

# [2017]

**Village of Dunnottar**

**Development Plan By-law 820/05**

An Office Consolidation of

The Village of Dunnottar

Development Plan By-law

By-law No. 820/05



## [NOTICE:]

All persons making use of this Consolidation are reminded that it has no legislative sanction; that the Amendments have been embodied only for the convenience of reference; and that the original By-law and Amendments should be consulted for all purposes of interpreting and applying the law.



**VILLAGE OF DUNNOTTAR**  
**BY-LAW NO. 820/05**

Being a By-Law of the Village of Dunnottar to adopt a Development Plan.

WHEREAS Section 41(1) of The Planning Act provides authority for the preparation of a development plan;

AND WHEREAS, Section 27(1) of the Act provides authority for the adoption of a development plan;

AND WHEREAS it is deemed expedient and desirable to adopt a development plan for the Village of Dunnottar;

NOW THEREFORE the Council of the Village of Dunnottar, in meeting duly assembled, enacts as follows:

THAT the Village of Dunnottar Basic Planning Statement, being Schedule "A" to By-Law No. 571 of the Village of Dunnottar, and all amendments thereto are hereby rescinded.

THAT the Village of Dunnottar Development Plan, attached hereto and marked as Schedule "A", is hereby adopted.

THAT the Village of Dunnottar Development Plan shall take force and effect on the date of Third Reading of this By-Law.

DONE AND PASSED by the Council of the Village of Dunnottar, in Council duly assembled, at Dunnottar, in Manitoba, this 16<sup>th</sup> day of January, 2006.

**DEVELOPMENT PLAN**

**BY-LAW NO. 820/05**

**APPROVED BY: The Minister Dec. 9, 2005**

**Original Signed by**

Richard Gamble, Mayor

**Original Signed by**

J.M. Thevenot, Administrator

Read a first time this	18 <sup>th</sup>	day of July	A.D. 2005
Read a second time this	17 <sup>th</sup>	day of October	A.D. 2005
Read a third time this	16 <sup>th</sup>	day of January	A.D. 2006

Certified to be a true and correct copy of  
Village of Dunnottar By-Law No. 820/05  
Passed and enacted January 16, 2006.



Schedule “A”  
By-Law No. 820/05

Village of Dunnottar

Development Plan





*Bowling Green Park*

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## **PART 1     INTRODUCTION**



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**LOCATION 1.1**

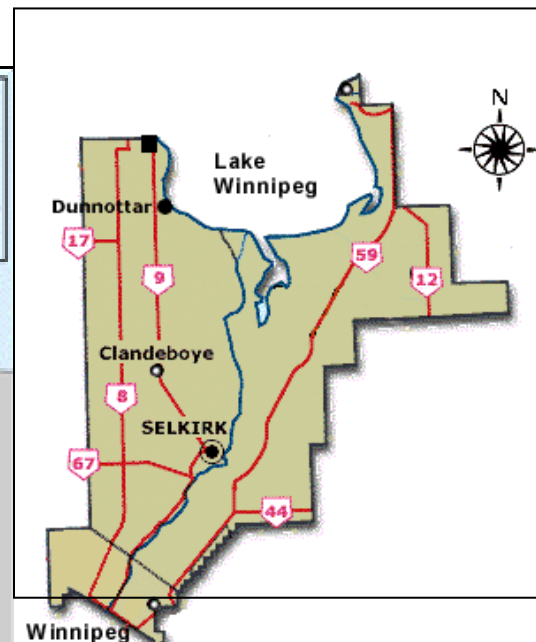
**HISTORY 1.2**

**PLANNING 1.3**



## 1.1 LOCATION

The Village of Dunnottar is located east of PTH 9, on the southwest shoreline of Lake Winnipeg. The Village is approximately 94 kilometres (km) north of Winnipeg and 175 km north of the border crossing at Emerson.



MAP 1 - REGIONAL SETTING

## 1.2 HISTORY

Original settlement within the boundaries of present day Dunnottar dates back to land grants to L. and A. Vaughan in 1874, the Hudson's Bay Company in 1878, and further land grants of 3 quarter sections to settlers under the Homestead Act in 1878, 1895 and 1900. The balance of the land was disposed of by sale in the early 1900's.

Matlock, named after Matlock in Derbyshire, England, began as a fishing community in the late 1800's. The Canadian Pacific Railway (CPR) contributed to the development of 2 beach communities in the early 1900's: Whytefold, named after Sir William Whyte, and Ponemah, named after Longfellow's poem "Hiawatha."

The CPR began its first "beach line" from Winnipeg to the new holiday destination of Winnipeg Beach in 1903, with an estimated 40,000 vacationers using the route each day. The convenient rail service sparked a wave of cottage and campground development during this period, and the communities of Matlock, Whytefold and Ponemah each grew to include a railway station, post office and at least 1 general store.

The transition from rail to automobile travel in the 1950's and 60's, resulted in rationalization of rail services and closures of railway stations. Further economic adjustments led to closures of post offices and general stores. Today, the general stores in Whytefold and Matlock remain, with a post office outlet in the latter.

Matlock, Whytefold and Ponemah were a part of the Rural Municipality (RM) of St. Andrews until 1947 when they incorporated as the Village of Dunnottar, named after Dunnottar castle in Scotland by local landowner Alex Melville. Part of SE 15-17-4 E in the RM of St. Andrews was annexed to the Village in 1981.

Incorporation as a village has served to provide benefits such as joint municipal servicing, while each of the 3 communities has maintained their individual identities and rich histories as summer resort communities.

## **1.3 PLANNING**

### **1.3.1 BASIC PLANNING STATEMENT**

The Village of Dunnottar adopted By-law 571, being the Village of Dunnottar Basic Planning Statement on December 16, 1982. A Basic Planning Statement is by definition a statement of objectives and policies for the development of an area adopted by a board or council under *The Planning Act*.

Section 89.1(2) of *The Planning Act* provides that a basic planning statement adopted by a council is deemed to be a development plan for purposes of this Act, and shall be used and amended in the same manner as a development plan.

### **1.3.2 DEVELOPMENT PLAN - LEGAL AUTHORITY**

Section 26 of *The Planning Act* provides that a council shall review a development plan either when directed to by the minister or no later than 5 years after the date on which the plan came into effect or the previous review.

This By-law 820/05, being the Village of Dunnottar Development Plan, is the result of the review of the Basic Planning Statement and replaces By-law 571.

### **1.3.3 PURPOSE**

Section 25 of *The Planning Act* provides that the purposes of a development plan are:

1. To serve as a framework whereby the municipality may be guided in formulating development policies and decisions.
2. To identify the factors relevant to the use and development of land.
3. To identify critical problems and opportunities concerning the development of and the social, environmental and economic effects thereof.

4. To set forth the desired timing, patterns and characteristics of future development of land and to determine the probable social, environmental and economic consequences thereof.
5. To establish and specify the programs and actions necessary for the implementation of the development plan.
6. To outline the methods whereby the best use and development of land and other resources in adjacent municipalities, districts, or affected areas immediately abutting thereto, may be coordinated.
7. To identify those matters of government concern which affect the use and development of land and other resources within the municipality.

#### **1.3.4 AREA AFFECTED**

The area to which this By-law applies shall be all that area contained within the corporate limits of the Village of Dunnottar and as shown on Map 1 contained herein.





## **PART 2      GENERAL OBJECTIVES AND POLICIES**



**AGRICULTURAL OPERATIONS    2.1**

**DRAINAGE    2.2**

**FISHERIES AND WILDLIFE    2.3**

**HAZARD LANDS AND SHORELINE PROTECTION    2.4**

**HERITAGE RESOURCES    2.5**

**MINERAL RESOURCES    2.6**

**MUNICIPAL SERVICES    2.7**

**TRANSPORTATION AND UTILITIES    2.8**



## **2.1 AGRICULTURAL OPERATIONS**

The Village of Dunnottar has no agricultural activities within its boundaries, but is bordered by agricultural land use within the RM of St. Andrews. The surrounding agricultural activities include crop production and 2 livestock operations.

Both activities can lead to issues associated with farm equipment on roads or crop spraying, and livestock operations can lead to issues with odour; to date however, the impact of agricultural operations on the Village is minimal. Manure spreading occurs in the fall, after the peak cottage season. Proposed provincial regulations for manure application near settlement areas will require that all spreading of manure without incorporation be setback from the settlement boundaries by ½ mile.

