To ensure new **development** is adequately serviced, compatible with surrounding uses and properly integrated within the town’s transportation and drainage system, **developers** will be required to submit concept plans for development applications that:

- (1) Open a public right-of-way.
- (2) Create a new public thoroughfare.
- (3) Require the installation of new municipal facilities or infrastructure.
- (4) Are of significant scale, intensity, or density to have impacts on surrounding land use and **development**.

4.2.7 Concept Plan Provisions

Where a concept plan is required, the Town may require that any or all of the following elements be addressed by the **developer**:

- (1) Location and density of land uses.
- (2) Conceptual layout of future roadways and pathways that are safely and efficiently integrated with other existing and anticipated roadways and pathways in the area.
- (3) Conceptual arrangement of building lots, with a configuration and lot sizing that is appropriate for the nature of the anticipated **development**.
- (4) Conceptual site layout of buildings, Canada Post box locations, parking, vehicular circulation, and landscaped areas, where applicable.
- (5) Location and size of proposed buffers, **parks** and **open spaces**.

- (6) Sufficiently detailed contour information to evaluate slope and drainage conditions.
- (7) Conceptual design of the municipal services anticipated within the development area, including storm drainage, water supply, and wastewater systems.
- (8) 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.
- (9) Development phasing.
- (10) Design measures taken to avoid or mitigate any detrimental impact on lands deemed by provincial authorities to be environmentally significant or sensitive. Any additional information requested by Council that is required to assess the potential impacts and compatibility of the proposed development.

4.2.8 Compatible 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:

- (1) Proposed land use(s) will be developed in such a manner to mitigate against potential negative impacts on adjacent lands and the adjoining area.
- (2) The land is physically suited for the purpose intended and in particular that the soil and drainage conditions are adequate for the proposed development.
- (3) Appropriate arrangements have been made for the adequate provision of road access, water supply, sewage disposal, solid waste disposal, storm drainage, shallow utilities, Canada Post boxes, and land for parks and open spaces.
- (4) Appropriate remedial measures have been or will be taken to protect public health, safety, and property from any hazardous uses.

4.2.9 Urban Design

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

- (1) Be sensitive to the scale, orientation, building setbacks, materials, and landscaping of surrounding properties in order to create a planned and cohesive appearance, particularly along **arterial** and **collector roads**.
- (2) Preserve healthy trees and use natural vegetation and other decorative landscape features as a natural complement to other man-made features of the development.
- (3) Incorporate measures to reduce greenhouse gas emissions and other pollution.
- (4) Incorporate **Universal Design** principles for buildings and outdoor spaces.
- (5) Appropriately integrate and screen parking, loading, service, and storage areas.
- (6) Ensure elements (e.g., 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.
- (7) Provide adequate privacy and ensure adequate separation between building walls.

5.0 Transportation Network

A safe, efficient, and connected transportation network that accommodates a variety of transportation modes is critical to Niverville's growth and development. Land use decisions need to take into account the impacts of new development on existing transportation infrastructure, consider how the Town can meet the needs of those who bike, walk, or roll, and weigh how all municipal infrastructure will remain economically sustainable through future maintenance and replacement cycles.

5.1 OBJECTIVES

- (1) Encourage integration between municipal and provincial transportation networks, while protecting the provincial highway system.
- (2) Ensure development is compatible with the existing network or contributes to necessary upgrades.
- (3) Promote a variety of transportation modes, including active transportation opportunities.
- (4) Ensure that the function of the rail line and the safety of residents is considered in future development decisions.

5.2 POLICIES

5.2.1 System Compatibility

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

- (1) Demonstrate the compatibility of the development and its location in relation to the capacity and function of the existing road network.
- (2) Design roads associated with new developments to be integrated with the existing road network.
- (3) Separate vehicular, bicycle, and pedestrian traffic along major traffic routes (i.e., arterial and collector roads), using sidewalks, pathways, pedestrian crossings, and protected bike lanes or bike paths.

- (4) New **development** which has the potential to generate significant vehicular traffic should be directed away from areas and land uses where such levels of traffic could endanger public safety.

5.2.2 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 subject to the following policies:

Access

- (1) New **developments** shall have direct legal access to an all-weather public roadway of sufficient standards and capacity.
- (2) New multi-lot subdivisions with a proposed public road should have two points of access/egress to facilitate safe traffic circulation and allow for adequate emergency access.
- (3) The use of flag-shaped lots and private roads or shared driveways in subdivision design should be discouraged to ensure direct access to public roads, civic addressing standards are maintained, emergency service liabilities are limited, and potential conflicts regarding access are avoided.
- (4) Where a local traffic authority has control over roadways, new **development** adjacent to such roadways will be subject to approval by that traffic authority.

Design

- (1) Building setback standards shall be applied to new **development** along municipal roads, in order to provide a measure of safety for the traveling public, to provide a measure of buffering of buildings from roadway nuisances, such as noise and dust, and to reduce snow drifting problems.
- (2) Wherever possible, new **developments** are encouraged to limit the use of cul-de-sac streets or consider the provision of a pedestrian/cycling connection when cul-de-sacs are used.
- (3) Block lengths in new **developments** are encouraged to be limited to facilitate greater street connectivity.
- (4) New **developments** should consider options for **active transportation**.

5.2.3 Municipal Road Hierarchy

As illustrated in *Error! Reference source not found.*, the following road classifications have been assigned within Niverville:

Arterial Roads

- (1) Provincial Road 311 is considered an **arterial road** within Niverville. Arterials are designed for large traffic volumes and high-speed limits. Direct access to arterials will be limited. Access to the arterial system should be via **collector roads**.

Collector Roads

- (2) **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 to **collector roads** should be limited, particularly in the **development** of subdivisions and other multi-lot **developments**.

Local Roads

- (3) **Local roads** are designed for low traffic volumes and speed limits. They connect private properties to **collector roads**. Connections between new **local roads** and **arterial roads** should be avoided. Local roads represent the majority of municipal roads in Niverville.

5.2.4 Main Street / Provincial Road 311

Provincial Road 311, also known as Main Street, is the main roadway serving and central to Niverville. 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:

- (1) Encouraging a clustered pattern of development that consolidates local traffic at major points of entry.
- (2) Not permitting strip development, where each lot relies on direct access.
- (3) Ensuring proposed developments are compliant with provincial requirements.

5.2.5 Highways Protection

- (1) Development should not limit the capability of a provincial highway to move all modes of traffic safely and efficiently or impact access to a provincial highway.
- (2) Proposed developments that may have a detrimental impact on the safety and/or efficient operation of the provincial highway system shall not be permitted, unless mitigation measures acceptable to the Province are incorporated.

Access

- (3) To ensure safety and reduce conflicts, access to the provincial highway system will be consolidated in collaboration with the Province on the location, design, and implementation of controlled intersections through the development of an Access Management Strategy or Plan.
- (4) A permit is required from the appropriate provincial authority for any new, modified, or relocated access, or to intensify the use of an existing access to a provincial highway, for any site adjacent to a provincial highway that is not the responsibility of the Municipality.

Development Siting

- (5) The developer shall be responsible for the cost of any access and/or intersection improvements and/or traffic controls identified in a traffic impact study as a result

of the proposed **development** and will be implemented to the satisfaction of the municipality and/or the authority having jurisdiction over the affected highway.

