

R.M. of Lorne Zoning By-Law # 1682
October 24, 2005
Summary Table
(August 9, 2005 Public Hearing)

Section/Suggested Change/Issues	Proposal/Response
<p>1. Part 2: General Regulations 2.3 (Pg 2) Allow for multiple dwellings on a parcel to accommodate retiring family members (TR2)</p>	<p>2.3 No to multiple dwellings 2.3(a) Add commercial and industrial to agr. Operation (c) Add Garden Suites (d) Add Seasonal dwellings</p>
<p>2. Part 2: General Regulations Governing Uses, Buildings and Structures (Pg 2) 2.3 add; (e) Communal farm dwellings for cultural groups such as Hutterite colonies. (IAT 1)</p>	<p>Yes</p>
<p>3. Open Space along Rural Roads (Pg 7) 3.2 The proposed zoning by-law will prohibit us from adding on bins or replacing any bins in the existing configuration. (WR 1)</p> <p>The proposed by-law would restrict us from maintaining the existing shelterbelts by replacing trees and adding to the shelterbelt. (WR2)</p>	<p>3.3 Add “unless permitted by Council” to allow people to place structures or replace trees along roads provided no hazards are created.</p>
<p>4. Part 4: Use and Bulk Tables 4.4 “GD” General Development Zone (Pg 9) Zone Bruxelles, St. Alphonse and Cardinal “GD” General Development Zone (WR3) I object to Cardinal being zoned as a General Agricultural Zone that would permit the construction of large factory barns within 2200 feet of our community resulting in no protection to watercourses or other bodies of water; no protection of ground water; no protection of soil; and would not provide for the nature of frequency of testing of soil and water – General Development (TR1)</p> <p>* Zoning the above noted locations General Development would require a Development Plan Amendment</p>	<ul style="list-style-type: none"> - Create an “RR” Rural Residential Zone (Table 4.5; Pg 36) - Define boundaries of Bruxelles, St. Alphonse, Cardinal and St. Lupicin - Zone each of the clusters “RR” (see Schedule A Zoning Maps 8-11)

<p>5. Part 4: Use and Bulk Tables Purpose of Zones 4.3 “AL” Agr. Limited Zone (Pg 9) Protect natural areas and habitats, from incompatible or potentially incompatible uses. (RC4)</p>	Aside from Snow Valley such areas need to be defined AL-2 Zone proposed for Snow Valley
<p>6. Table 4.1 “AG” Agricultural General Zone – Use & Bulk Table (Pg 10) Add: to Permitted Principle Uses Oil Batteries located more than ½ mile from existing residence(s) – Subject to Performance Standard (I) Site Area – 2 acres/Site Width 200’/Front Yard 125’/Site Yard 25’/Rear Yard 25’ Add: to Conditional Uses Oil Batteries located within ½ mile from existing residence(s) – Subject to Performance Standard (I) Site Area – 2 acres/Site Width 200’/Front Yard 125’/Site Yard 25’/Rear Yard 25’ (IAT 2)</p>	Yes
<p>7. PERFORMANCE STANDARDS from TABLE 4-1, (i) Agricultural Nutrient Management, 1. Nutrient Management Soil Group Descriptions, Section 1.1 (Pg 13) - the word “detached” should be changed to “detailed”</p>	Done
<p>8. PERFORMANCE STANDARDS from TABLE 4-1, (i) Agricultural Nutrient Management Section 1.2 (Pg 14) It is suggested that the statement needs to be changed to read livestock operations and manure spreading “should be” to “must be” prohibited in areas of Class 6 and 7 soils (RC1) It is suggested that other chemical applications on Class 6 & 7 soils be restricted (RC2)</p>	Change to read – Establishment of new livestock operations “is” prohibited in areas of Class 6 and 7 soils
<p>9. PERFORMANCE STANDARDS from TABLE 4-1, (j) Siting of Livestock Production Operations, 1.3 Designated Communities Livestock Management Areas (Pg 16) - the text makes reference to <i>Maps 4.2 Designated Communities Livestock Management Areas</i> and <i>Community Areas Maps 4.3 to 4.8</i>. This is inconsistent with the actual maps provided in the zoning by-law which are numbered 5.1 and 5.2 to 5.7.</p>	Done

<p>- the boundaries of the area identified as “Livestock Management Area” around the community of Mariapolis in <i>Map 5.1</i> are not consistent with the boundaries illustrated on <i>Map 5.3 Mariapolis Livestock Management Areas</i>. According to <i>Map 5.3</i>, the 2-mile boundary is only supposed to go as far north as to cover the S ½ of 13, 14, 15, 16-5-12W – however <i>Map 5.1</i>, the boundary goes as far north as to cover the N ½ of 13, 14, 15, 16-5-12W. This should be made consistent. (MAFRI 2)</p>	Done
<p>10. Table 4.2 Designated Communities Livestock Operations Siting Standards (Pg 17) Suggested that 300+ AU confined livestock operations be not permitted in Area 2 (ND; TR3)</p>	No change
<p>11. Siting Livestock Production Operations 1.4 Mutual Good Neighbour Separation Distances (Pg 25)</p> <p>11.1 Suggested that separation distances be increased beyond Farm Practice Guidelines (TR4)</p> <p>11.2 Suggested that setback distance for ILOs (801 – 1600 AUs) be increased from 1967 to 5280 feet.</p> <p>11.3 Suggested that Lorne needs to cap the size of ILOs – just like the R.M. of Dufferin in its ZBL (TR5)</p> <p>11.4 Promote greater use of dry manure storage to reduce odours (TR6)</p>	<p>No change</p> <p>No change</p> <p>Council has proposed a cap of 250 AUs in the buffer areas for Roseisle and Lyle Creeks</p> <p>No change</p>
<p>12. PERFORMANCE STANDARDS from TABLE 4-1, (j) Siting of Livestock Production Operations, 1.7 Livestock Production Operations Conditional Use Approval (Pg 27)</p> <p>- Concern with Section 1.7 of the zoning by-law that allows Council to set conditions, particularly conditions having to do with “(a) protection of a watercourse or other body of water; (b) protection of groundwater; (c) protection of soil; and (f) the nature and frequency of testing of soil and water. (MAFRI 1)</p>	Retain (a), delete (b), (c), (f)

