



# 7 IMPLEMENTATION

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## 7.1 ADOPTION, REVIEW AND AMENDMENTS

Adoption of the Development Plan by the Planning District Board will give it the force of law. Once adopted, no development or land use shall be carried out within the area affected by the Development Plan that is inconsistent with the policies and attached maps set forth herein.

The Planning District Board should continually monitor the Development Plan to ensure it is effective in guiding the orderly and cost-efficient development of the region. The Board must complete a detailed review of its Development Plan within five years of its adoption.

While the Development Plan is intended to direct future development to appropriate locations, and to provide standards and guidelines for development, it is recognized that there may be cases where the Plan does not accommodate a development that the community may wish to consider. In such cases, an amendment to the text of the Development Plan, and/or to any of the maps, will be required to accommodate the proposed development. An amendment to the Development Plan should be reviewed carefully since it represents a change to the accepted direction and vision for the community.

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## 7.2 SECONDARY PLANS

As per Section 63 of *The Planning Act*, Council may adopt, by by-law, a Secondary Plan to provide more guidance on development related issues. A Secondary Plan can address objectives and issues in any part of the municipality, without limitation, on matters regarding:

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

When a Secondary Plan is prepared in the Planning District, it must clearly demonstrate compliance with this Development Plan. For example, consideration should be given to the following to implement the Environment Policies of Section [4.6.2](#):

- The integration of nature-based solutions, such as naturalized wetlands and rain gardens for flooding, and tree cover for shading;
- The reduction of negative impacts on the natural environment, including water resources, wildlife corridors, and soil quality;
- The alignment with climate change resilience and mitigation principles; that is, to withstand the extreme climatic changes anticipated and to reduce greenhouse gas emissions.

[Reference Map 1](#) illustrates the location of Secondary Plans in effect in the Planning District.



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## 7.3 ZONING BY-LAWS

The objectives and policies contained herein are generally implemented through zoning by-laws. Zoning by-laws, as per Section 71 of *The Planning Act*, set out specific requirements for land use and development, identify zoning districts for certain types of uses, and outline permitted and conditional uses and development standards for each land use zone. Zoning by-laws must be generally consistent with the Development Plan and any applicable Secondary Plan.

Amendments to a municipal zoning by-law must be reviewed in accordance with the objectives and policies of this Development Plan and any Secondary Plan in place.

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## 7.4 SUBDIVISION APPROVAL

Proposals involving the subdivision of land for individual or multiple lot development will be subject to a review by the South Interlake Planning District as the approving authority, the applicable municipal Council, and certain provincial government departments and agencies, as per Part 8 of *The Planning Act*. This process provides 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 applicable municipal Council and the South Interlake Planning District approving authority. Council and the approving authority may attach conditions to a subdivision approval in accordance with *The Planning Act*.

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## 7.5 CONDITIONAL USE APPROVAL

Within zoning by-laws, there are provisions for the approval of various types of development as conditional uses. The conditional use approval process provides Councils with the authority to review specific development proposals, to receive public input from nearby landowners, and to make decisions either approving or denying the proposals, as per Part 7 of *The Planning Act*. In addition, this process provides Councils with the opportunity to establish conditions of approval, which could include requiring the applicant to enter into a development agreement with the municipality. In utilizing the conditional use process, Councils will have an opportunity to influence the location of certain types of development, and to implement measures to ensure that development occurs in a manner that is acceptable to the community.

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## 7.6 VARIANCE APPROVAL

Part 6 of *The Planning Act* enables Councils to issue variance orders for the purpose of varying or altering the application of the zoning by-law. Councils may attach conditions of approval to a variance order, which could include requiring the applicant to enter into a development agreement with the municipality to maintain the intent and purpose of the Development Plan or zoning by-law.



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## 7.7 PLANNING COMMISSION

The South Interlake Planning District Board may establish a Planning Commission, as per Section 31 of *The Planning Act*, comprised of Council members, business interests, and local community members. The purpose of a planning commission is to assist the Board or Council in administering zoning by-laws. A planning commission can administer planning-related work that would otherwise be completed by the Board or Council. A planning commission can have members that are not currently on the Board or Council and therefore be an opportunity to involve community members who can provide an additional perspective regarding land use planning matters.

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## 7.8 MUNICIPAL COLLABORATION

Planning and working collaboratively within the South Interlake Planning District as well as other municipalities, agencies, and levels of government will produce more efficient and higher quality services for residents. Municipal water and wastewater services, health, and transportation are examples of areas where municipalities are already working collaboratively.

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## 7.9 SERVICE SHARING AGREEMENTS

Member municipalities may enter into municipal service sharing agreements with each other to provide essential and non-essential services such as fire protection, snow clearing, or recreational opportunities.