- (6) Where proposed **development** might have an impact on a provincial highway, the Province shall be consulted regarding location of the **development**, local traffic patterns including access to the highway, area drainage, and related matters.
- (7) The clustering of uses (e.g., commercial developments) and development of internal road networks should be encouraged to reduce the use of frontage roads when planning new areas of **development** in proximity to a provincial highway.
- (8) Any new **development** bordering one side of major transportation corridor or facility (e.g., highway or rail line) shall be directed to the same side to maximize safety and avoid the need for local traffic to cross the corridor.
- (9) All proposals which create new building sites within 1,000 feet (304.8 metres) of major provincial highways (i.e., Provincial Road 311), or within 1/2 mile (0.80 kilometres) radius of an intersection of one of these highways, shall be circulated to the appropriate provincial authority for review, prior to the issuance of a development permit. This policy shall not apply to infilling within existing subdivided areas of communities.
- (10) Subdivision or **development** will not be permitted in areas designated for highway widening or expansion, unless provisions acceptable to the Province are made to accommodate future widening or expansion.

5.2.6 Rail Line Safety

- (1) In general, **development** that would require new crossings over the Canadian Pacific Railway corridor should be discouraged.
- (2) To promote resident safety and prevent adverse effects (e.g., noise, vibration, odour and other contaminants), all **development** proposed adjacent to the railway corridor:
 - (a) Should be adequately buffered and/or separated from rail-related uses.
 - (b) Should conform to the minimum setbacks required by applicable provincial or federal authorities, including the Federation of Canadian Municipalities Rail Association of Canada guidelines and CPKC (Canadian Pacific Railway and Kansas City Southern) requirements.

- (3) When residential **development** is proposed for land near a rail corridor, a portion of land may be required as a public reserve to provide a buffer between the residences and the railway.
- (4) 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 (e.g., at Provincial Road 311).

5.2.7 Parking Facilities

- (1) To minimize congestion on public roadways, the following uses should provide on-site accommodations for parking, loading, and exterior service needs:
 - (a) **Developments** located in the COMMERCIAL CORRIDOR and INDUSTRIAL designations.
 - (b) **Medium-, higher-density** and **mixed-use residential** buildings and complexes.
 - (c) Institutional and recreational facilities.
- (2) To encourage a cohesive **built environment** and **pedestrian scale** within the TOWN CENTRE, **development** fronting onto Main Street should have minimal on-site parking. Most parking should be accommodated off-site (e.g., street parking) or to the rear of primary buildings.
- (3) Flexible requirements for the provision of off-street parking spaces should be considered as part of the Town Zoning By-Law.

5.2.8 Traffic Impact Study

- (1) 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.
- (2) Where the **development** is adjacent to Provincial Road 311, the study will be referred to the appropriate provincial agency for review.
- (3) Where it is determined that a proposed **development** will necessitate transportation improvements, the costs of these improvements should be the responsibility of the **developer**.

6.0 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 current and future users. To ensure Niverville can sustain appropriate levels of services as it 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.

6.1 OBJECTIVES

- (1) Optimize existing infrastructure investments and avoid premature extension or expansion.
- (2) Provide adequate lands for future utilities, infrastructure and facility expansions.
- (3) 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.
- (4) Support energy conservation and the use of alternative energy systems.

6.2 POLICIES

6.2.1 Wastewater Systems

- (1) 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 where municipal servicing is available.
- (2) No new or redeveloped onsite wastewater management systems will be permitted within the town where municipal servicing is available.

6.2.2 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:

- (1) In areas where municipal servicing is available:

- (a) All new **developments** will be required to connect to the town's water distribution system at the time of **development**.
- (b) Should new **development** require the construction, extension or alteration of the town water distribution system, the **developer** must enter a development agreement with the municipality in accordance with the provisions of *The Planning Act*. Development costs shall be borne by the **developer**.
- (2) 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.
- (3) Proposed **redevelopment** or **infill** of sites with existing onsite water supply must connect to town water services at the time of **development**.
- (4) Abandoned wells must be capped and sealed to provincial standards and regulations.

6.2.3 Servicing Plans

- (1) 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.
- (2) **Developments** that would significantly impact the function or capacity of municipal services and put unreasonable financial burden on the public should not be approved.

6.2.4 Infrastructure Sizing

- (1) To ensure that town services have the capacity to support anticipated growth and development, the design and installation of major facilities (e.g., lift stations and force mains), associated with specific **developments** should be sized to accommodate the longer-term development of the town.

- (2) In cases where the costs are front-ended by a **developer**, Council will endeavor to collect funds within a reasonable time frame from future benefitting landowners and repay appropriate costs to the **developer**.

6.2.5 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.

6.2.6 Stormwater Management/Drainage

As Niverville is within a low-lying area and surrounded by a community dike, appropriate on-site 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 scale 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.

6.2.7 Provincial Drainage System

- (1) As per provincial policy, new **development** should not plan for any liquid to drain into the provincial highway drainage system. Where such drainage is unavoidable, permission is required from the appropriate provincial agency.
- (2) 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**.

6.2.8 Solid Waste Management

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

6.2.9 Location of Utilities and Services

- (1) Essential activities of government, including public and private utilities, will be allowed in any land use designation, subject to requirements in the Town 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:
 - (a) As a first priority, new utility and service corridors should be located within existing roadway rights-of-way, wherever possible.
 - (b) As a second priority, utility and service corridors should be located immediately adjacent to and parallel with roadway rights-of-way.
 - (c) Where a roadway location is not practical, as a third priority, utility and service corridors should be located along property lines, subject to any necessary easements.
- (2) Permission is required from the appropriate provincial agency to place any structure or development above or below ground level within the right-of-way of a provincial highway.

6.2.10 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.

6.2.11 Alternative Energy

To encourage the use of alternative, renewable 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 Zoning By-Law.

6.2.12 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.

6.2.13 School Capacity

- (1) When considering new areas for residential development, the developer must consult with the local School Board and Public Schools Finance Board to:
 - (a) Determine the impacts of residential growth on school services.
 - (b) Identify whether new school sites will be needed in the development area, including information on the timing, parcel size and type of schools/sites.
- (2) Where approved by the Public Schools Finance Board, future school sites will be identified in plans for new development.

7.0 Environment and Heritage

Niverville is located along the Crow Wing Trail in the Red River Valley and is part of the Seine Rat Roseau Watershed District. 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. The town's natural assets and heritage resources also require protection from the impacts of development, to ensure they can be enjoyed by present and future generations.

7.1 OBJECTIVES

- (1) Minimize risk to people, property, and the environment from flooding.
- (2) Minimize pollution risk to water sources that serve the town and provide habitat to wildlife.
- (3) Preserve and protect known natural assets and heritage resources from incompatible development and land uses that may threaten their integrity or function.

7.2 POLICIES

7.2.1 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 (i.e., 200-year flood).

7.2.2 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.

7.2.3 Surface Water Protection

Natural vegetation area buffers around retention ponds and drains are encouraged to minimize contamination and reduce pollutants into surface water.

7.2.4 Watershed District

- (1) The municipality is within the Seine Rat Roseau Watershed District and coordination of development activities will be encouraged.
- (2) Development and subdivision applications for lands within Niverville are encouraged to be circulated on a regular basis to the Seine Rat Roseau Watershed District for their comments.

7.2.5 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.

