

**TOWN OF
IRISHTOWN-SUMMERSIDE
MUNICIPAL PLAN**

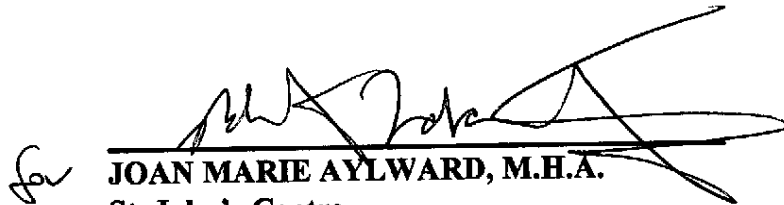
**IMPORTANT: To see if there were any changes to
this plan since it came into effect, please refer to:**

List of Municipal Plan Amendments

MINISTER'S APPROVAL

I, Joan Marie Aylward, Minister of Municipal and Provincial Affairs, under and by virtue of the power conferred by the Urban and Rural Planning Act, Chapter 387 of the Revised Statutes of Newfoundland, 1970, hereby approve the Irishtown-Summerside Municipal Plan 1999-2009 adopted by the Town Council of Irishtown-Summerside on the _____ day of _____, 1999.

Dated at St. John's this 7th day of August, 2000.


JOAN MARIE AYLWARD, M.H.A.
St. John's Centre
Minister of Municipal and Provincial Affairs

COUNCIL RESOLUTION TO ADOPT

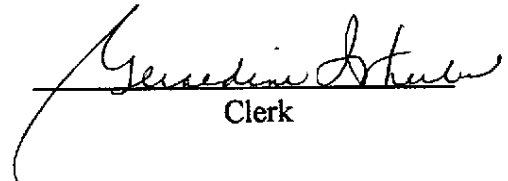
Resolved, pursuant to section 15 of The Urban and Rural Planning Act, that the Council of the Town of Irishtown-Summerside adopt the Municipal Plan entitled "Irishtown-Summerside Municipal Plan".

Resolved further, pursuant to section 17 of The Urban and Rural Planning Act, that the Council OF Irishtown-Summerside apply to the Minister of Municipal and Provincial Affairs for the setting of the time and place of a Public Hearing to consider objections or representations to the Municipal Plan.

PROPOSED BY: D Mayor B Wheeler

SECONDED BY: Counc. Wm. Parsons

Certified as a correct copy of a Resolution passed at a meeting of Council held at Irishtown-Summerside on the 5th day of April, 1999. 2000.


Clerk

SEAL AND SIGNATURE

Signed and sealed pursuant to Section 15(3) of the Urban and Rural Planning Act this 5th day of April, 2000.

(SEAL)


Mayor

CLERK'S CERTIFICATE

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan adopted by the Council of the Town of Irishtown-Summerside, on the 5th day of April, 1999. 2000


Clerk

TABLE OF CONTENTS

1.	INTRODUCTION	1
1.1	THE MUNICIPAL PLANNING AREA	4
1.2	POPULATION FORECASTS	4
1.3	HOUSING DEMAND FORECASTS	6
1.4	FUTURE CONCERNS	7
1.4.1	Water and Sewer Services	7
1.4.2	Roads	7
1.4.3	Residential Expansion	8
1.4.4	Municipal Plan Administration	8
2.	THE MUNICIPAL PLAN	9
2.1	GOALS AND POLICIES	10
2.1.1	Community Structure Goals and Policies	10
2.1.2	Mixed Development Goals & Policies	11
2.1.3	Rural Residential Infill Area Goals and Policies	13
2.1.4	Recreational Goals and Policies	14
2.1.5	Rural Resource Goals and Policies	15
2.1.6	Environmental Protection Goals and Policies	16
2.1.7	Special Infill Building Lot Policies	17
2.2	ADMINISTRATION	19
3.0	MAPS	23

1. INTRODUCTION

FOREWORD

(A) Municipal Planning in Newfoundland and Labrador

The Municipal Plan

This Municipal Plan has been prepared in accordance with the requirements of section 15 of the Urban and Rural Planning Act, following surveys and studies of land use, population growth, the local economy, present and future transportation needs, public services, social services and other relevant factors.