### **2.1.1 OBJECTIVES**

1. To identify existing agricultural land use within the Village and provide for continuation of existing uses.
2. To anticipate any future expansion of the Village.
3. To encourage public awareness, understanding and appreciation of agricultural resources.

### **2.1.2 POLICIES**

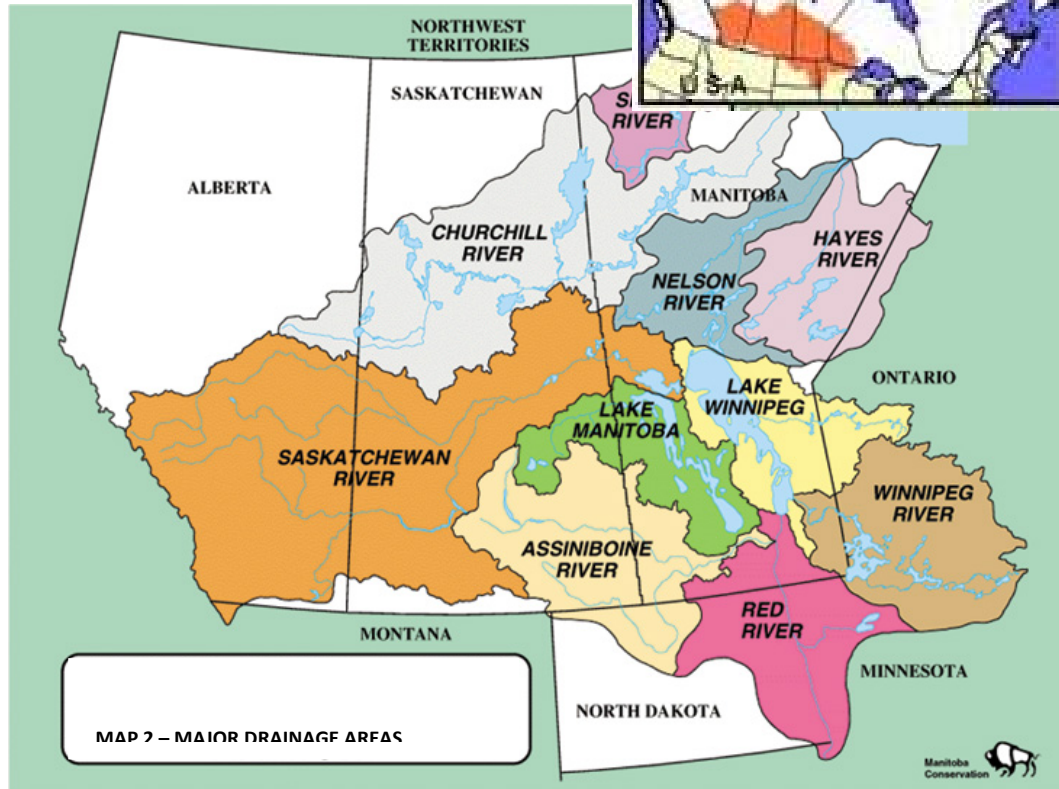
1. Livestock operations as defined herein, shall not be permitted within the Village.
2. Any livestock operations existing within the Village boundaries at the time of adoption of this by-law may be considered as legal non-conforming uses as provided for in *The Planning Act*.
3. Any future expansion of the Village boundaries should be directed away from prime agricultural lands and livestock operations wherever feasible so that land is not prematurely taken out of production.

### **2.1.3 IMPLEMENTATION**

1. The Zoning By-law shall provide for livestock operations legally existing at the time of adoption of this by-law. The municipality should record (by type, size and location) those livestock operations existing at the time of adoption of this by-law.

## 2.2 DRAINAGE

The Village of Dunnottar lies within the Lake Winnipeg Watershed, which is the second largest watershed in Canada (953,250 km<sup>2</sup>). This watershed includes parts of 4 provinces and 4 US states. More specifically, the Village is within the Lake Winnipeg drainage basin (1,000,000 km<sup>2</sup>).



Generally, the topography within the Village boundaries is flat, sloping eastward towards the lake at an average gradient of less than 2%. The soils were deposited during the time of glacial Lake Agassiz and consist of thin, clayey lacustrine and till materials underlain by loam, textured, stony glacial till. The result is imperfectly to poorly drained soils. The risk of erosion from rainfall or irrigation is low on flat topography, but high along the shorelines.

Drainage management efforts within the Village include municipal ditches that complement the provincial road ditches and the natural Tugela Creek system.

Drainage issues have been identified in primarily 2 areas of the Village:

1. Dunnottar Point in the northeast of Ponemah where wave action can cause sand and rocks to block culverts; and
2. South of Tugela Creek where the high water table can result in prolonged ponding in ditches. Concerns centre on vegetation growth within the provincial waterway that impedes water flow through the Village, and promotes mosquito breeding habitat.

The Village is a member of the East Interlake Conservation District that was formed in the spring of 2005. The member municipalities include: Dunnottar, Arborg, Armstrong, Bifrost, Coldwell, Fisher, Gimli, Riverton, Rockwood, Rosser, Stonewall, Teulon and Winnipeg Beach.

The Village recognizes the importance of water resources and the necessity for a comprehensive and cooperative approach to watershed management.

### **2.2.1 OBJECTIVES**

1. To protect the health of the Lake Winnipeg watershed, water sources and Lake Winnipeg.
2. To promote public and private land stewardship following recommended shoreline management practices.
3. To provide comprehensively planned, efficient and cost-effective municipal drainage infrastructure.
4. To co-operate with neighbouring jurisdictions and coordinate water storage and land drainage efforts.
5. To encourage efficient management and maintenance of provincial drainage infrastructure.
6. To preserve and restore wetland areas and fish habitat.
7. To encourage public awareness, understanding and appreciation of the Lake Winnipeg Watershed.

### **2.2.2 POLICIES**

#### ***Research and Watershed Management***

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1. The Village should support the scientific activities related to the Manitoba Water Stewardship's Nutrient Management Strategy for Lake Winnipeg and its efforts to determine ecosystem health by testing water quality and examining organisms living in the sediment at the bottom of the lake at locations around the lake, including Matlock Beach.
2. The Village should co-operate, contribute and benefit from the opportunities for regional water stewardship through the East Interlake Conservation District.

### Cooperation

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3. All land drainage activities shall be in compliance with *The Water Rights Act* and associated policies and regulations.
4. The Village shall coordinate drainage systems with neighbouring districts and municipalities.

### Development

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5. Subdivision and development proposals that require drainage works or that may not be drained properly shall be referred to Manitoba Conservation and to Manitoba Water Stewardship for review and comment. Development shall not be permitted where it is determined that environmental or land use problems would result.
6. Development proposals that would drain into the highway drainage system require permission from Manitoba Transportation and Government Services and shall be referred to that department for review and comment. Any cost associated with said drainage and associated revisions to the highway drainage system shall be borne by the developer.
7. New culverts shall be approved by the appropriate drainage authority prior to installation to ensure culverts have sufficient capacity to accommodate projected flows.

### Marshes

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8. The practice of using existing marshes or restoring previously drained marshes and natural low areas may be encouraged where appropriate.

Marshes can be effective in helping to:

- store surface water for possible later use;
- recharge groundwater aquifers;
- cleanse water by reducing sediments, absorbing nutrients (nitrogen and phosphorous), and absorbing pesticides, coliforms and other pathogens;
- provide habitat for wildlife and aquatic species; and
- reduce flooding and erosion.

### *Province*

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9. The Village should encourage the province to rectify problems related to delays in issuing licences for work on local drains and poor conditions of provincial drains in or affecting the Village.

### *Education*

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10. Educational initiatives should be supported, and where possible, provided to complement public recreation opportunities to inform public about the nature of watersheds and regional watershed planning.

## **2.2.3 IMPLEMENTATION**

1. The Village should work in concert with the East Interlake Conservation District with regards to regional watershed management.
2. The Zoning By-law shall provide storm water drainage and lot grading requirements for new development.
3. The Village should provide efficient culvert placement, replacement and drain maintenance.

## **2.3 FISHERIES AND WILDLIFE RESOURCES**

Lake Winnipeg provides fish and wildlife habitat. The amount of wildlife habitat within the Village boundaries is minimal due to the developed nature of the community and the extensive use of the shoreline.