7.2.6 Heritage Restoration

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

8.0 Hazardous Conditions

8.1 GENERAL POLICIES

- (1) **Developments** that create hazardous situations, or are subject to environmental hazards, shall not be permitted unless the hazard has been removed or appropriate remedial measures have been taken that will protect life and property, and are within the regulations and guidelines of the appropriate Provincial and Federal departments.
- (2) Where **development** of a potentially **hazardous use** is proposed, information shall be required from the **developer** relating to 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 land uses.
- (3) Facilities which manufacture, handle, store or distribute hazardous material shall be separated from the built-up areas of town, buildings used for human occupation, and Provincial highways.
- (4) Anhydrous ammonia facilities shall be located at least 100 metres from the edge of the right-of-way of any provincial highway.
- (5) Areas within a 402 metre (1,320 feet) distance of the boundaries of abandoned waste disposal sites will be considered as restricted development areas. Within these areas, **development** should be restricted to **open space** uses, such as agriculture and exterior recreational activities, and the construction of buildings will not be allowed. This separation distance may be reduced if the Town has a program to evaluate and monitor the level of risk, which is approved by the designated Provincial Authority.

8.2 FLOODING AND EROSION

8.2.1 Hazard Lands

- (1) Development shall be directed away from:
 - (a) Lands which would be flooded by a **200-year flood** or the flood of record, whichever is greater.
 - (b) Lands which would within a 50-year period be eroded or become unstable due to the action of water contained in an adjacent waterway or waterbody.

- (c) Lands where the actual effects of other hazards such as landslides or subsidence have occurred or have been predicted.
- (2) Land subject to significant flooding, **erosion** or bank instability should be left in its natural state or only developed for low intensity uses such as grazing, forestry, or **open space** recreational activities which are generally acceptable within hazard areas.
- (3) Development on lands subject to flooding, **erosion** and bank instability may be permitted only if the risks are eliminated or ways are identified to ensure that:
 - (a) No additional risk to life, health or safety is created as a result of **development**.
 - (b) Buildings and other things constructed, such as septic fields, are protected from the risks related to flooding, **erosion**, and bank instability.
 - (c) Water flow, velocities and flood levels will not be adversely altered, obstructed, or increased as a result of **development**.
- (4) Hydro-geological investigation or study, or geo-technical reports designed by a qualified professional engineer licensed in Province of Manitoba may be required.

8.2.2 Flood Mitigation Measures

- (1) Development proposals in **hazard lands** shall be referred to the appropriate Provincial and Federal departments and agencies for review. **Flood mitigation** measures must include the following:
 - (a) The identification of protection levels for land subject to flooding, that maintain a minimum 0.67 metres (two feet) of free board at a flood level equalling the **200-year flood** or the flood of record, whichever is greater.
 - (b) Requiring that natural vegetative cover be preserved within riparian areas to reduce erosion and maintain bank stability.
 - (c) Proposed **developments** should not obstruct, increase, or otherwise adversely alter water and flood flows and velocities.
 - (d) Structures, sewer, and water services should be protected against flood damage and be functional during the flood conditions.

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*.

9.0 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. This activity will be supported by directing higher density residential uses 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.

9.1 OBJECTIVES

- (1) Promote Main Street as the priority area for civic and professional offices, restaurants, local retail and service uses, and arts and cultural facilities.
- (2) Provide for the widest range of resident needs by accommodating an appropriate mix of complementary commercial, institutional, and residential uses.
- (3) Promote a cohesive and attractive built environment that is at a pedestrian scale, particularly along Main Street.
- (4) Encourage the intensification of the TOWN CENTRE through infill, redevelopment and higher density development.
- (5) Provide for a residential mixed-use area that creates a transition between the predominantly commercial uses on Main Street and adjacent lower density NEIGHBOURHOOD areas.

9.2 POLICIES

9.2.1 Town Centre Uses

The TOWN CENTRE is defined by two distinct mixed-use areas:

Commercial Main Street

- (1) 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.

Residential Mixed Use

- (2) Encourages predominantly **medium** and **higher density residential** uses on properties adjacent to those fronting Main Street. Low impact, **small-scale commercial** uses are 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.

9.2.2 Intensification

Intensification within the TOWN CENTRE is encouraged to support a strong centre 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:

- (1) Impact studies that address traffic and parking impacts, in particular for **development** within the residential mixed-use area.
- (2) Servicing studies that address drainage, drinking water and/or sewer needs and impacts.
- (3) Site elevations and drawings that address parking, access, fencing, etc.
- (4) Landscaping plans.
- (5) Community consultation.

Such proposals will undergo administrative review to provide support and reduce community concerns, and to assist **developers** on how best to meet infrastructure standards and by-law requirements,

9.2.3 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.

9.2.4 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:

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

9.2.5 Urban Form and Design

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

- (1) Support reduced front and side yards setbacks and limiting parking to the rear of buildings for properties fronting Main Street to increase visual cohesiveness.
- (2) Maintain and enhance landscaped boulevards and medians, treed sidewalk areas, and public meeting spaces along Main Street and other areas where pedestrian traffic is most concentrated.
- (3) Undertake beautification programs through placemaking, streetscape improvements, the rehabilitation of buildings, and upgrading existing building facades.
- (4) Promote consistency for outdoor signs with respect to appearance, size, projection height and effects on adjoining properties.
- (5) Protect historically important and/or architecturally significant buildings.
- (6) Ensure the provision and maintenance of adequate on-street parking and sidewalks.
- (7) Enhance the visual appeal of buildings and landscaping along Main Street by developing design guidelines for Main Street.

10.0 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 Niverville and surrounding areas. COMMERCIAL CORRIDOR areas will provide appropriately sized and located land to accommodate commercial uses that have larger land requirements and businesses that need good access to arterial roads. Because the COMMERCIAL CORRIDOR areas ‘bookend’ Niverville to the east and west and provide first impressions of the town, commercial developments should promote good urban design.

10.1 OBJECTIVES

- (1) Encourage the development of attractive, commercial groupings at each gateway into Niverville.
- (2) Encourage Provincial Road 311, the main corridor through the town, to be developed primarily for commercial and employment uses.
- (3) Support mixing of complementary uses, including residential, that will help stabilize and enhance commercial development.
- (4) Ensure an adequate supply of serviced commercial land.

10.2 POLICIES

10.2.1 Commercial Corridor Uses

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

- (1) Require larger parcels of land or building area than what is appropriate or available in the TOWN CENTRE.
- (2) Require space for outdoor display and/or storage.
- (3) Cater to the travelling public (e.g., hotels and gas stations).
- (4) Are regional in nature.

10.2.2 Residential Uses

Higher density residential uses may be accommodated in COMMERCIAL CORRIDOR areas where they complement adjacent uses and mitigate incompatibility, subject to the provisions of the Town Zoning By-Law. Residential development that is part of a mixed-use commercial/residential structure or planned development is encouraged.

10.2.3 Institutional Uses

Complementary recreational, cultural, and institutional uses that are more regional in scale may be appropriate in COMMERCIAL CORRIDOR areas, subject to the provisions of the Town's Zoning By-Law.

10.2.4 Industrial Uses

- (1) Existing industrial uses located along Provincial Road 311 on the east side of Niverville are accommodated in the COMMERCIAL CORRIDOR area.
- (2) No further industrial development should occur in COMMERCIAL CORRIDOR areas.