<p>13. Provide initiatives to attract people to organic farming (TR8)</p>	<p>Specialized farming is allowed as a Conditional Use in the AG Zone</p>
<p>14. By-laws should identify major transportation routes along with some standards for their quality of maintenance, service ability and safety (TR 9)</p>	<p>No change</p>
<p>15. By-laws should also state some standard for human sewage lagoons (TR10)</p>	<p>No change</p>
<p>16. By-laws need to protect Café Bru, natural and wildlife areas and Lake Seven (TR11)</p>	<p>Southern basin of Lake Seven to be zoned Rural Residential</p>
<p>17. Performance Standards for Table 4.1 (Pg 28) Add: (l) New Oil Battery Development – applications to locate a new oil battery more than ½ mile from any existing residential use in the Municipality shall be considered as a permitted use. When the proposed location of a new oil battery is within ½ mile of an existing residence, the application will be considered as a conditional use under this By-law and a public hearing will be held in accordance with procedures for processing a conditional use application under The Planning Act. In keeping with requirements of provincial regulations under The Oil and Gas Act, notice of the proposed development and public hearing shall be given to all registered owners of land within 1.5 km of the proposed oil battery site. Council's decision to approve, to approve with conditions, or to reject the application shall be recorded in a Conditional Use Order. In addition, a development permit will be issued for each new oil battery approved as a permitted or conditional use in the Municipality provided that the Petroleum Branch confirms that the proposed oil battery development can meet provincial regulations. The required development permit will serve as confirmation to the proponent that the proposed oil battery location meets the requirements of this By-law. (IAT 3)</p>	<p>Done</p>

<p>18. Performance Standards for Table 4.1 (Pg 28) d) New Oil Battery Development – applications to locate a new oil battery more than ½ mile from any existing residential use in the Planning District shall be considered a permitted use. When the proposed location of a new oil battery is within ½ mile of an existing residence, the application will be considered as a conditional use under this By-law, <u>unless the owner of the residence consents to the location of the battery in writing, in which case the application shall be considered as a permitted use.</u> Where the application is considered as a conditional use, a public hearing will be held in accordance with procedures for processing a conditional use application under the Planning Act. In keeping with requirements of provincial regulations under The Oil and Gas Act, notice of the proposed development and public hearing shall be given to all registered owners of land within 1.5 km of the proposed oil battery site. Council’s decision to approve, to approve with conditions, or to reject the application shall be recorded in a Conditional Use Order. In addition, a development permit will be issued for each new oil battery approved as a permitted or conditional use in the Planning District provided that the Petroleum Branch confirms that the proposed oil battery development can meet provincial regulations. The required development permit will serve as confirmation to the proponent that the proposed oil battery location meets the requirements of this By-law. (IEDM 1)</p>	<p>Not Done</p>
<p>19 . Protect Lorne’s natural areas from incompatible development such as Babcock/Roseisle Valley (TR7)</p> <p>Table 4.4 “AL-2” Agricultural Limited Zone – Use & Bulk Table (Pg 32)</p>	<ul style="list-style-type: none"> - Create a AL-2 Zone - Define Snow Valley - Zone Snow Valley AL-2 Zone – extending approximately ½ mile to either side of Roseisle Creek
<p>20. Part 6: Miscellaneous Regulations (Pg 43) Include a clause controlling tree removal and drainage to “help prevent erosion and water pollution” (RC3)</p>	<p>Adopt a provision for tree removal</p>

<p>21. Schedule A Map 1 (Pg 56) Zone Babcock Valley from St. Lupicin to the boundaries of the R.M.'s of Thompson/Dufferin "AL" Agricultural Limited (BH1)</p>	<p>Create an AL-2 Zone – see 19</p>
<p>22. Establish a ½ mile set back on both sides of Roseisle and Lyle Creeks and designate any ILO up to 250 AUs as a conditional use. (BH2)</p>	<p>Create a 1/8 mile (660') buffer along Roseisle and Lyle Creeks and designate any ILO up to 250 AUs as a Conditional Use within the buffer area</p>

BH - Bill Harrison

IEDM - Industry, Economic Development and Mines

IAT - Intergovernmental Affairs and Trade

MAFRI - Manitoba Agriculture Food and Rural Initiative

ND - Village of Notre Dame

RC - Roseisle Creek Watershed Association

TR - Ted Ross

WR - Wilma Ritzer