Ministerial Approval

When the Municipal Plan is formally adopted by resolution of the Council under Section 16(1) of the Act, two copies must be impressed with the Seal of the Council and signed by the Mayor. The Council must then give notice of a public hearing on the Municipal Plan and its intention to seek the approval of the Minister of Municipal & Provincial Affairs by publishing a notice to that effect in the Newfoundland Gazette and in a newspaper, circulated in the community. The notice must state where and when the Municipal Plan may be inspected by an interested person and the time and place set by the Minister for the hearing of any objections or representation. At the Public Hearing, a Commissioner appointed by the Minister will hear the objections and representation, and subsequently forward to the Minister a written report, together with copies of all the evidence taken at the Hearing.

After the Public Hearing is concluded and Commissioner's report has been submitted, the Council must apply to the Minister for approval of the Municipal Plan. The Minister requires two copies of the Municipal Plan certified correct by the Clerk of the Council, a copy of the adopting resolution and of all written objections and representations considered at the Hearing. On receipt of this material, the Minister may approve the Municipal Plan, with or without modification, or may disapprove it and order that a new Municipal Plan be prepared. Upon approval, the Minister will endorse a copy of the

Plan and return it to the Council. Within ten days of receipt of the final approval by the Minister, the Council must publish a notice of approval in the Newfoundland Gazette and in a local newspaper.

The Effect and Variation of the Municipal Plan

When the Municipal Plan comes into effect, it is binding upon the Council and upon all other persons, corporations and organizations. The Plan has to be reviewed by the Council at the end of every five years from the date on which it comes into effect and at that time revised as necessary to take account of developments which can be foreseen during the next ten-year period.

The Municipal Plan may be amended in whole or in part for just cause by repeating the process by which it was adopted and approved initially.

Municipal Plan Implementation

When a Municipal Plan comes into effect, the Council is required to develop regulations for the control of the use of land in strict conformity with the Municipal Plan in the form of The Land Use Zoning, Subdivision, and Advertisement Regulations. These are also known as the Development Regulations. Normally, these are prepared at the same time the Municipal Plan is drafted, and like the Plan, may be amended at any time to include new land uses and specific regulations. Further information on the Development Regulations is found in the Implementation Section of this Plan.

These Regulations must comply with the requirements of the Urban and Rural Planning Act, and the standardized format that has been established for regulations for all towns and communities in the Province. The Land Use Zoning, Subdivisions and Advertisement

Regulations consist of five principal components, as detailed below:

- | | |
|--------|-------------------------------|
| Part 1 | General Regulations |
| Part 2 | General Development Standards |
| Part 3 | Advertisements |

Part 4	Subdivision of Land
Part 5	Use Zones

The general regulations, general development standards, advertisements and subdivision of land regulations are similar for all towns and communities in the province but the use zone section of the Development Regulations is tailored specifically for each individual municipality.

Councils are also advised, if they have not already done so, to adopt the National Building Code of Canada as their building regulations.

The day-to-day administration of the Municipal Plan, and subsequent Development Regulations, is in the hands of staff members authorized by the Council. Council staff have the duty of issuing all necessary permits approved by Council and making recommendations to the Council in accordance with the Municipal Plan policies and implementing regulations regarding all development in the Municipal Planning Area.

Other Plans For Development

At any time after the adoption of the Municipal Plan, The Council can prepare and adopt Development Schemes under sections 31-33 of the Act for the purpose of carrying out specific proposals of the Municipal Plan.

Council may also prepare a development scheme for the acquisition, assembly, consolidation, subdivision and sale or lease by the municipality of land and buildings which are necessary to carry out provisions of the Municipal Plan. The Council may reserve land for future acquisition as the site of any public roadway, service or building, or for a school, park or other open space and may make such agreements with owners of the land as will permit its acquisition and use for those purposes. Council may also specify the manner in which any particular area of land is to be used, subdivided or developed, and may regulate the construction of buildings which would interfere with the carrying out of any development scheme.