10.2.5 Development Standards

- (1) 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, parking, and exterior elevations.
- (2) Where large-format retail uses are proposed, additional information such as a traffic impact study, signage plans, parking, and building design information may be required.

10.2.6 Servicing

New commercial areas must be readily serviceable by extension of municipal water and sewer and must provide and connect with these services (see **Sections 6.2.1** and **6.2.2** of this Plan).

11.0 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 sites and which have more potential to impact non-industrial uses are encouraged to locate in the town's Industrial Business Park. Low impact uses may be accommodated in a mixed-use industrial area. Increasing industrial development will positively impact Niverville's economy and provide a source of employment for its residents.

11.1 OBJECTIVES

- (1) Maximize employment opportunities for local residents.
- (2) Ensure that future industrial development will be compatible with other development in the area and not create unacceptable nuisances or risks.
- (3) Facilitate industrial business park development opportunities.
- (4) Ensure an adequate supply of serviced industrial lands.
- (5) Create a safe, attractive, and efficient industrial area.

11.2 POLICIES

11.2.1 Industrial Uses

To promote economic development and employment opportunities in Niverville, industrial uses will be directed to and accommodated in INDUSTRIAL areas within the town. Subject to compliance with the Town's Zoning By-Law, a range of industrial uses is encouraged at appropriate locations:

- (1) Lower impact industrial uses are directed to INDUSTRIAL areas that are in closer proximity to non-industrial uses (e.g., by the railway).
- (2) Higher impact industrial uses are directed to INDUSTRIAL areas that are further away from non-industrial uses (e.g., in the Niverville Business Park).

11.2.2 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, subject to compliance with the Town's Zoning By-Law. To promote compatibility between uses and with adjacent areas, standards for landscaping and design will be higher than in general INDUSTRIAL areas.

11.2.3 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.

11.2.4 Incompatible Uses

- (1) To ensure that industrial uses can safely operate and/or expand, the Town Zoning By-Law may establish special limitations and conditions for potentially incompatible uses in areas designated as INDUSTRIAL and within a specified distance of the designated area.
- (2) Residential uses shall not be permitted in INDUSTRIAL areas except for an accessory suite or dwelling unit for the use of an owner, operator, caretaker, or watchperson.

11.2.5 Niverville Business 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 particularly those with outdoor operations, will be encouraged to locate in the Niverville Business Park.

11.2.6 Municipal Services

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

12.0 Parks and Open Space

PARKS AND OPEN SPACE areas are intended to provide lands for recreation, leisure, active transportation, and to set aside lands to be kept as natural, open space. The strategy for PARKS AND OPEN SPACE areas 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 Niverville, as well as the health and well-being of its residents.

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, recreational and greenspace needs of the population will increase. As such, the Town and developers share responsibility for ensuring an adequate supply of land is devoted for parks and open space, and that the land is useable and accessible to the community.

12.1 OBJECTIVES

- (1) Protect and enhance greenspaces for ecological and aesthetic functions, as well as year-round, active living and recreational uses as Niverville grows and develops.
- (2) Protect environmentally sensitive areas and features of community significance.
- (3) Promote more environmentally sustainable and active modes of transportation by improving the connectivity of community greenspaces.
- (4) Promote the efficient and effective use of community greenspaces through the co-location of compatible recreation and institutional facilities.

12.2 POLICIES

12.2.1 Parks And Open Space Uses

- (1) PARKS AND OPEN SPACE areas are encouraged to and may accommodate the following uses, as established in the Town Zoning By-Law:
 - (a) Outdoor recreation and open space uses (e.g., parks, natural areas, etc.).
 - (b) Sports and indoor recreation facilities (e.g., arenas, golf courses, sports fields, swimming areas, ice rinks, etc.).
 - (c) Public greenways and trails.

- (2) Institutional uses (e.g., schools, childcare centres, libraries, museums, etc.) may be accommodated as a conditional use, as established in the Town Zoning By-Law.

12.2.2 Shared Greenspace

- (1) The co-location of uses that have a compatible greenspace component (e.g., parks, recreation facilities, schools, daycares, etc.), should be considered and encouraged.
- (2) On land designated PARKS AND OPEN SPACE, where a proposal for the co-location of uses will intensify the development of the land (e.g., through added buildings, parking, and accesses), a sufficient amount of greenspace should be preserved. Consultation with the community on such proposals is encouraged.

12.2.3 Greenspace Linkages

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.

12.2.4 Greenspace Master Plan

- (1) To establish an overall, coordinated plan for PARKS AND OPEN SPACE areas and public recreation facilities, the Town may prepare a **Greenspace Master Plan** that:
 - (a) Identifies a hierarchy for public greenspace that accommodates a variety of uses.
 - (b) Guides the management of existing greenspace resources, including the establishment of landscaping standards and maintenance levels appropriate for the different types of greenspaces.
 - (c) Prioritizes the development of future parks, trails, and open spaces.
- (2) 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.

12.2.5 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.

12.2.6 Multifunctional Design

Community greenspaces, have the potential to temporarily store stormwater and aid with filtration, 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 should incorporate run-off and water retention solutions, as well as features that encourage recreation, socialization, and relaxation, where appropriate.

12.2.7 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.

13.0 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.

13.1 OBJECTIVES

- (1) Ensure an adequate supply of land is designated to accommodate projected residential development.
- (2) Improve the quality of established neighbourhoods by enhancing neighbourhood amenities and facilities.
- (3) Encourage a mix of housing types and affordability levels in the design of new neighborhoods.
- (4) Promote the incorporation of good urban design, greenspace, and features that promote active living and a sense of community.

13.2 POLICIES

13.2.1 Neighbourhood Uses

- (1) To promote diverse, active, and affordable neighbourhoods, NEIGHBOURHOOD areas should accommodate a range of housing types, scales, and densities, including single-unit, two-unit, and multi-unit dwellings and secondary suites. Residential uses are subject to the provisions of the Town's Zoning By-Law.
- (2) Mixed-use commercial/residential structures, including home-based businesses, may also be accommodated subject to the provisions of the Town's Zoning By-Law.

13.2.2 Compatible Uses

To foster the development of high quality and complete residential neighbourhoods, proposals for residential **development** in NEIGHBOURHOOD areas should include:

- (1) A diversity of housing options, affordability levels, and densities.
- (2) Public open spaces and/or recreation amenities that are within walking distance (e.g., 500-meter radius) from most homes.
- (3) Naturalized surface water drainage management.
- (4) Trail facilities that connect to the town's active transportation network.
- (5) Sidewalks on collector roads.

13.2.3 Recreational and Institutional Uses

Recreational and institutional uses (e.g., 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 the provisions of the Town's Zoning By-Law. See **Section 13.2.7** for siting considerations.

13.2.4 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:

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

13.2.5 Rural Residential

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

13.2.6 Infill Development

- (1) The infill of new housing within established NEIGHBOURHOOD areas is encouraged, particularly on vacant sites.
- (2) To minimize impacts on adjacent properties, proposals for **infill development**:
 - (a) Should be compatible with existing developments and surrounding uses.
 - (b) Are subject to the provisions of the Town Zoning By-Law.