Still the shoreline is an important spawning and rearing habitat for pickerel, sauger, minnows and “rough” fish (fish that are neither a sport fish nor an important food fish). Some bird species, like the Blue Heron, manage to co-exist with the summer residents, while others like the endangered Piping Plover, decline in numbers.

Within the Village there are public reserves and road allowances; however there are no existing designated crown lands such as Provincial Parks, Ecological Reserves or Wildlife Management Areas. The nearest large block of Crown land that has ecological significance is Netley Marsh located to the south. This marsh is currently being evaluated for consideration under the Province’s Protected Areas Initiative, which is a government program dedicated to building a network of protected areas that contains the biological diversity found in Manitoba.

The Village recognizes the importance of biodiversity conservation in the midst of competing land uses. Human activity contributes nutrients to the Lake Winnipeg Watershed which cause gradual changes to the lake’s water quality and biological communities. A coordinated and comprehensive approach to management is required to preserve the integrity of the rich resources.

### 2.3.1 OBJECTIVES

1. To identify, preserve and protect critical fish and wildlife habitat, populations and processes.
2. To promote private and municipal land stewardship following recommended shoreline management practices.
3. To provide for recreational activities where appropriate.
4. To encourage public awareness, understanding and appreciation of fisheries and wildlife resources.

### 2.3.2 POLICIES

#### *Research and Lake Management*

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1. The Village should support and actively participate where possible in the Lake Winnipeg Stewardship Board as a stakeholder.
2. The Village should support the scientific activities related to the Manitoba Water Stewardship's Nutrient Management Strategy for Lake Winnipeg and its efforts to determine ecosystem health by testing water quality and examining organisms living in the sediment at the bottom of the lake at locations around the lake, including Matlock Beach.
3. The Village should support informal partnerships with cottage-owner associations, lake and stream stewardship groups, conservation districts, municipalities and other local authorities to facilitate water quality information collection and cooperative basin-wide approaches to maintaining and rehabilitating water quality to address non-point source pollution problems.

#### *Development*

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4. Subdivision and development proposals shall be referred to Manitoba Conservation and to Manitoba Water Stewardship for review and comment. Development shall not be permitted where it is determined that harmful alteration, disruption or destruction of fish habitat would result.
5. Any construction or alteration to the shoreline of a water course, or over or in the water course, requires review by Manitoba Water Stewardship and authorization from the Department of Fisheries and Oceans Canada. Applications will be processed according to the recommendations of the Lake Winnipeg Shoreline Technical Committee.



6. The Village should protect natural areas and habitats from incompatible or potentially incompatible uses where:
  - a. rare or endangered flora and fauna have received designation and protection under the *Manitoba Endangered Species Act* or the *Federal Species at Risk Act*;
  - b. lands have received provincial designation and protection under the Protected Area Initiative;
  - c. lands have been identified as Wildlife Management Areas; and
  - d. landowners have voluntarily protected private lands.

### *Marshes*

---

7. The practice of using existing marshes or restoring previously drained marshes and natural low areas may be encouraged where appropriate.

Marshes can be effective in helping to:

- a. store surface water for possible later use;
- b. recharge groundwater aquifers;
- c. cleanse water by reducing sediments, absorbing nutrients (nitrogen and phosphorous), and absorbing pesticides, coliforms and other pathogens;
- d. provide habitat for wildlife and aquatic species; and
- e. reduce flooding and erosion.

### *Riparian Buffer*

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8. The Village shall promote public and private land stewardship following recommended shoreline management practices.
9. Private landowners should be advised of the benefits of riparian buffers and be encouraged to maintain or re-establish natural vegetation along shorelines of private properties. The Village should maintain municipally owned lands under the same principle and serve as example of recommended land stewardship practices.

Riparian buffers serve to:

- a. reduce bank instability and shoreline erosion by holding the soil in the root systems;
- b. protect water quality by filtering out sediments, nutrients, pesticides and heavy metals carried by rain and snow-melt runoff;
- c. enhance aquatic habitat by providing shade to cool waters; and
- d. provide wildlife corridors and habitat.

Section 36 of *the Federal Fisheries Act* provides for The Department of Fisheries and Oceans to request that owners who have removed the natural vegetation and are maintaining manicured lawns to the water's edge to comply with the 70/30 rule, that is maintaining 70% natural and 30% other. Public awareness of this issue could avoid private landowners incurring restoration costs.

### **Education**

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10. Educational initiatives should be supported, and where possible, provided to complement public recreation opportunities to inform public about the importance of sustaining aquatic and wildlife environments, populations and processes.

#### **2.3.3 IMPLEMENTATION**

1. The Zoning By-law shall require that subdivision and development applications that would modify the Lake Winnipeg shoreline or that propose structures immediately adjacent to the Lake Winnipeg shoreline, be processed according to the recommendations of the Lake Winnipeg Shoreline Technical Committee.
2. The Zoning By-law may require retention of a riparian buffer along the Lake Winnipeg Shoreline where practical.
3. The Village should encourage and facilitate greater awareness of good land stewardship practices and empower local stewardship.

## **2.4 HAZARD LANDS AND SHORELINE PROTECTION**

The Village of Dunnottar has identified Lake Winnipeg as its primary asset, and its primary concern. The shoreline location of the Village presents issues relating to hazard lands and shoreline protection. Hazard lands are identified on Map 5.

Hazard lands are defined as lands subject to flooding, ponding, bank instability, shoreline erosion, flowing wells, high susceptibility to groundwater pollution and poor subsoil characteristics for building purposes. Shorelines are subject to the dynamic cycle of deposition and erosion as a result of high winds and varying lake water levels.

The Village recognizes that the lake provides enormous opportunities, as well as responsibilities. This section projects municipal and individual responsibilities for the health and protection of the lake, affected lands and individuals.

#### **2.4.1 OBJECTIVES**

1. To identify hazard lands and shoreline areas.
2. To protect the health of the Lake Winnipeg Watershed, water sources and Lake Winnipeg.
3. To promote public and private land stewardship following recommended shoreline management practices.
4. To minimize personal hardship and inconvenience, adverse affects on public health and loss of life.
5. To minimize property damage and public expenditure for relief or protection in areas subject to flooding, water erosion, wind erosion, bank instability, landslide or subsidence.
6. To restrict activities that would accelerate or promote damages arising from causes such as erosion or bank instability.
7. To provide for recreational activities where appropriate.
8. To encourage public awareness, understanding and appreciation of the Lake Winnipeg Watershed, hazard lands and shorelines.

#### **2.4.2 POLICIES**

##### ***Research and Lake Management***

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1. The Village should support and actively participate where possible in the Lake Winnipeg Stewardship Board as a stakeholder.

##### ***Development***

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1. Hazard lands should be left in their natural state or be limited to low intensity uses such as wildlife habitat, open space recreation or public reserve.
2. Manitoba Water Stewardship has established 220.1 m (722 ft), Geodetic Survey of Canada Datum, as the 100 year flood level on Lake Winnipeg. The elevation consists of a static lake level of 218.5 m (717 ft) with allowances of 0.762 m (2.5 ft) for wind setup and 0.762 m (2.5 ft) for wave uprush.
3. Development should not be permitted on land with a natural elevation below 218.5 m (717 ft). Development may be permitted on land above 218.5 m (717 ft), but flood protection should be provided.
4. Subdivision and development proposals shall be referred to Manitoba Conservation and to Manitoba Water Stewardship for review and comment. Authorization may be required from the Federal Department of Fisheries and

Oceans. Development shall not be permitted where it is determined that severe flooding or erosion would result.

5. Any construction or alteration to the shoreline of a water course, or over or in the water course, requires review by Manitoba Water Stewardship and authorization from the Department of Fisheries and Oceans Canada. Applications will be processed according to the recommendations of the Lake Winnipeg Shoreline Technical Committee.
6. Where development is considered on hazard lands, it shall be limited to structures that:
  - a. can be safely located in flood prone areas;
  - b. remain functional under flood conditions;
  - c. would not adversely alter, obstruct or increase flow, flood velocities or flood stages;
  - d. would not accelerate or promote nutrient loading of water course or waterbodies, bank instability or shoreline erosion;
  - e. would not endanger potable water resources; and
  - f. would not result in added risk to life, health or personal safety.
7. Where development is considered on hazard lands, it shall have adequate flood protection as determined by Manitoba Conservation and Manitoba Water Stewardship.

