



**Municipal and Northern Relations
Community Planning Branch**

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October 6, 2025

Kim Furgala, Chief Administrative Officer
Rural Municipality of Reynolds
P.O. Box 46
Hadashville, MB R0E 0X0

RE: **R.M. of Reynolds
Proposed New Zoning By-law No. 04-25**

R.M. of Reynolds Zoning By-law 04-2025 is intended to replace current R.M. of Reynolds Zoning By-law No. 7-13 and applies to all lands within the R.M. of Reynolds.

The zoning by-law divides the municipality into zones, prescribes permitted and conditional uses for land and buildings within each zone, and sets out the procedures for applying for and issuing development permits, non-conforming certificates, zoning memoranda, and similar documents.

DEVELOPMENT PLAN:

The R.M. of Reynolds is a member of the Whitemouth Reynolds Planning District, which adopted Development Plan By-law 43/18 on March 4, 2019. Zoning By-laws serve as the means by which to implement the policies of the Development Plan and therefore, pursuant to s. 68 of *The Planning Act*, municipal council must adopt a zoning by-law that is generally consistent with the development plan by-law in effect in the municipality. Overall, By-law 04-2025 is generally consistent with the intents and policies of Whitemouth Reynolds Planning District Development Plan By-law 43/18.

PROVINCIAL COMMENTS:

The by-law was referred to provincial departments and agencies for review and comment. Below is a summary of the comments received. **Full detailed comments are attached for your information.**

AGRICULTURE (Sustainable Agriculture Branch): Recommends the following changes to for clarity and consistency the development plan and provincial requirements.

- **Policy 2.26:** Minor rewording: “Approval of a subdivision is subject to the provisions contained in The Planning Act and the policies contained within the Whitemouth Reynolds Planning District Development Plan and amendments thereto. ***Parcels or lots resulting from said subdivision must conform to the regulations set forth in the bulk tables for the zone in which the subject parcel is located, or be approved for a variance order, where required.*** Notwithstanding that a parcel of land may exceed the minimum site area and site width requirements, Council is not, in any manner, obligated to approve a subdivision.”
- **Policy 3.5:** Remove reference to leased Crown Lands.
- **Table 3.1**
 - Remove “Other uses deemed appropriate by Council” Use Class.
 - Restrict “Place of Worship” use in the AL Zone (i.e. remove it as a Conditional Use in the AL zone).
- **Policy 4.2(g):** Typo- replace “Home Occupation” with “Home Industry”.
- **Policy 4.11(a):** Council may want to consider adding that commercial collectors not connected to a building should be directed away from prime agricultural land, wherever possible.

- **Policy 4.14:**
 - Recommend changing heading to “Clearing **Natural** and Non-agricultural Lands”.
 - Recommend rewording as follows: “In order to **protect natural lands and forest resources** and mitigate the impact of **land clearing** on municipal drainage, a development permit shall be required for the clearing and development of land in excess of **2 hectares (5 acres)** from its natural state for agricultural or other development purposes. If clearing is for mineral extraction or other conditional use, it is subject to the approval of a conditional use permit, as noted in the appropriate zones.”
 - Recommend Council to consider permits for any clearing that is greater than 5 acres in size to reduce the administrative burden of this provision.
- **Policy 4.19(d):** Reword to “All proposed livestock operations **are subject to** the siting criteria outlined in Table 3-4.”
- **Policy 4.19(g):** Decrease setback from designated waterways to align with the development plan and the [Livestock Manure and Mortalities Management Regulation](#), “The siting of all structures or facilities associated with a new livestock operation in the vicinity of the Whitemouth, Brokenhead, Boggy, and Birch Rivers, **and other designated waterways** must maintain a setback of **328 feet (100 m)** from the Ordinary High Water Mark (OHWM).”
- **Policy 5.2(f):** Proposed rewording “The clearing of all **natural** and non-agricultural lands in excess of 2 hectares (5 acres).”
- **Policy 5.6:** Recommend rewording to “clearing of **natural** and non-agricultural lands” as above.
- **Policy 5.12(b):** Reword to “A use that is listed as a conditional use within this by-law, but that lawfully existed prior to the effective date of this by-law, shall be considered a lawfully existing conditional use, in accordance with *The Planning Act*.”
- **Part 7: Definitions:** Concern with “Non-conforming Use” definition.

BUSINESS, MINING, TRADE AND JOB CREATION (Mining, Oil and Gas Branch): Request an addition stating that restrictions and setback distances prescribed by regulators in and around oil and gas facilities shall be adhered to.