13.2.7 Higher Density/Intensity Uses

- (1) Higher density and intensity uses (such as **medium** and **higher density residential**, residential/commercial **mixed-use** structures, and certain recreational or institutional uses) may be accommodated in NEIGHBOURHOOD areas.
- (2) To ensure these uses are appropriately located, the following considerations apply to the siting and **development** of these uses in NEIGHBOURHOOD areas:
 - (a) Frontage on or direct access to a **collector** or **arterial road**, or at an intersection, to ensure sufficient access and traffic movement and minimize through traffic in residential areas.
 - (b) The lot should be of sufficient size to accommodate onsite parking/loading facilities, landscaping/buffering and, where necessary, onsite water retention.
 - (c) Located in a central location near recreation and institutional uses in order to maximize potential for **active transportation**.
- (3) Landscape and drainage plans are required for the above uses. Council may also request any of the following:
 - (a) Concept plans (see 4.2.6 and 4.2.7).
 - (b) Plans for circulation, lighting, fencing, and exterior elevations.

- (c) Any additional studies to determine the impacts on municipal services, traffic flows (see **5.2.8**), and surrounding land uses.

13.2.8 School Site Considerations

In addition to **13.2.7** above, when considering the location of future school sites, the following considerations should also apply:

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

13.2.9 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, **intensity**, and/or density proposed, measures to provide a transition in scale and/or buffering to minimize impacts on existing residential neighbourhoods may be necessary.

13.2.10 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 berms to mitigate potential adverse impacts, if any, upon the proposed residential uses.

13.2.11 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.

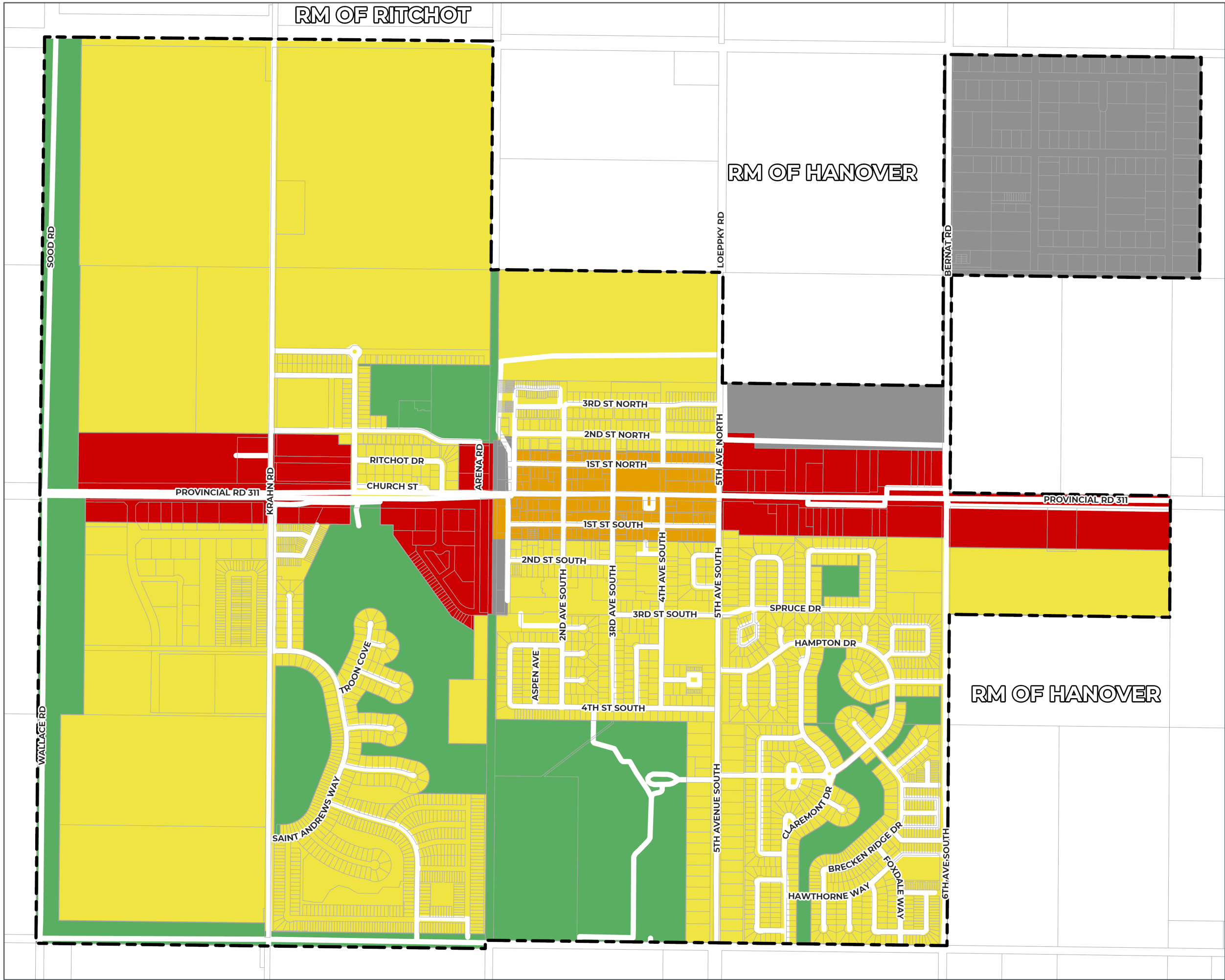
13.2.12 Dedicated Lands

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.

13.2.13 Existing Agricultural Uses

- (1) Existing agricultural uses may continue in NEIGHBOURHOOD areas where lands are zoned for agricultural use.
- (2) New or expanding livestock operations are not permitted in NEIGHBOURHOOD areas.

Part Four: Land Use Map



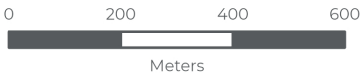
Niverville
WHERE YOU BELONG

**Town of Niverville -
Development Plan**

Land Use Designation

- Commercial Corridor
- Industrial
- Neighbourhood
- Parks & Open Space
- Town Centre

The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.



Coordinate System: NAD 1983 UTM Zone 14N
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(When plotted at 11"x17")