#### *Riparian Buffer*

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8. The Village shall promote public and private land stewardship following recommended shoreline management practices.
9. Private landowners should be advised of the benefits of riparian buffers and be encouraged to maintain or re-establish natural vegetation along shorelines of private properties. The Village should maintain municipally owned lands under the same principle and serve as example of recommended land stewardship practices.

Riparian buffers serve to:

- a. reduce bank instability and shoreline erosion by holding the soil in the root systems;
- b. protect water quality by filtering out sediments, nutrients, pesticides and heavy metals carried by rain and snow-melt runoff;
- c. enhance aquatic habitat by providing shade to cool waters; and
- d. provide wildlife corridors and habitat.

Section 36 of *the Federal Fisheries Act* provides for The Department of Fisheries and Oceans to request that owners who have removed the natural vegetation and are maintaining manicured lawns to the water's edge to comply with the 70/30 rule, that is maintaining 70% natural and 30% other. Public awareness of this issue could avoid private landowners incurring restoration costs.

### **Public Recreation**

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10. Public recreation opportunities should be encouraged where appropriate, through the support of open space recreation programs, protection of existing public access points and creation of additional public access points.

### **Education**

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11. Educational initiatives should be supported, and where possible, provided to complement public recreation opportunities to inform public about the nature of shorelines and about recommended shoreline management practices.

#### **2.4.3 IMPLEMENTATION**

1. The Zoning By-law shall require that subdivision and development applications that would modify the Lake Winnipeg shoreline or that propose structures immediately adjacent to the Lake Winnipeg shoreline, be processed according to the recommendations of the Lake Winnipeg Shoreline Technical Review Committee.
2. The Zoning By-law shall provide development controls to regulate construction and use of land designated Hazard Lands.
3. The Zoning By-law shall provide storm water drainage and lot grading requirements for new development.
4. The Zoning By-law may require retention of a riparian buffer along the Lake Winnipeg Shoreline where practical.
5. The Village should encourage and facilitate greater awareness of good land stewardship practices and empower local stewardship.

## **2.5 HERITAGE RESOURCES**

The Village of Dunnottar has a rich history associated with fishing and the development of the beaches along Lake Winnipeg. Significant heritage resources are generally defined as that which, on a local, regional, provincial or federal scale, exhibit entities of historic, geologic, archaeological, scenic or other heritage value.

There are no heritage sites designated and protected under *The Heritage Resources Act* (1986) and its precursors; however a local volunteer group has initiated the establishment of a Village of Dunnottar historic museum within the old Matlock CPR station which is to be re-located on

Centre Ave. in Ponemah. The grass-roots effort, named “The Friends of Dunnottar – Station Project,” is actively collecting artifacts, stories, and photos of the past, including those depicting the large Dunnottar Yacht Club in Ponemah, the Bowling Green lawn bowling club which was lost to erosion of the Whytewold shore, and the former CPR commuter train service to the area.

The Village recognizes the value of research and preservation of significant heritage resources, and the need to protect such resources from incompatible uses.

### **2.5.1 OBJECTIVES**

1. To identify heritage resources.
2. To preserve and protect heritage resources.
3. To encourage public awareness, understanding and appreciation of heritage resources.

### **2.5.2 POLICIES**

#### ***Identification***

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1. The Village should encourage and facilitate identification of heritage resources.
2. The Village should support local groups in their efforts to research and preserve the histories of Matlock, Whytewold and Ponemah.

#### ***Development***

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3. Subdivision and development proposals that may affect identified heritage resources or potential heritage resources shall be referred to Manitoba Historic Resources Branch for review and comment.

#### ***Education***

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4. Educational initiatives and establishment of a local museum should be supported to encourage public awareness and appreciation of heritage resources.

### **2.5.3 IMPLEMENTATION**

1. The Village should request that Manitoba Historic Resources Branch identify sites and areas with high heritage resource potential.
2. The Village should support and encourage efforts of local heritage groups to research and provide recommendation to Council on heritage issues.

3. The Village may designate municipal sites upon the advice of a local heritage groups and Manitoba Historic Resources Branch, and adopt by-laws to protect Municipal Heritage Sites as provided under *The Heritage Resources Act*.
4. The Zoning By-laws shall include regulations to preserve and protect identified heritage resources.

## **2.6 MINERAL RESOURCES**

The Village of Dunnottar is located on soils deposited during the time of glacial Lake Agassiz and consist of thin, clayey lacustrine and till materials underlain by loam, textured, stoney glacial till.

The Mines Branch has identified no economically viable mineral resources within the village boundaries. Mining activity is currently not permitted due to the lack of resources and the highly developed nature of the community. The Village currently acquires any necessary aggregate resources from a company in the RM of Rockwood, and stores supplies at the local public works yard.

### **2.6.1 OBJECTIVES**

1. To ensure access to aggregate resources.
2. To cooperate in the protection of identified aggregate resources in neighbouring jurisdictions from encroachment of incompatible uses by providing buffers where necessary to minimize land use conflict.
3. To support the rehabilitation of extraction sites upon exhaustion in neighbouring jurisdictions.

### **2.6.2 POLICIES**

1. The Village shall cooperate in the protection of economically viable mineral resources in neighbouring municipalities by preventing adjacent non-compatible development and land uses within the Village.
2. To Village should encourage the rehabilitation of exhausted quarry sites within the region.

### **2.6.3 IMPLEMENTATION**

1. The Zoning By-law may provide for a buffer establishment between land uses in proximity to extraction operations.

## 2.7 MUNICIPAL SERVICES

### *Emergency Services*

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The Village of Dunnottar provides fire and ambulance emergency services through agreement with the RM of St. Andrews. The community fire hall and first responders base is located at the corner of Matlock Road and Grant Street.

The Village is a member of a Regional Emergency Measures Organization with Gimli and Winnipeg Beach. The emergency plan satisfies the standards adopted by Manitoba Emergency Measures Organization (EMO), as required under *The Emergency Measures Act*, and further satisfies supplemental requirements, which has earned a Recognition of Excellence in Emergency Management from Manitoba EMO.

The Village is currently working towards establishing a boat launch for assists on Lake Winnipeg.

### *Sewage*

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The lagoon is located approximately 4.5 km west of the Village in the NW 8-17-4 EPM in the RM of St. Andrews. The property is owned by the Village of Dunnottar, with mines and mineral rights beneath the site owned by Canpar Holdings Ltd and sand and gravel rights held privately by the current owner.

The lagoon was constructed in 1984 and is a non-standard, two-cell facultative lagoon. Currently, residents are charged a percentage of their property assessment for the collection of liquid sewage from their sewage and septage tanks. Discharge of the lagoon through the local ditch system along PR 225 to Lake Winnipeg is permitted once a year between September 16 and October 31. The Village is currently proposing a secondary cell expansion.

The Village has explored options related to sewage handling including potential inter-municipal sewage infrastructure ventures with Gimli and Winnipeg Beach. The most recent option under review involves a low-pressure or gravity municipal sewerage system and sewage treatment facility.

The Village of Dunnottar By-law 792/04 prohibits outdoor privies effective October 31, 2008. This by-law is primarily the result of environmental concerns about the estimated 100 outdoor privies within the Village.



### *Solid Waste*

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The landfill site is located adjacent to the lagoon in the NW 8-17-4 EPM. The life of the landfill is currently estimated at another 25 to 30 years. Property surrounding the site is primarily agricultural with some farm homesteads.

Currently, residents are charged a percentage of their property assessment for the collection of solid waste. Residents must display permit tags for access and use of the landfill. Door-to-door recycling service is provided and a used oil disposal depot is located at the landfill site.

### *Water*

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Potable water is the responsibility of individual landowners. The majority has private individual wells or draw water from an artesian well located on Gimli Road. The water quality is fair to good and is readily available throughout. The aquifer is protected by an overlay of sufficiently thick low permeability surficial deposits to prevent pollution. There is an extensive flowing and high water level well area in the south half of the Village and a small area in the north. Uncontrolled discharge from flowing wells can result in drainage problems.

#### **2.7.1 OBJECTIVES**

1. To provide safe, efficient and economically viable municipal facilities and services related to emergency services, sewage and solid waste.
2. To research, plan and when feasible, implement sewer infrastructure projects.
3. To maintain groundwater withdrawal within acceptable limits, prevent problems caused by uncontrolled discharge from flowing wells and protect water sources from contamination.
4. To minimize conflict and related hazards that may occur between residents and municipal service provision.