Development Schemes are prepared and approved in exactly the same way as the Municipal Plan, and, when approved, form part of that plan.

1.1 THE MUNICIPAL PLANNING AREA

The Municipal Planning Area of Irishtown-Summerside is indicated on Map A. The backland areas have undulating, forested topography that varies greatly in relief. The community spreads in linear fashion along the highway, parallel to the shoreline while the topography rises at a steep slope at right angles to the highway, limiting the availability of level land. Generally, the level land runs parallel to the topographic contour lines in an east-west direction.

The Irishtown-Summerside Planning Area includes the previously defined planning area of Irishtown in addition to an area that includes the water shed of Pynn's Brook, from which the western most area of the Town obtains its domestic water. The Municipal Council controls land use and development within this boundary in accordance with the policies set out in the Municipal Plan.

1.2 POPULATION FORECASTS

It is the assumption of this report that local and regional economic conditions have remained relatively stable over the 1986-1991 period. It is further assumed that there has been little population change over this period and that there will be little growth in the future unless the economy becomes stronger.

FIGURE 2.1
Projected Populations Trends
Irishtown-Summerside 1991-2001

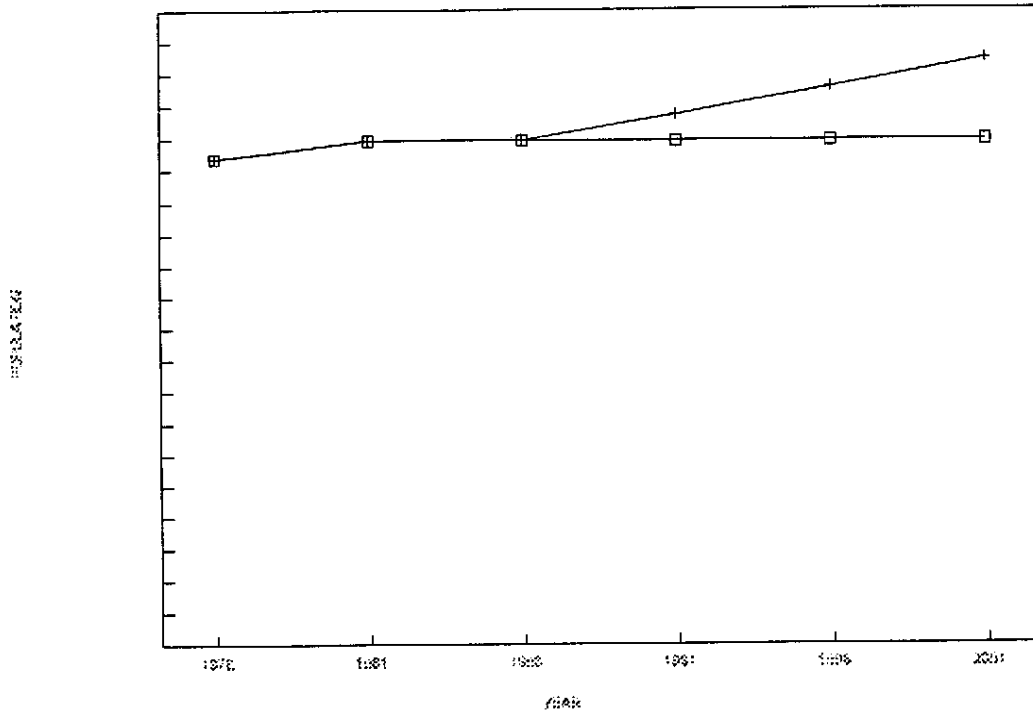


Figure 2.1 indicates the past trends of population growth in Irishtown-Summerside since 1976. It has previously been noted that between the years 1981 and 1986, the population of Irishtown increased while that of Summerside declined, but the combined total remained constant. It is assumed that the 1991 population level is between the two trend lines A and B. The "A" trend assumes that there has not been any population growth, while trend "B" assumes that there has been a growth in the vicinity of one percent per year. The latter is an optimistic outlook, based on a positive improvement in the economy beyond 1991. It is highly unlikely that there was strong economic and population growth in Irishtown-Summerside between 1986 and 1991. It is equally unlikely that there will be a significant economic improvement before 1993 and even then growth is not likely to exceed .5 percent per year, given current economic trends. Under these conditions it is unlikely that the overall population size

would increase by more than 80 people between 1991 and 2001, based on a growth scenario of .5 percent per year.