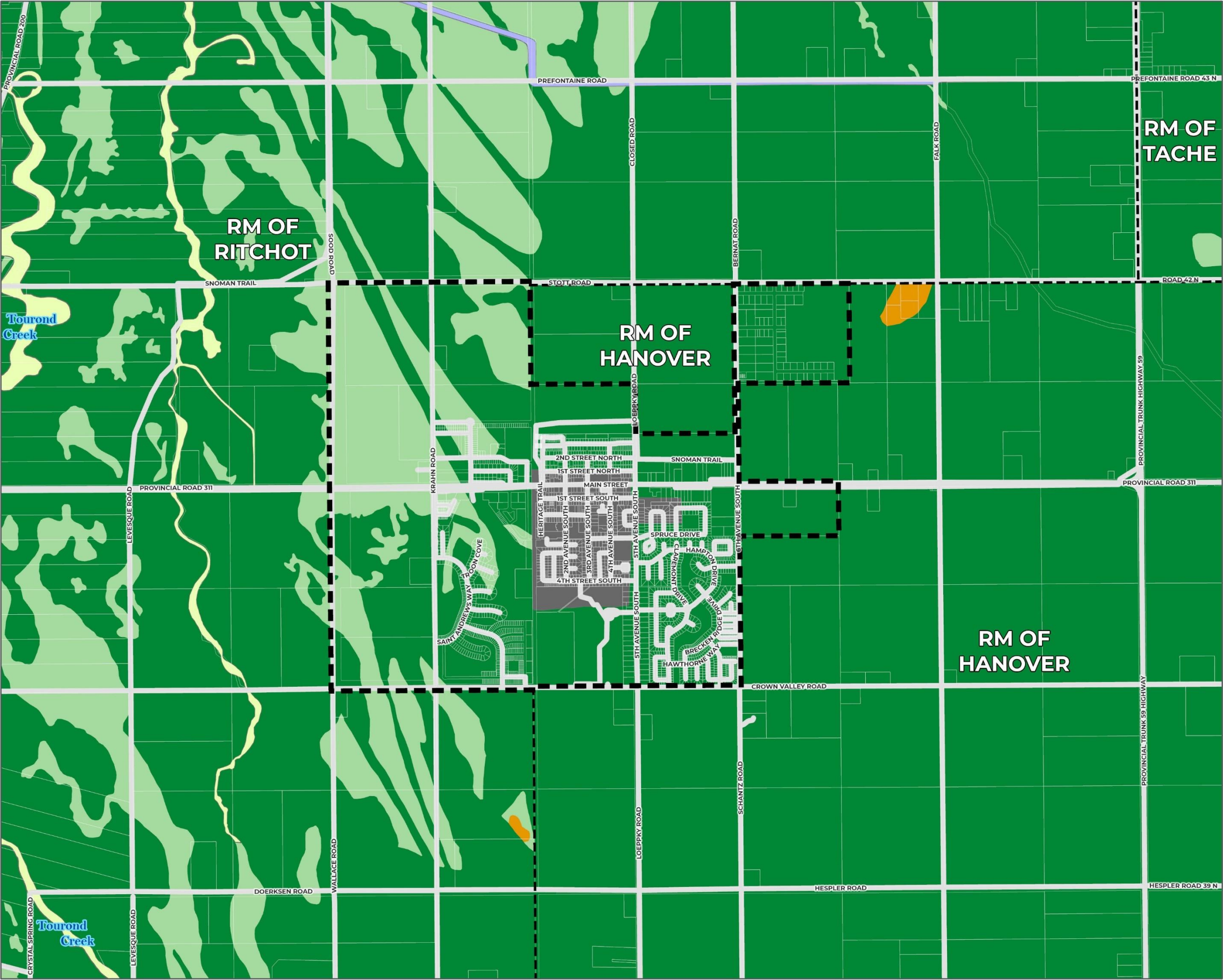
Data Sources:

- Province of Manitoba
- Open Street Map
- Google Earth

Project #: 4687.0006.01
Author: LS
Checked: JP
Status:
Revision:
Date: 2026 / 8 / 17



Appendix A: Reference Maps





Niverville

WHERE YOU BELONG

Town of Niverville - Soil Capability

Legend

- Unclassified land
- Class 2
- Class 3
- Class 5
- Class 6
- Urban land
- Niverville Boundary
- Municipal Boundary

The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.

0 500 1,000 1,500

Meters

Coordinate System: NAD 1983 UTM Zone 14N

Scale: 1:30,000 (When plotted at 11"x17")

Data Sources:

- Province of Manitoba
- Open Street Map

Project #: 4687.0006.01

Author: DL

Checked: AM/AS/HP

Status: A

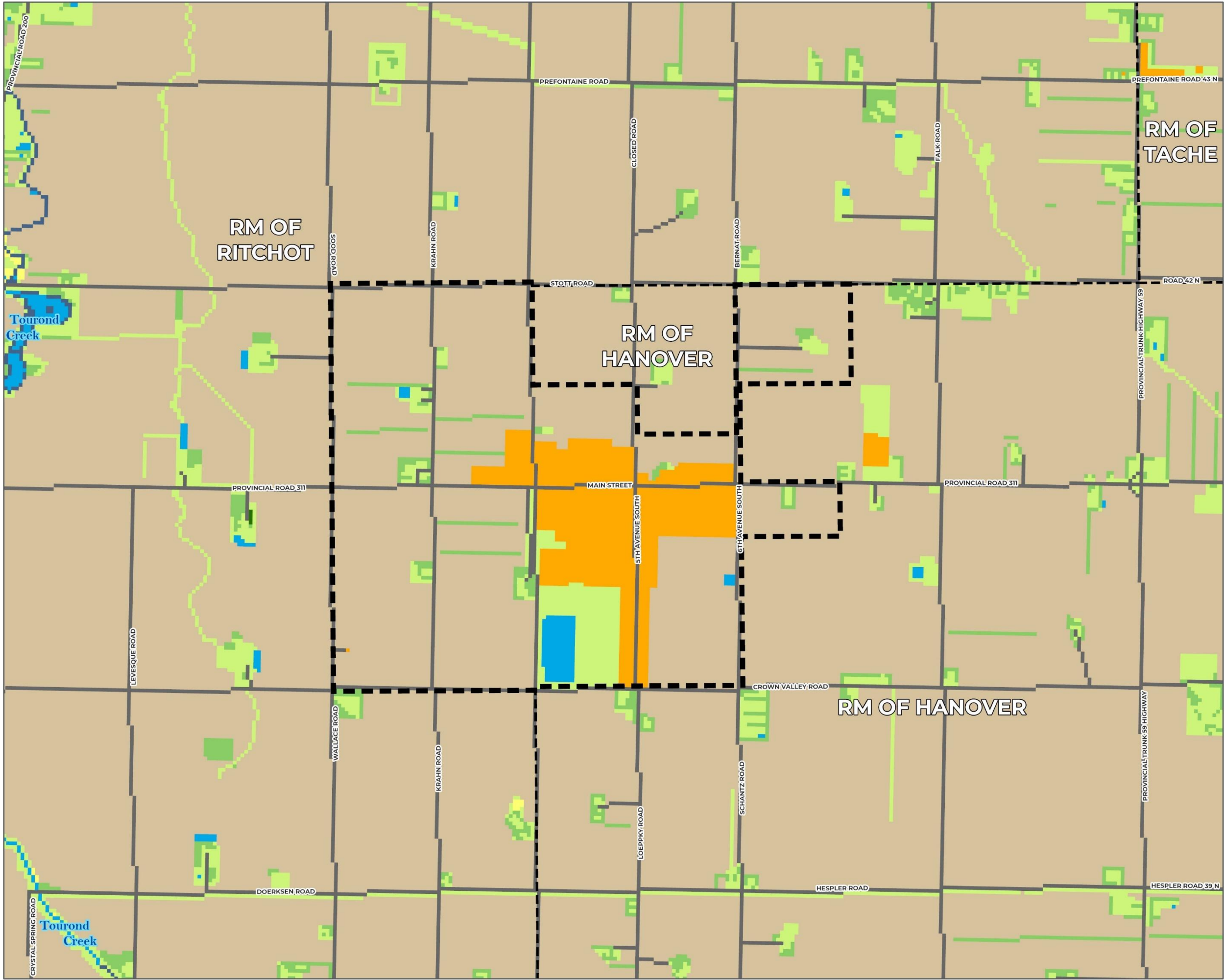
Revision: A

Date: 2024 / 4 / 11



URBAN SYSTEMS

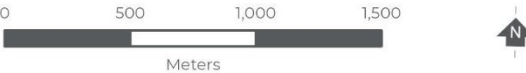
Reference Map 1



Town of Niverville

- Legend
- Agriculture Field
 - Coniferous Forest
 - Cultural Features
 - Deciduous Forest
 - Open Deciduous Forest
 - Range and Grassland
 - Roads, Trails, Rail Lines
 - Water
 - Wetland - Marsh
 - Niverville Boundary
 - Municipal Boundary

The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.