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## 7.10 DEVELOPMENT AGREEMENTS

Approval of zoning by-law amendments, subdivisions, conditional uses or variances can be conditional on the applicant/owner entering into a development agreement with the municipality that protects the interests of both parties, as per Section 150 of *The Planning Act*. A development agreement typically deals with the responsibilities of the applicant and the municipality in providing services to the land in question, the use of the land, the siting of buildings, the installation of water and wastewater services, and/or the provision of open space or park land.

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## 7.11 DEVELOPMENT PERMITS

New development generally requires a development permit issued by the South Interlake Planning District, as per Subsection 147(1) of *The Planning Act*. Before a permit can be issued, proposals will be reviewed to determine conformance with this Development Plan, any applicable secondary plan, and the applicable zoning by-law.

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## 7.12 DEVELOPMENT OFFICER

The Board may authorize their Development Officer to issue development permits, zoning memoranda, certificates of non-conformance and other similar documents. The



Development Officer may also allow minor variations to the requirements of the applicable zoning by-law.

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## 7.13 ADOPTION OF OTHER BY-LAWS

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

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## 7.14 SPECIAL STUDIES AND CONCEPT PLANS

Applicants may be required to undertake and submit special studies or concept plans as part of the approval process for certain development proposals. Engineering or other professional studies shall be required for development proposed for lands affected by natural hazards or climate change, potential for groundwater or surface water pollution, and general risk to health, the environment and property. Examples of plans that the Planning District may require include drinking water management plans, wastewater management plans, infrastructure capacity assessments, geotechnical analysis, environmental assessment and impact analysis, soil suitability analysis, drainage plans, transportation assessments and impact analysis.

Detailed concept plans may also be required to identify the location, nature and timing of development in a manner that is consistent with the intent of the Development Plan. Concept plans can provide information with regard to the following:

- Schematic layout of future roadways, with provisions for integration in a safe and efficient manner with other existing and anticipated roadways in the area, and in conformance with accepted engineering standards;
- Schematic arrangement of building lots and parking areas, with lot sizes that are appropriate for the nature of the anticipated development;
- Conceptual layout of buildings and landscaping;
- Location and size of proposed buffers, sidewalks, bicycle paths, and parks;
- Sufficiently detailed contour information to evaluate slope and drainage conditions;
- Proposed method of stormwater management;
- Overall suitability of soil type for the proposed development;
- Schematic design of the various utility and service systems anticipated within the development area, such as hydro, natural gas, telecommunication, storm drainage, water supply and wastewater systems; and
- Where appropriate, an assessment of the impact of the proposed development on the environment and/or climate change (i.e., the greenhouse gas emissions produced and sequestered).



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## 7.15 PUBLIC WORKS

The capital works programs (i.e. municipal budgets for building and maintaining municipal infrastructure) and public improvements should conform to the policies set out in the Development Plan. This is an important implementation tool since a municipality may influence the rate and direction of growth through the provision of municipal services to land.

Municipalities can ensure infrastructure investments are fiscally responsible through life-cycle costing, asset management plans, cost-benefit analyses, capital budget planning, and/or cost sharing agreements where applicable.

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## 7.16 CAPITAL EXPENDITURES

All levels of government, school boards, health authorities and all other agencies and stakeholders with a vested interest in the development of the Planning District should consult and ensure consistency with this Development Plan when revising capital expenditure programs. Expenditures to service land, build roads, upgrade facilities, or otherwise provide for growth and development, should be identified in each municipality's approved five-year capital plan. Other agencies and governments are encouraged to align and coordinate their resources with the objectives and policies of this Development Plan.

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## 7.17 DEVELOPMENT LEVIES (COST-CHARGES)

Development Levies, also called Development Cost Charges, are a form of infrastructure charge that seeks to recover the cost of growth-related infrastructure from growth itself. In general, the proposed basis of financing is to allocate all anticipated costs of infrastructure upgrading among the benefitting developers, proportional to the number of lots or dwelling units that they are developing. Revenue from the levy must be specifically dedicated and used solely for the purpose of providing growth-related infrastructure. In this way, it can help the municipality provide the infrastructure that will support new development.

Municipalities can use this tool in accordance with provisions in Sections 142 to 143 of *The Planning Act*. The tool can be used strategically by exempting or reducing the levy for development that offers desirable features and/or amenities to the municipality.

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## 7.18 ACQUISITION AND DISPOSAL OF LAND

A municipality or community development organization may purchase, sell, or lease land for the purpose of implementing the policies of this Development Plan, as per Section 66 of *The Planning Act*.