MUNICIPAL AND NORTHERN RELATIONS (Community Planning Services Branch):

- **Part 3: Zones**
 - There appears to be a zoning discrepancy involving some lands currently zoned as Rural Commercial/Agricultural “RCI” that are designated as Settlement Centre in the development plan (eg. NW ¼ 18-8-9 EPM and NE ¼ 17-8-9 EPM). The by-law indicates that the “RCI” zone is intended to accommodate land uses that are not suitable for Settlement Centres. Further reinforcing this, in the development plan, Settlement Centres do not contemplate industrial development. The current zoning by-law states that the corresponding development plan designation for the RCI zone is “Economic Development Area”, although this connection is not included in the proposed new by-law.
 - The first table in section 3.1 does not have a table name/number.
 - **Table 3.1:** Suggest Livestock Operation sizes to be categorized as “10-199”; “200-299”; and “300 or more”:

Use	AG	AL
Livestock Operation – 10-199 AU	P	P
Livestock Operation – 200-299 AU	P	C*
Livestock Operation – 300 or more AU	C*	

- **Policy 5.16:** Recommend the following minor wording adjustment: The enactment of this by-law does not affect any land, buildings, or structures, or affect any intensity of use of any land, building, or structure that lawfully existed prior to the effective date of this by-law. **A non-conforming use, building, structure or parcel of land shall be regulated** in accordance with *The Planning Act*. The following provisions **are provided for clarity**:...”.
- **Part 7: Definitions:** The criteria to define non-conforming use, non-conforming building and non-conforming parcel of land are established in Section 86 of [The Planning Act](#). Council could consider removing these definitions.
- Community Planning Services supports Agriculture’s planning-related recommendations for **policies 2.26, 3.1, 4.2(g), 4.19(d), 4.19(g) and 5.12(b)**.

TRANSPORTATION AND INFRASTRUCTURE (Hydrologic Forecasting and Water Management Branch): Recommends the following additional provisions as new sections near, or subsections within, Policy 2.16:

- “No permanent buildings or structures, except for fences, shall be built in areas which are subject to flooding by a 200-year flood, unless the owner or applicant provides sufficient information prepared by a qualified consultant; or said structures area built on lands above, or raised to the 200-year flood protection level.
- Development shall be directed away from all 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 water body, unless proven otherwise by a geotechnical report.”

TRANSPORTATION AND INFRASTRUCTURE (Traffic Engineering Services Branch): Recommends the following changes.

- **Policy 2.17:** Suggest rewording from “control area” to “controlled area”.
- **Policy 6.2:** Department name should be revised to “Manitoba Transportation and Infrastructure”.
- **Map 4:** The proposed “RCI” zone in NW ¼ 18-8-9 EPM and NE ¼ 17-8-9 EPM does not match the Whitemouth-Reynolds Development Plan designation of “Settlement Centre Policy Area”. PTH 1 is classified as an expressway by MTI, and access is limited to strategic locations. Generally, the extension of development in a strip along a highway does not promote the establishment of an appropriate internal road system and associated access spacing that is necessary to maintain safe and efficient highway operations. Potential impacts include additional traffic conflict points, an increase in turning movements on and off the highway, possible drainage concerns, on-highway improvements, limitations to future enhancements, additional pedestrian concerns and the extension of the reduced speed zone. Additionally, any new development proposed near PTH 1 should obtain access from an internal road system and not rely on direct access onto PTH 1.
- **Map 5:** The proposed “RCI” zone in RL 13-8-12E does not match Whitemouth-Reynolds Development Plan designation of “Principal Centre Policy Area”. We have concerns with the wide variety of uses allowed in the “RCI” zone that may potentially result in development that may have a negative impact on the safety and function of PTH 1. Additionally, any new development proposed near PTH 1 and PTH 11 should obtain access from an internal road system and not rely on direct access on to PTH 1.
- **Map 6:** The proposed “RCI” zone in NE ¼ 5-8-15E & SE ¼ 8-8-15E does not match the Whitemouth-Reynolds Development Plan designation of “Agricultural Limited Area”. The extensive range of permitted uses in the ‘RCI’ zone presents potential risks to the safety and operational integrity of PTH 1. Additionally, any new development proposed near PTH 1 should obtain access from an internal road system and not rely on direct access on to PTH 1.

Environment and Climate Change (Drainage and Water Rights Licensing Branch and Environmental Compliance and Enforcement Branch); Manitoba Hydro; Natural Resources and Indigenous Futures (Lands and Planning Branch); and Sport, Culture, Heritage and Tourism (Historic Resources Branch) have indicated no concern.

RECOMMENDATION:

Community Planning Services recommends that Council consider incorporating the amendments suggested above. In particular, the recommended amendments related to the following policies should be addressed to ensure the proposed zoning by-law is generally consistent with the Whitemouth Reynolds Planning District Development Plan by-law 43/18 and provincial legislation:

- Policy 2.26,
- Policies 4.19(d) and (g),
- The concerns from Community Planning and MTI related to some “RCI” zoned lands,
- Policies related to non-conformities (5.12(b), 5.16, definitions),
- The concerns related to Table 3.1 raised by Manitoba Agriculture, and
- MTI Hydrologic Forecasting and Water Management Branch’s recommended additions.

After considering any concerns expressed at the public hearing and comments received through the review process, Council may proceed in accordance with one of the following:

- a) If, after the public hearing, council proposes to alter the by-law, a second public hearing must be held to receive representations on the alterations to the by-law.
- b) A second public hearing is not required if the alteration is a minor one that does not change the intent of the by-law.
- c) Unless there are sufficient objections as per Section 73.1(2) of the Planning Act, council may
 - Give the by-law second reading; or
 - Pass as resolution not to proceed with the by-law.

If Zoning By-law 04-25 is given Third Reading, please submit a certified copy of the By-law given Third Reading to the Planning Office in Beausejour.

Sincerely,

Holly Ervick-Knote
A/Manager, Beausejour Regional Office
Encl.