Coordinate System: NAD 1983 UTM Zone 14N
Scale: 1:30,000
(When plotted at 11"x17")

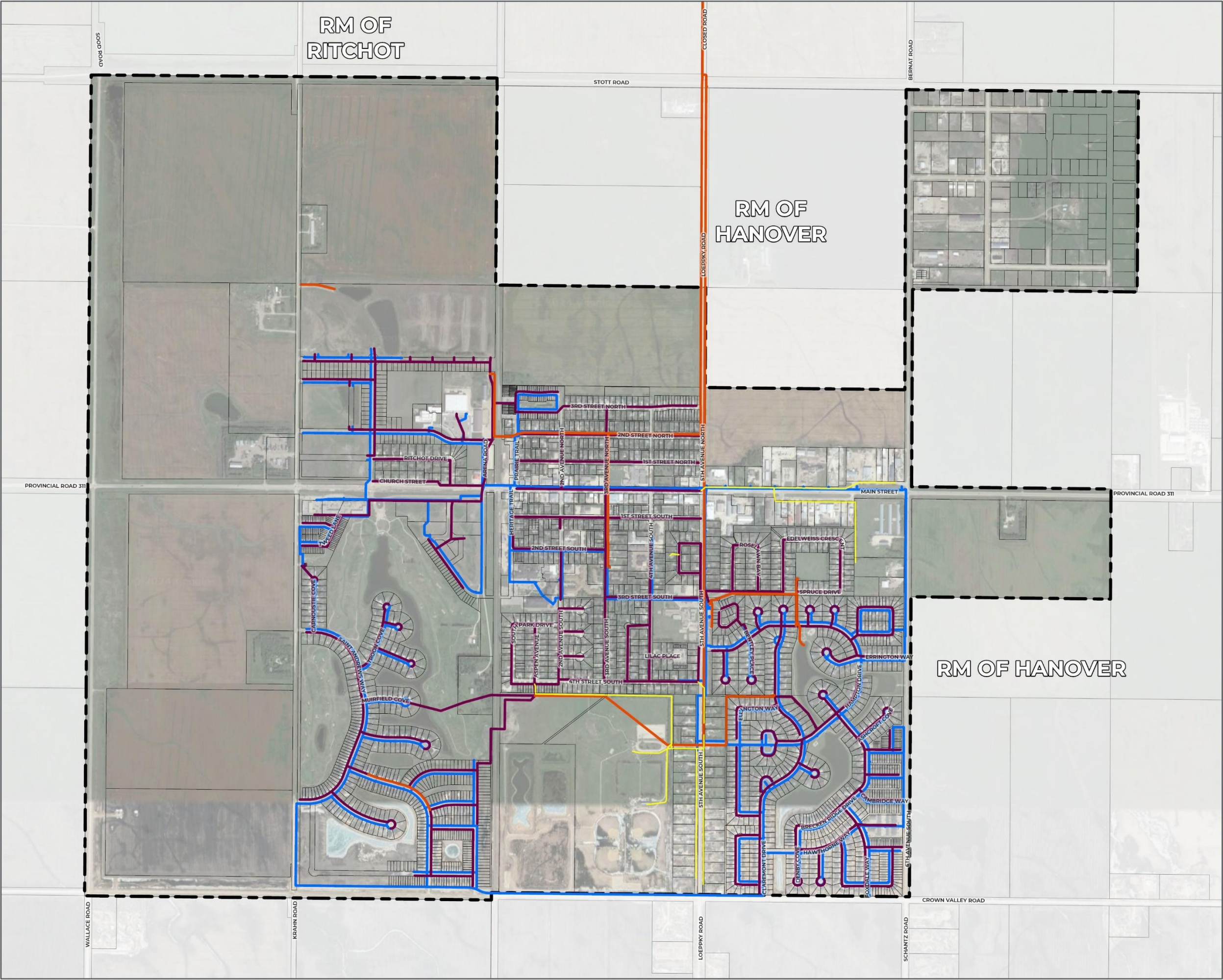
Data Sources:

- Province of Manitoba
- NRCan
- Open Street Map
- Google Earth

Project #: 4687.0006.01
Author: DL
Checked: AM/AS/HP
Status: --
Revision: B
Date: 2024 / 4 / 11



Reference Map 2



Infrastructure Map

- Legend
- Town of Niverville Boundary
 - Water Main
 - Sewer Main
 - Force Main
 - LPS

The accuracy & completeness of information shown on this drawing is not guaranteed. It will be the responsibility of the user of the information shown on this drawing to locate & establish the precise location of all existing information whether shown or not.

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Meters

Coordinate System:

NAD 1983 UTM Zone 14N

Scale: 1:14,915

(When plotted at 11"x17")

Data Sources:

- Town of Niverville

- Province of Manitoba

- Open Street Map

- Google Earth

Project #:	4687.0006.01	URBAN SYSTEMS
Author:	DL	
Checked:	AM/AS/HP	Reference Map 3
Status:	--	
Revision:	B	
Date:	2024 / 5 / 8	

Appendix B: ***Glossary***

Definitions

200-year flood: A flood that, on average, is expected to occur once during a two-hundred-year period or has a 0.5% annual chance of reoccurrence.

A

Active transportation: Any mode of transportation by which people use their own energy to power their motion including walking, rolling, running, cycling, cross-country skiing, skateboarding, snowshoeing, and use of a manual wheelchair.

Agricultural operation: means an agricultural, horticultural, or silvicultural operation that is conducted in order to produce agricultural products on a commercial basis, and includes:

- a) the production of crops, including grains, oil seeds, hay and forages, and horticultural crops, including vegetables, fruit, mushrooms, sod, trees, shrubs, and greenhouse crops.
- b) the use of land for grazing.
- c) the production of eggs, milk, and honey.
- d) the raising of game animals, fur-bearing animals, game birds, bees, and fish.
- e) the processing necessary to prepare an agricultural product for distribution from the farm gate.
- f) the operation of agricultural machinery and equipment, including the tillage of land and the application of fertilizers, manure, soil amendments and pesticides, whether by ground or aerial application.
- g) the storage, use, or disposal of organic wastes for agricultural purposes.

Agricultural producer: A person who produces and markets an agricultural product.

B

Built environment: People-made places and spaces designed and constructed to serve their social, economic, and environmental needs.

C

Certificate of non-conformity: refers to a permit or approval issued by the Town which confirms that a use was lawfully in existence before the enactment of a new zoning by-law. A person with an interest in a building, a parcel of land, or an operation involving a use of land or intensity of its use that does not comply with a zoning by-law may apply to the Town for a certificate of non-conformity.

D

Developer: The individual or group proposing or undertaking an activity defined as **development** herein.

Development: as defined in *The Planning Act*, development refers to any of the following:

- The construction of a building on, over, or under land.
- A change in the use or intensity of use of a building or land.
- The removal of soil or vegetation from land.
- The depositing or stockpiling of soil or material on land and the excavation of land.