1.3 HOUSING DEMAND FORECASTS

It is expected that the demand for building lots in the near future is unlikely to exceed 12 per year, given current economic conditions. It is most likely that housing demand will range between 8 to 12 units per year with a high maximum of 16 units as indicated in Table 2.4.

Table 2.4

Annual Housing Demand Forecasts

DEMAND	NO. OF UNITS
LOW	8
EXPECTED	12
HIGH	16

Should the economy take a strong up-turn, it can be expected that the demand for building lots could reach the maximum level indicated.

However, even in periods of population stability or decline there is usually a demand for new housing units. Part of this demand comes from in-migrants to the town and part from residents that find the existing housing stock to be inadequate for their needs. Even with a neutral net migration or little overall change in population size there is usually an on-going demand for new housing units which must be addressed.

1.4 FUTURE CONCERNS

The following section summarizes areas of concern regarding land use or administrative policy issues that may be addressed by the Municipal Plan. These issues are critical to the development of the town and form a salient part of the municipal planning strategy which will guide development as well as the allocation of the physical and financial resources of the municipality.

1.4.1 Water and Sewer Services

As a result of the recent amalgamation, Irishtown-Summerside currently maintains two independent water and sewer systems. These will place an additional financial cost on the municipality with the required maintenance of two pumping and chlorination systems. This, along with the urgent need to complete the water and sewer systems in the developed area of the town are clearly priority concerns to Council. These systems and any future extensions should be carefully planned for optimum utilization in order to minimize the long term costs to the municipality.

With the formalization of Community Service Maps which determine the areas of a municipality that will be eligible for future funding for water, sewer and roads projects, it will be necessary for the Council to make some provision for funding for unplanned service infrastructure extensions outside these boundaries or limit development to serviced areas. To this end, Council should provide for a service levy for all local area improvements that are required for unserved and/or unplanned development that falls outside the designated service area. This levy would be based on the costs of service installation and is charged to the households so serviced. This levy would protect the municipality from unnecessary additional costs for service extension.

1.4.2 Roads

Many of the local roads in the municipality have steep grades and poor gravel surfaces that are highly susceptible to erosion and water absorption. After water and sewer infrastructure has been installed, these roads should be brought up to standard and paved.

Future streets should be designed to lie parallel with the slope grade and to minimize the number of intersections with Route 440. Future and existing streets should be interconnected where possible to facilitate traffic movement, improve access and the movement of snow clearing equipment.

1.4.3 Residential Expansion

New residential development in Irishtown - Summerside will occur in two distinct types of areas; those that are densely developed with existing housing and those that are designated for residential purposes but are sparsely or totally undeveloped. It is the intent of this Municipal Plan to encourage the infilling of all areas in which residences are permitted in accordance with the policies applicable to the particular land use designation. Residential development shall not be permitted to expand into areas that are not designated for residential purposes or are set aside for future residential growth until municipal water and sewer services are available.

It is important to recognize the distinction between encouraging high density, organized residential development in contrast to the inefficient and potentially dangerous situation that can result from intense, unregulated backlot development. The inclusion in this Municipal Plan of the special policy section on backlot development, Section 2.1.7, shall not be misconstrued to imply that any or all backlots are suitable for development.

1.4.4 Municipal Plan Administration

In order to facilitate the administration of the Municipal Plan, Council should establish a sub-committee which would include the Town Clerk. This sub-committee would then be authorized to assess development applications and issue permits which can be subsequently ratified by Council. The authority of this sub-committee must be clearly stated by Council through a resolution.