## 2.7.2 POLICIES

### *Emergency Services*

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1. The Village should co-operate, contribute and benefit from the opportunities for emergency management through the Regional Emergency Measures Organization.
2. The Village should endeavour to facilitate emergency response by improving civic addressing within the community and by establishing an emergency boat launch site for assists on Lake Winnipeg.

### *Sewer*

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3. On-site sewage disposal facilities shall be restricted to holding tanks, subject to regulation under *the Environment Act*, until such time as a municipal sewerage system and sewage treatment facility is in place.
4. The Village shall provide sewage pump-out facilities. The cost of pumping out individual tanks shall be borne by the property owner.
5. The Village shall maintain the existing liquid waste disposal facility according to regulations under *the Environment Act*.
6. Where deemed necessary, the Village may request that a Public Health Inspector from Manitoba Conservation investigate identified sewage disposal nuisance problems.
7. The Village should explore individual, inter-municipal and regional options related to sewer infrastructure and implement when feasible.

### *Solid Waste*

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8. Solid waste shall continue to be disposed of at the Village of Dunnottar landfill site.
9. The Village shall monitor adequacy of the existing solid waste disposal grounds. Any improvements of the existing landfill site shall be done in consultation with the authority having jurisdiction for solid waste landfill sites.

10. Water shall be supplied by individual or group wells. All new wells shall be tested for potability prior to use.
11. All flowing wells shall be constructed in a manner that would facilitate control of discharge.
12. The Village shall protect water sources, and endeavour to facilitate the identification and sealing of all abandoned wells within its boundaries. Abandoned wells that have not been sealed properly can act as an open conduit for contamination to enter the underground water supply.

### 2.7.3 IMPLEMENTATION

1. The Village should actively participate in the Regional Emergency Measures Organization.
2. The Village should endeavour to facilitate emergency response by improving civic addressing within the community and by establishing an emergency boat launch site for assists on Lake Winnipeg.
3. The Village should explore sewer infrastructure options and implement when feasible.
4. The Village should provide information to residents about control of flowing wells and capping of abandoned wells. The Village may pass by-laws for regulating construction, closing and operation of flowing wells under *The Municipal Act*.
5. Aquifer management is implemented by Manitoba Water Stewardship under *The Groundwater and Water Well Act* and the *Water Rights Act*. Well construction and prevention of detrimental effects on aquifers is regulated by Manitoba Water Stewardship under *The Groundwater and Water Well Act*.



## 2.8 TRANSPORTATION AND UTILITIES

### *Rail*

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The Canadian Pacific Railway (CPR) branch line between Selkirk and Gimli runs through the Village of Dunnottar. CPR considered transferring the line to another operator or discontinuing services due to the low traffic volumes and the need for costly infrastructure improvements; however a 5-year agreement with Diageo Ltd. was reached in 2003 and resulted in preservation of the rail service.

Since the agreement the CPR has invested significantly in the local rail infrastructure and serves Diageo's Gimli distillery twice a week, delivering grain and transferring the finished Crown Royal premium Canadian whisky product to Winnipeg for onward rail shipment to facilities across North America.

Rail crossings within the Village are located at the intersections of the 3 provincial roads. A wheel chair crossing is located at Milne public beach.

### *Road*

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Provincial roads (PR's) within the Village of Dunnottar are under the jurisdiction of Manitoba Transportation and Government Services, and include PR 225 (Whytewold Road), PR 232 (Matlock Road) and the Ponemah Provincial Access Road. The department of Transportation and Government Services is responsible for the upgrading and maintenance of these roads. The Village of Dunnottar is responsible for structure and planting setbacks adjacent to these roads.

Provincial access roads are classified as collector routes which serve to provide traffic links between arterial highways and local roads, and direct service and access to developments such as tourist attractions, recreational areas, small towns and villages. PR's 225 and 232 provide access from PTH 9 and experience 30 - 40% higher traffic volumes in the summer months than during other times of the year.

Issues concerning provincial roads within the Village include:

1. The potential for unsafe conditions and congestion on provincial roads as a result of uncontrolled access from adjacent individual lots;
2. The potential for development on adjacent individual lots to create storm run-off flows greater than the provincial highway drain system was designed to accommodate; and
3. The potential for speed and heavy traffic to create in unsafe conditions.

Municipal roads within the Village are under the jurisdiction of the Village. Roads are gravel or dirt, and can create dust problems. The Village of Dunnottar won the Interlake Award for the quality of its road maintenance from the Manitoba Good Roads Association in 2004.

### *Utility Corridors*

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The Village is serviced by MTS Allstream Inc., Manitoba Hydro and Centra Gas. Overhead and underground distribution lines are located within road rights-of-way, public reserves and rights-of-way easements across private lands.

#### **2.8.1 OBJECTIVES**

1. To provide safe, efficient and economically viable transportation and utility infrastructure.
2. To protect and maintain the integrity of the transportation and utility infrastructure.
3. To minimize conflict and related hazards that may occur between residents and transportation and utility corridors.

#### **2.8.2 POLICIES - ROADS**

##### *Cooperation*

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1. The Village shall co-ordinate planning and development of inter-municipal road corridors with adjacent municipalities and the province.

##### *Development*

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2. Subdivision and development proposals adjacent to provincial roads shall be referred to Manitoba Transportation and Government Services for review and comment to ensure future road upgrading and maintenance is not compromised.
3. Any new, modified or relocated access to a provincial road requires a permit from the Department of Transportation and Government Services under The Highways and Transportation Act.
4. Any cost associated with said development and associated revisions to the road will be borne by the developer.

5. Subdivision and development proposals in proximity to provincial roads may require traffic impact studies to determine the amount and type of traffic that would be generated, and the impact of said traffic on the present or potential capability of the adjoining highway to carry traffic safely and efficiently.
6. Subdivision and development shall not be permitted in areas designated for highway widening or expansion unless provisions suitable to the Province are made to accommodate future widening or expansion.
7. Subdivision and development proposals with potential for substantial impact resulting from high traffic volumes or heavy truck use shall be directed to roads designed and constructed to accommodate said use.
8. The Village may require buffering, fencing and landscaping to enhance public safety and mitigate noise annoyance caused by roadways or railways.

#### **2.8.3 POLICIES - RAIL**

9. The Village shall endeavour to cooperate with the CPR to maximize safety and efficiency of the rail line.
10. The Village shall require adequate site lines at railway crossings.

#### **2.8.3 POLICIES - UTILITIES**

11. The Village shall cooperate with utility companies to minimize land use conflicts and resolve land use issues.
12. The Village shall encourage utilities to locate their buildings, towers or other structures in such a manner as to minimize negative impact on adjacent land uses, drainage and the environment.
13. The Village shall request that Manitoba Hydro not extend electrical service in areas below Elevation 220.1 metres (722 ft) Geodetic Survey of Canada Datum until such time as a building permit has been issued.
14. Unless otherwise approved by the Village, utility services shall be provided at the cost of the developer.

#### **2.8.4 IMPLEMENTATION**

1. The Zoning By-laws shall establish setback requirements for municipal roads and shall reference Manitoba Transportation and Government Services regulations for provincial roads.
2. The Zoning By-law shall permit utility infrastructure and buildings in any zone, subject to siting criteria.

3. The Village may adopt standards for municipal roads in consultation with Manitoba Transportation and Government Services.





## **PART 3     LAND USE DESIGNATIONS**



**COMMERCIAL AREAS    3.1**

**OPEN SPACE, PARKS AND RECREATIONAL AREAS    3.2**

**RESIDENTIAL AREAS    3.3**



### **3.1 COMMERCIAL AREAS**

The Village of Dunnottar has minimal commercial development including: Janet’s restaurant, Whytewold Emporium and a store in Matlock and in Whytewold. Other commercial ventures including an autobody shop and a security business, are located adjacent to the Village, but outside of the boundaries.

The small-scale neighbourhood commercial development is in character with the summer resort identity of the Village and should be maintained. The services appear to satisfy the demands of the residents.

#### **3.1.1 OBJECTIVES**

1. To provide for small-scale commercial development, while protecting the primary orientation of the Village as a summer resort community.
2. To ensure that commercial facilities adequately service present and future residential development.

#### **3.1.2 POLICIES**

1. Commercial development shall locate in areas designated “Commercial Areas” as identified on Maps 1 – 4.
2. Existing undeveloped commercial areas shall be encouraged to develop prior to designation of any further commercial areas.