Drinking water system: A system used to pump, store, treat, and distribute drinking water, and includes the facilities and services used in the provision of drinking water.

E

Erosion: Land that, within a 50-year period, may be eroded away or become unstable due to the action of water contained in an adjacent water body.

F

Farmstead site: The portion of land of an agricultural operation, usually surrounded by a well-defined shelterbelt, that includes the habitable residence of the agricultural producer and the buildings and facilities associated with the agricultural operation.

Flood mitigation: Measures taken to permanently protect individual buildings or other developments from flood damage.

Floodway: The portion of a flood risk area where flood waters are the deepest, fastest, and most destructive.

H

Hazard lands: Lands subject to flooding, ponding, erosion, bank instability, flowing wells, high susceptibility to groundwater pollution, and poor subsoil characteristics for building purposes.

Hazardous uses: Facilities or development, exclusive of railways and highways, that manufacture, handle, store, or distribute hazardous materials.

Heritage resource: Heritage sites, heritage objects, and work or assembly of works of nature or of human endeavour that is of value for its archaeological, palaeontological, pre-historic,

historic, cultural, natural, scientific, or aesthetic features, and may be in the form of sites or objects of a combination thereof.

Heritage object: As defined in Part IV of *The Heritage Resources Act* (1986). Objects can include archaeological, heritage, paleontological, natural heritage and designated objects.

Heritage site: A site designated as a heritage site under Part I of *The Heritage Resources Act* (1986). Important features of (a) the historic or pre-historic development of the province or a specific locality within the province, or of the peoples of the province or locality and their respective cultures; or (b) the natural history of the province of a specific locality within the province; may be designated a heritage site by the minister.

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.

I

Industrial uses: In this Plan, Industrial uses are defined according to the following levels of impact:

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

Higher impact: Heavy industrial uses, with some or all operations occurring outdoors.

Infill: The development of vacant parcels within previously built areas. These areas are usually already serviced by existing public infrastructure, such as transportation, water, wastewater, and other utilities.

Infrastructure: The physical assets developed and used to support the city's people and activities. The City's infrastructure inventory includes such assets as drainage, roads and right-of-way infrastructure, parks and green spaces, buildings, fleet vehicles, transit facilities, buildings, traffic control devices, recreation facilities, computer networks, library, etc.

Intensify or 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.

L

Livestock operation: 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.

M

Mixed-use building: A building that can include residential, commercial, cultural, and institutional uses.

Mixed-use area: An urban area that can include residential, commercial, cultural, and institutional uses, and where those functions are to some degree physically and functionally integrated.

N

Natural assets: Parts of the natural environment, such as the river, creeks, and urban forest, that contribute to the provision of one or more engineered municipal services. (e.g., freshwater provision, stormwater management, flood mitigation).

Non-conforming use: An existing use which does not comply with the *Town of Niverville Zoning By-Law* on the date the zoning by-law was enacted.

Legal non-conforming use: a **non-conforming use** in which a permit or approval has been issued by the Town (i.e., a **certificate of non-conformity**) authorizing the use of the land and/or intensity of the use of land. This includes any of the following that lawfully existed before the enactment of the new Zoning By-Law:

- (a) A building.
- (b) A parcel of land.
- (c) The use of land or the intensity of the use of land.

O

Open space: An area of outdoor land or water that is publicly owned or publicly accessible, including municipal parks, civic spaces, provincial or federal parkland, institutional campuses, and other public spaces.

P

Park: Any land acquired, developed, or used by the Town as a public park, sports field, playground, recreational area, or cemetery, title to which is vested in the name of the Town.

Pedestrian scale: A design that considers the shapes, proportions, and details of a space with the intention of creating a comfortable and engaging experience for people moving at a walking or rolling pace.

Placemaking: Involves the planning, design, management, and programming of shared use spaces to help define a community's cultural, economic, social, and ecological identity.

Prime agricultural land means the following:

- a) Land composed of mineral soil determined to be of dryland Agricultural Capability Class 1, 2 or 3.
- b) A land unit of one quarter section or more, or a river lot, in which 60% or more of the land is dryland Agricultural Capability Class 1, 2 or 3.
- c) Land composed of organic soil determined to be of dryland Agricultural Capability Class O1, O2, or O3.
- d) Land determined to be of Irrigation Suitable Class 1A, 1B, 2A or 2B.

R

Redevelopment: The creation of new units, uses, or lots on previously developed land in existing neighbourhoods.

Renewable energy: Energy that is collected from renewable resources, which are naturally replenished on a human timescale, such as sunlight, wind, rain, watercourse, and geothermal heat.

Residential development: For the purposes of this Plan, residential developments are defined according to the following densities:

Lower density: Small-scale housing development types such as single-unit (e.g., tiny homes, single-detached houses), two-unit (e.g., semi-detached, duplex), and secondary suites (e.g., attached, detached).

Medium density: Medium-scale housing development types such as townhouses (e.g., row or stacked), four-plexes, walk-up apartments, and low-rise apartments (i.e., less than or equal to three storeys).

Higher density: Large-scale housing development types such as mid-rise multi-unit apartments (i.e., more than three storeys) and mixed-use complexes.

Roads: in this Plan, roads are defined according to the following hierarchy:

Arterial roads: are designed for large traffic volumes and high-speed limits.

Provincial Road 311 is considered an arterial within Niverville.

Collector roads: are designed to collect traffic from local roads and distribute this traffic to **arterial roads**.

Local roads: are designed for low traffic volumes and speed limits. They connect private properties to **collector roads**. Local roads represent the majority of municipal roads in Niverville.

Rural residential: refers to residential development on 0.5 acre or larger lots.

S

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

Servicing standards: Standards that are intended to provide specific guidelines to assist municipalities and developers in the design, preparation, and submission of plans and specifications for construction of municipal improvements and systems (e.g., roadways, water distribution systems, sewer systems, storm water facilities).

Site: An area, place, parcel of land, building, structure, or an exterior or interior portion or segment of a building or structure, whether it is privately-owned, owned by the Town or owned by the Crown or an agency thereof.

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.

Streetscape: All the elements that make up the physical environment of a street and define its character. This includes paving, trees and vegetation, lighting, building type and style, setback, pedestrian, cycle and transit amenities, street furniture, etc.

Sustainability / sustainable development: An approach to development that seeks to balance economic growth, social inclusion, and environmental protection. The goal of sustainable development is to meet today's needs without compromising future generations' ability to meet their own needs.

T

Traffic calming: The use of physical design and other measures to improve safety for motorists, pedestrians, and cyclists.

U

Universal design: The design and composition of an environment so that it can be accessed, understood, and used to the greatest extent possible by all people regardless of their age, size, ability, or disability.

V

Viable lower class land: Land, other than prime agricultural land, that is used for agricultural operations or that has been used for agricultural operations in the past and continues to have the potential to be used for that purpose.

Visitable housing: Accessible design that allows social visits by people using a mobility device.

W

Walkability: The extent to which the built environment allows people to walk to get to everyday destinations. Walkability can be affected by street connectivity, mix of land uses, destinations, and pedestrian infrastructure.

Wastewater management system: A system that is used to collect, store, treat, distribute, and dispose of wastewater, and includes the facilities and services associated with the management of wastewater.

Watershed: A land area that channels rainfall and snow melt to creeks, streams, and rivers.

Appendix C: Background Study