2.0 THE MUNICIPAL PLAN

PREAMBLE

The Town of Irishtown-Summerside has been created through the amalgamation of two formerly separate municipalities. This has created a situation which will require the integration of physical infrastructure and administrative responsibility to serve the new municipality. As separate administrations, both municipalities had developed a central core area and a servicing network. The task remains to equitably administer the new municipality and to realize the greatest efficiency of design and economy that is possible.

The municipality is currently installing the remaining sections of the water and sewer systems that were started by the communities of Irishtown and Summerside. These systems are intended to bring piped services to areas of existing development and to enable the utilization of centrally located residential land, before peripheral underdeveloped land is designated for residential purposes. The focusing of service infrastructure in high density areas will minimize the impact of this capital intensive project while delaying future extensions to the water and sewer system until the Town is in a better position to undertake additional long term debt commitments.

The Town has traditionally had a land use pattern that has included the juxtaposition of a diverse range of activities, with the general trend of land use tending to be residential in nature with occasional interspersions of commercial, light industrial and service uses. This perspective, combined with the relatively low level demand for industrial and commercial development sites makes it feasible for the Municipal Plan to incorporate flexible policies to guide the combinations of land uses in the designated Mixed Development areas. This approach is suited to the limited financial resources of many small business enterprises and the difficulties imposed by the confined land base. In many instances, the close association of these activities with residential development and a minimal operating overhead is the only means by which they can be financially viable. Flexible policies may also enable the Municipal Council to accommodate some complementary and compatible activities in the designated Mixed Development areas that might not otherwise be possible except in specialized

land use areas. It is the intent of this Municipal Plan to promote a mix of compatible land uses in designated Mixed Development areas within the context of sound planning principles and standards.

The goals put forward in this municipal plan represent broad, long-term targets that the Council wishes to achieve through a planning strategy. These goals are reached through the identification of specific steps or objectives that can be realistically enacted through the planning process. Goal achievement and the implementation of objectives can be facilitated through the development of policies that direct development in each land use and administrative area covered by the Municipal Plan.

Policies are always based on the concepts developed in the goals and objectives, and as such, are logically linked to the underlying precepts of the Municipal Plan. The Municipal Plan strives to move, over the long term, from the statement of basic physical and economic goals for the Town to the physical manifestation of these goals. In this manner, the Municipal Plan moves from concept to reality. The following are the goals and policies of the Town of Irishtown-Summerside Municipal Plan.

2.1 GOALS AND POLICIES

2.1.1 Community Structure Goals and Policies

Goal: To encourage a dense, compact pattern for new residential development and to limit low density, unserviced, ribbon development.

It is generally desirable to have a dense pattern of development that makes efficient use of service infrastructure. Roads and residential development should be interconnected in order to maximize the intensity of land use and minimize the distances over which new services and streets must be extended. Residential development in particular, should be concentrated, and not permitted to sprawl into unserviced, low density, rural areas. In this manner, overall long-term operation and maintenance costs to the municipality are kept to a minimum and the available land is used to its maximum

potential. Additionally, a compact town form improves the accessibility to other facilities and reduces the need for costly duplications of infrastructure.

The following Community Structure policies shall apply:

- A. New Residential development shall be encouraged to locate in comprehensively planned areas.
- B. Where possible, streets and roads shall be laid out in looping, interconnected patterns in order to realize the greatest economy of design, operation, maintenance and servicing costs.
- C. Infill development shall be permitted within the limits of existing, serviced areas.

2.1.2 Mixed Development Goals & Policies

Goal: To encourage the infilling of the Mixed Development area with compatible land uses, in the form of new or redeveloped sites.

In areas that already have an existing mixture of different types of land uses it is possible to permit some types of commercial-residential, service and industrial activities along with several types of residential uses. In many cases, such development is of an infill nature on small, individually owned building lots, sometimes in direct association with residential uses. Commercial, office or light industrial uses are often on a small scale and primarily serve the immediate neighbourhood or passing traffic and require accessible sites that are close to route 440. The encouragement of the business sector also provides a wider tax base for the town while providing a broader range of services for the residents, which in turn, can make the town more attractive and subsequently encourage other growth.