#### **3.1.3 IMPLEMENTATION**

1. The Zoning By-law shall provide regulations for commercial development.



## 3.2 OPEN SPACE, PARK AND RECREATIONAL AREAS

The Village of Dunnottar owns and maintains points of public access to the lake, 8 of which have piers. Essentially, every road allowance ending at the lake is considered a point of access. Piers are located at Melville Boulevard, Nelson Avenue, Selkirk Avenue, Bowling Green Park, Tugela Creek Park, Milne Park, Adams Boulevard and Matlock Road. Stairways are located at Division Avenue, Ashburn Avenue, Central Avenue, Ponemah Road, Bowling Green Park (and pier), Park Avenue (and pier), Maple Avenue, Lockwood Road and Mansfield Avenue.

Public beaches are located at 3 points: Bowling Green Park, Tugela Creek Park and Milne Park. Boat launching is possible at the end of Ralph Avenue. Further recreational opportunities are provided at the open space located at Railway Avenue and Pierview which includes a play structure, volley ball court and ball diamond.

The Village owns 13 lots on Division Road, west of Laurel Street that are low-lying and undevelopable for residential use. These lots are designated Open Space, Parks and Recreational Areas.

### 3.2.1 OBJECTIVES

1. To provide adequate public lands in suitable locations for purposes of public parks and recreational use.
2. To provide public access to Lake Winnipeg.
3. To promote public land stewardship following recommended shoreline management practices.
4. To encourage public awareness, understanding and appreciation of the natural environment and development history of the Village.

### 3.2.2 POLICIES

1. Open space, park and recreational development shall locate in areas designated “Open Space, Park and Recreational Areas” as identified on Maps 1 – 4.
2. Land which is appropriately located and suitable for community open space or park space such as the Lake Winnipeg Shoreline, will be reserved for this use and, where possible, shall be dedicated in accordance with the provisions of *The Planning Act* as a condition of subdivision approval.
3. Where the dedication of land pursuant to *The Planning Act* would serve no purpose, the Council may require a cash payment in lieu of such dedication as provided for by *The Planning Act*. Funds obtained in this manner are to be used to acquire blocks of land for public use adjacent to Lake Winnipeg Shoreline as land becomes available.

4. Parks should be developed in conjunction with other community facilities so as to maximize the potential of these facilities.

#### *Riparian Buffer*

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5. The Village should endeavour to maintain municipally owned shorelines following recommended shoreline management practices wherever practical, and collaborate with the Shoreline Erosion Committee Technical Committee and serve as example of recommended shoreline stewardship practices.

Riparian buffers serve to:

- reduce bank instability and shoreline erosion by holding the soil in the root systems;
- protect water quality by filtering out sediments, nutrients, pesticides and heavy metals carried by rain and snow-melt runoff;
- enhance aquatic habitat by providing shade to cool waters; and
- provide wildlife corridors and habitat.

#### *Education*

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Educational initiatives should be supported, and where possible, provided to complement public recreation opportunities to inform public about the natural environment and development history of the Village.

### **3.2.3 IMPLEMENTATION**

1. The Zoning By-law shall provide regulations for open space, park and recreational development.

### 3.3 RESIDENTIAL AREAS

The Village of Dunnottar is primarily a summer resort community, and aspires to remain as such. However 3 trends have been identified:

Demographic composition has shifted to a majority in the 25-54 age bracket, followed by the 55-64 and 65-74 age brackets, respectively.

Permanent year-round population is increasing, as is the expectation for year-round services such as septic and solid waste removal, road clearing and maintenance, school bussing, emergency services and recreational facilities.

Larger dwellings with more amenities and greater sewer and water requirements are being constructed.

The Village is highly developed with little room for further lot creation and development; however, existing residences are maintained, renovated or replaced. The desire to preserve the summer resort character establishes the single-family dwelling as the preferred housing type. It is generally understood that alternative housing is provided in the nearby communities of Winnipeg Beach and Gimli.

#### 3.3.1 OBJECTIVES

1. To promote orderly and economical residential development.
2. To prevent residential development in unsuitable areas and to provide site development standards.
3. To promote development that would maintain or improve the character and value of the land, buildings and structures.
4. To encourage the arrangement of residences in such a way as to improve the general environment, amenities and convenience.

#### 3.3.2 POLICIES

##### *Development*

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1. Residential development shall locate in areas designated “Residential Areas” as identified on Maps 1 – 4.
2. Residential development shall occur in a manner that minimizes conflict with adjacent land uses and maximizes efficiency of municipal services.

3. Infill of existing residential lots shall be encouraged and shall take priority over further expansion into undeveloped residential areas until Council deems that additional lands are required.
4. Residential development shall be limited to single family dwellings to maintain the cottage character of the community.
5. Fringe residential development outside of Village boundaries shall be discouraged through consultation with adjacent municipalities and provision of an adequate supply of residential lots within the Village boundaries.
6. Home occupations such as hairdressing, craft sales or minor food production may be allowed as conditional uses provided there is no conflict with adjacent land uses.
7. Residential lots shall have:
  - a. a suitable developable area; and
  - b. frontage on an all-weather public road.

### **3.3.3 IMPLEMENTATION**

1. The Zoning By-law shall provide regulations for residential development and shall restrict residential development to single-family dwellings.
2. The Zoning By-law shall provide for home occupations as conditional uses within the Residential zone.



## PART 4 LAND USE MAPS



VILLAGE OF DUNNOTTAR 4.1

PONEMAH 4.2

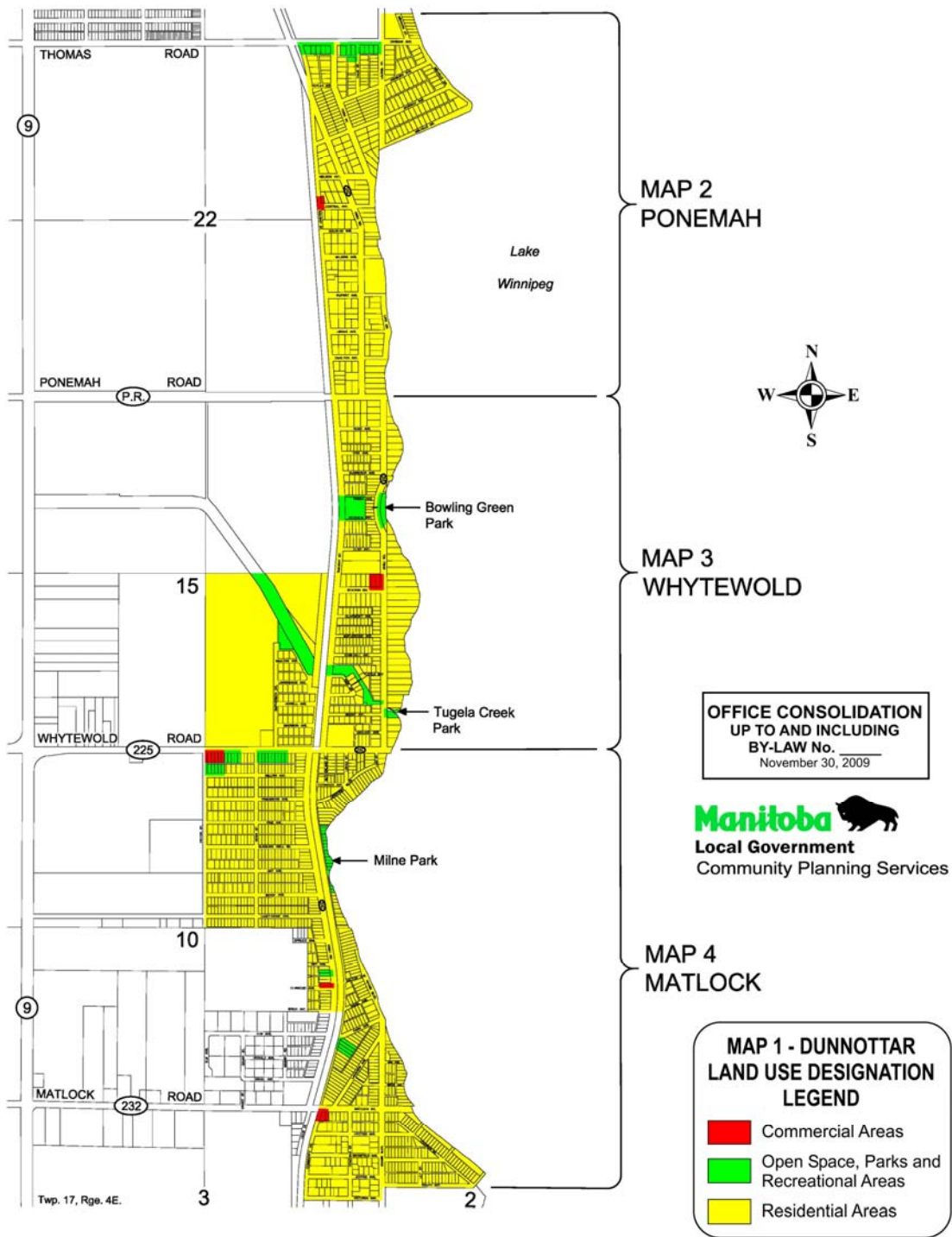
WHYTEWOLD 4.3

MATLOCK 4.4

HAZARD LANDS 4.5

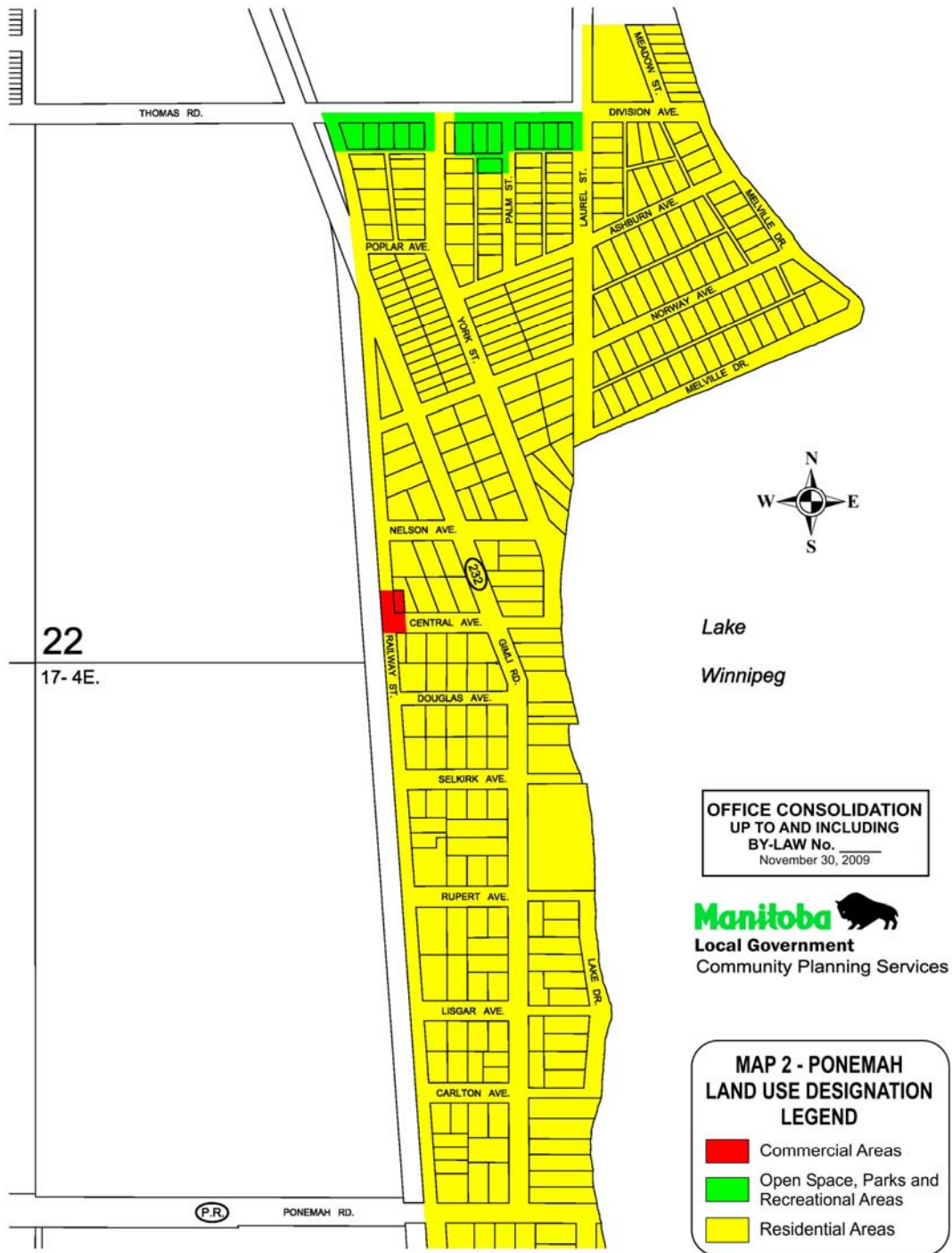


## MAP 4.1 VILLAGE OF DUNNOTTAR



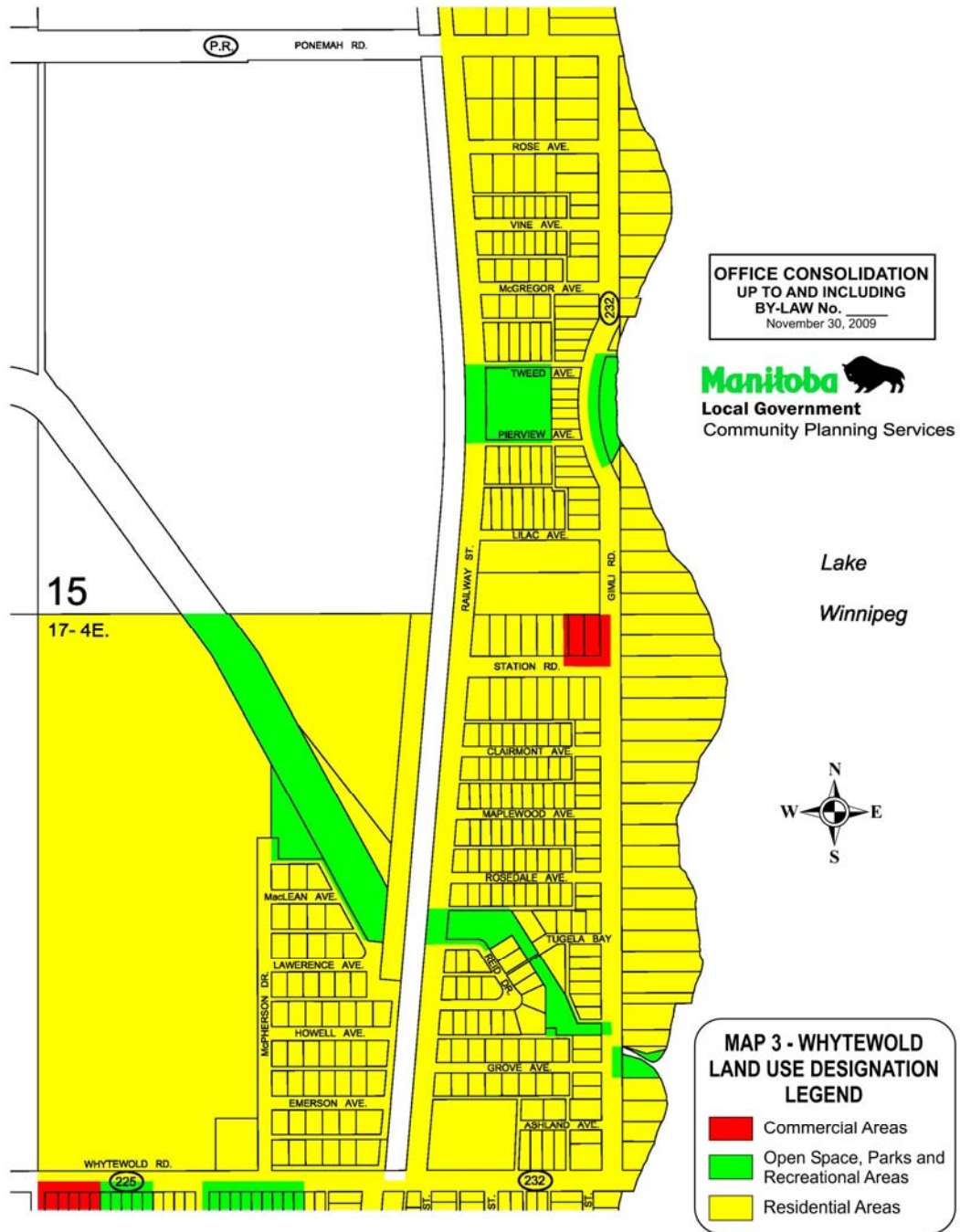


## MAP 4.2 PONEMAH





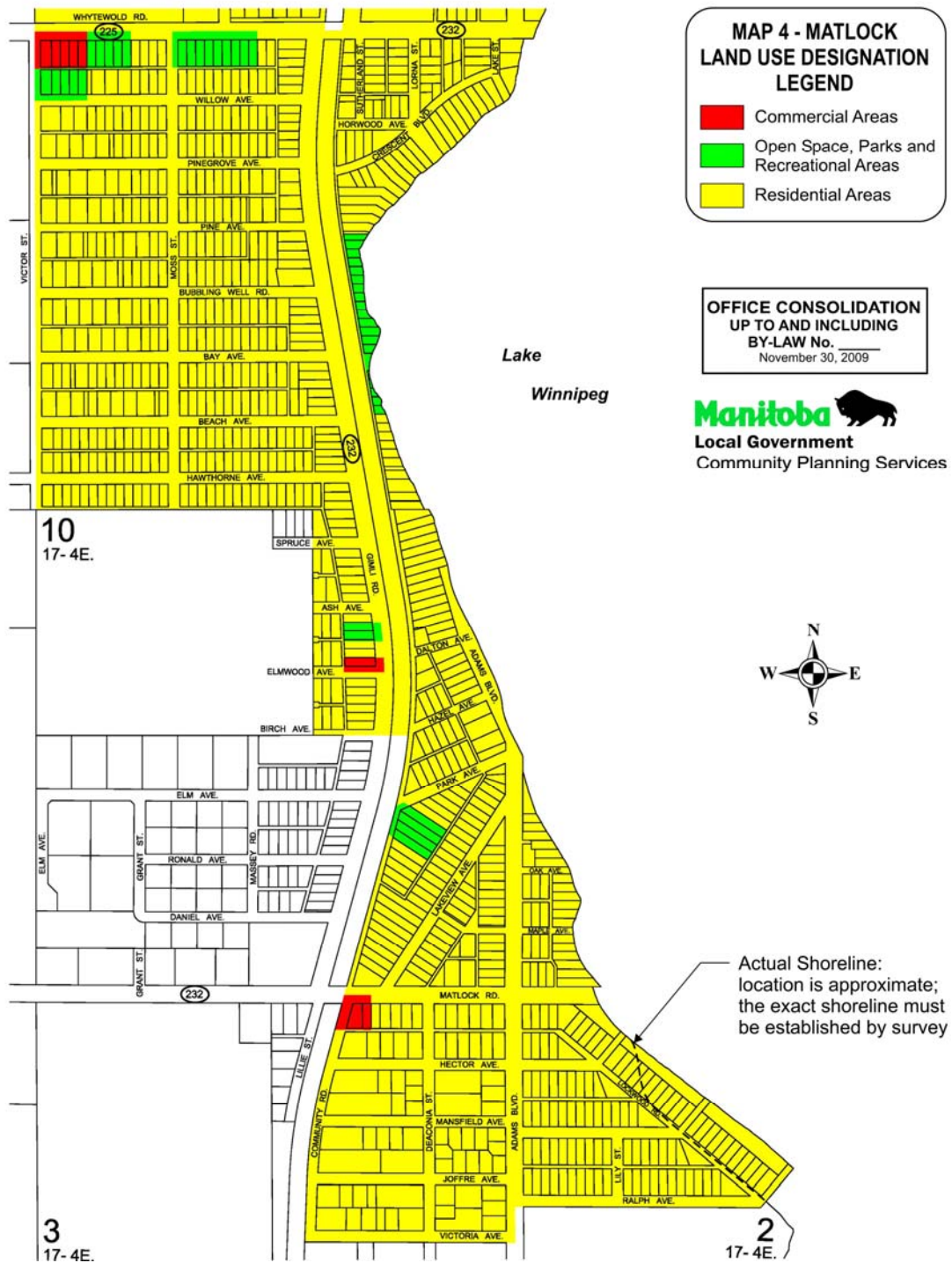