The principal objective of the mixed development designation is to maximize the utilization of the land base and to maintain a viable combination of compatible land uses. The main permitted uses shall be residential in nature while other uses are to be permitted on a discretionary basis.

The following policies shall apply to the Mixed Development Area:

- A. Development of the lands will be primarily for residential use. Other uses of lands for commercial, light industrial, public and recreational uses may be permitted at Council's discretion.
- B. All development in a Mixed Development area shall be connected to the Municipal water and sewer system where these services are available.
- C. Unserviced development shall not be permitted in areas that are scheduled for water and sewer service installation in the upcoming construction season. Unserviced development may be permitted in Mixed Development areas that are not planned for water and sewer servicing, however sanitary services shall be provided by approved well and septic systems, installed at the expense of the developer.
- D. Home based occupations may be permitted in the Mixed Development Area on a residential building lot, or in an accessory building subsidiary to a dwelling provided that such uses are compatible with adjacent uses, do not constitute a nuisance or reduce the amenity of the surrounding area. Such uses shall be of a minor nature and shall generate only minimal levels of vehicular traffic.
- E. Council may require the establishment of buffer areas or screening between commercial and residential uses.
- F. No use shall be permitted to create a hazard or a nuisance to any existing or future residential development.
- G. All development shall maintain an adequate setback from public roads and provide off street parking in order to ensure public safety and convenience.
- H. All building lots shall have street line frontage on a publicly owned and maintained road.
- I. Residential development shall not be permitted in areas that are subject to flooding, areas of excessive slope or other areas that are inherently dangerous.

2.1.3 Rural Residential Infill Area Goals and Policies

Goal: To infill unserviced rural areas within the limits of existing development.

To provide an adequate supply of residential building lots for the Town.

It is the intention of this Municipal Plan to designate the area bordering on the north and south sides of Route 440 between the Rock Cut and Hughes Brook for residential infilling. This area has been partially developed with unserviced lots and residential infilling shall be permitted in this area due to the extent of existing development and the shortage of residential building lots in other areas of the Town.

The following policies shall apply to the Rural Residential Infill Areas:

- A. The Rural Residential Infill Areas are designated as indicated on Future Land Use Map 1.
- B. Development of the lands will be primarily for residential use. Other uses of lands for commercial, light industrial, public and recreational uses may be permitted at Council's discretion.
- C. All development in the Rural Residential Infill area shall front on a public road.
- D. All development shall have the approval of the Council, the Department of Health, and if required, from the Department of Environment and Labour before a development permit will be issued. Council and/or developers shall assume the responsibility for all future costs related to engineering and municipal servicing costs, where roads are not included in an approved limit of servicing plan.
- E. Home based occupations may be permitted on a residential building lot provided that such uses are compatible with other uses and do not create a nuisance or diminish the development potential of the surrounding area. Such uses shall be minor in nature and shall generate only minimal levels of vehicular traffic.

- F. Council may require the placement of dwellings, accessory buildings and accesses on building lots so that the lot may be further subdivided if piped municipal services become available in this area.

2.1.4 Recreational Goals and Policies

Goal: To provide areas for both active and passive activities that will meet the current and future recreation needs of the town.

Site specific recreational facilities should generally be central to a community and provide an adequate area for expansion should additional facilities be required. Centralized facilities are usually easier to maintain and protect than remote sites and are capable of providing an enhanced level of use and convenience to the community. It is the intention of Council to maintain the two recreational areas that have been developed in Irishtown and Summerside. Because of the dual nature of the town cores, it is feasible to continue the operation of both facilities. Other types of site specific facilities include senior citizens clubs and youth clubs which may be located in any area of the town. Passive recreational activities such as hiking, cross-country skiing, hunting or snow-mobiling usually take place in the rural backland areas and do not require special facilities. The amenity of an area that contributes to these activities should be preserved when any part of the rural area is being developed.

The following Recreational Policies shall apply:

- A. Recreational Open Space Areas are established as indicated on Future Land Use Map 1.
- B. The uses that may be permitted in this land use area shall be those of a recreational nature. Any future uses related to recreation may be permitted provided they are compatible with existing and potential uses and shall not cause land use conflicts or nuisance or diminish the future development potential of the land use area.