## MAP 4.3 WHYTEWOLD





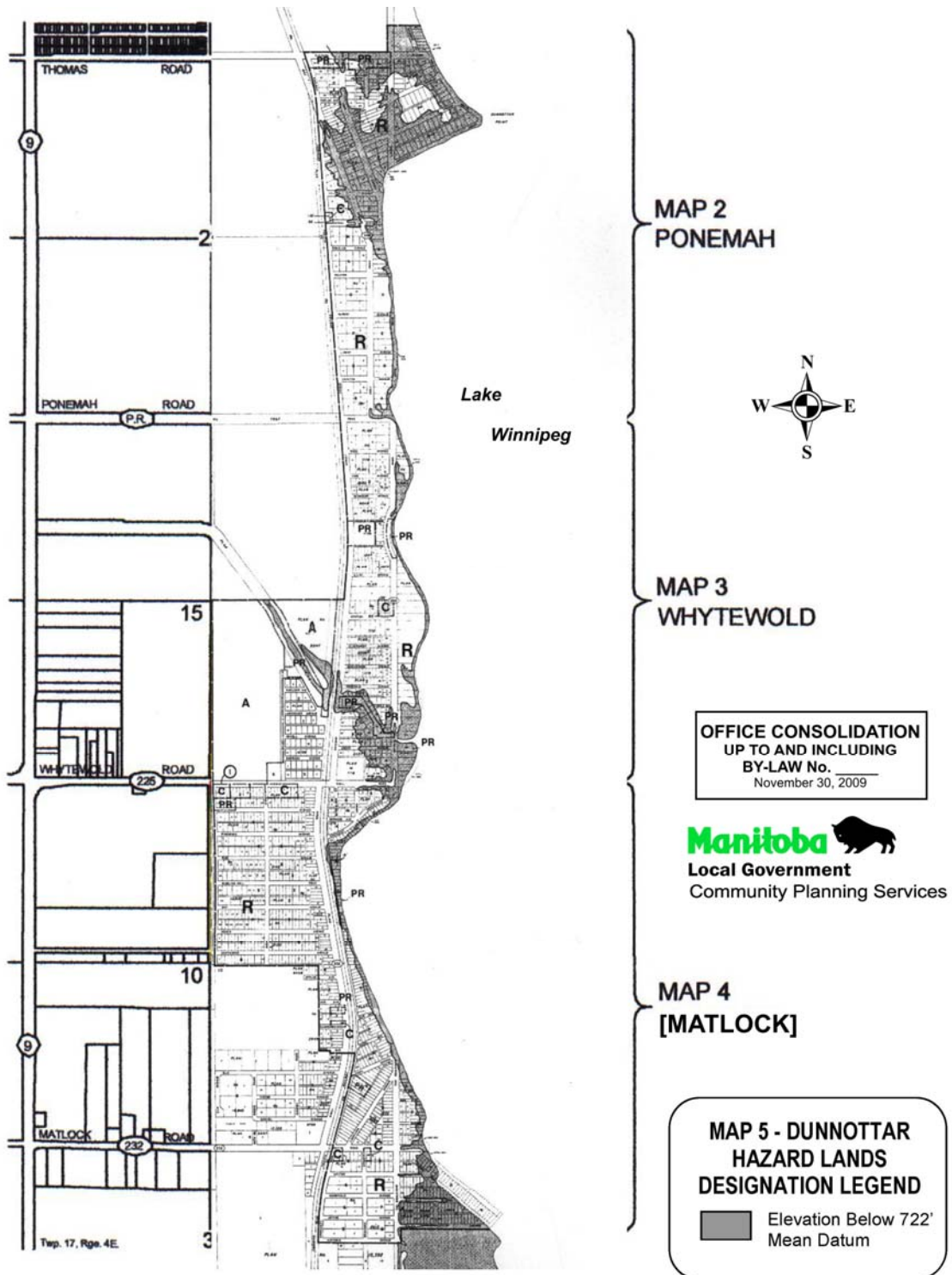


## MAP 4.4 MATLOCK





## MAP 4.5 HAZARD LANDS



Note: 722' contour is approximate only; the exact elevation must be established by survey



**PART 5      AMENDMENTS**

Adopting By-law	Changes and Amendments	Content Affected		Remarks
		Text	Map	