2.1.5 Rural Resource Goals and Policies

Goal: To protect the natural resources of the Rural Resource area from development that might adversely affect their future utilization.

The Rural Resource area of Irishtown-Summerside contains natural resources that have significant economic and recreational value to the Town. Deposits of aggregate, timber stands and undeveloped land are the principal resources of future importance to the community. The Rural Resource area also provides a large resource area for passive recreational activities such as snow-mobiling and hunting.

The undeveloped nature of this area also provides space for planned future urban expansion in addition to suitable sites for large scale, low intensity industrial or commercial activities that benefit from separation from other uses. It is the intention of these policies to provide for low intensity development in the Rural Resource area while preserving the quality of the natural environment.

The following policies shall apply to the Rural Resource area:

- A. A Rural Resource area is established as indicated on Future Land Use Maps 1 and 2.
- B. The uses in this area may be those related to industrial, mineral workings and exploration, forestry, tourism, agriculture, indoor and outdoor recreation, solid waste, and transportation .
- C. Any future uses that may be permitted must be compatible with existing and potential uses and shall not cause land use conflicts or nuisance or diminish the future development potential of the land use area.
- D. Mineral workings and exploration activities shall conform to the guidelines and regulations for pit and quarry operations as required by the Department of Mines & Energy and the Council.
- E. Forestry and timbering activities shall be subject to Provincial Government Regulations and those established by Council.

- F. There shall not be any development excepting public works, within 15 metres of the usual highwater mark of any standing water body or water course in the Rural Resource area.

2.1.6 Environmental Protection Goals and Policies

Goals:

To preserve the quality of the natural environment and the domestic water supply for future utilization by the Town.

To prevent development from occurring in areas that are susceptible to natural hazards or other impediments to development.

To protect areas of intrinsic natural beauty or suitability for recreation from adverse types of development.

The natural environment of the planning area is the source of essential resources such as domestic water, aggregate, forest products and fuel wood. The resources of forest, water and wildlife also provide a wide range of opportunities for recreation that are not possible unless high environmental standards are maintained. Municipal water supplies must be protected from development that could have an adverse effect on water quality, both for domestic and industrial consumption, in order to ensure a continued future supply.

It is also recognized that bogs and wetlands are important components in the ecosystem in terms of controlling the rate and volume of runoff. Rivers and small waterways also form part of the natural drainage system and must be protected from unnecessary and damaging alterations.

The following Environmental Protection Policies shall apply:

- A. Environmental Protection areas are designated as indicated on Future Land Use Map 2.
- B. The only uses allowed in the Environmental Protection Area will be conservation and forestry. Forestry uses may be permitted at Council's discretion.
- C. There shall not be any development within 15 metres of the highwater mark of any water body or any infilling of any water body in the Planning Area except in accordance with the policies of the Department of Environment & Labour.
- D. Uses permitted will be those related to the conservation of the water supply and other uses of a non-building nature may also be permitted at Council's discretion.

2.1.7 Special Infill Building Lot Policies

The purpose of the special policy section is to make the maximum use of a limited land base by utilizing building lots that could not ordinarily be developed due to non-conformity with conventional site standards.

These lots commonly known as backlots, exist in developed areas and typically have setbacks from public roads that are in excess of the permitted maximum and/or have excessively narrow street line frontages with long accesses. There are numerous combinations of physical characteristics specific to the individual lot. Often, these lots exist as a result of haphazard and irregular subdivisions of land, compounded by disjoint land ownership, and the physical constraints to development imposed by the immediate topography. A Special Infill Building Lot is defined as a building lot that does not have adequate street line frontage and/or is unable to conform to the setback or building line requirements for the land use zone in which it is located.

These special policies are intended to permit the utilization of some of these lots in circumstances where adequate levels of public safety can be provided for and the development does not pose a hazard, nuisance or impediment to the development of the surrounding area or adjacent housing. In

the designated, built-up areas where these irregular infill lots occur on an occasional basis, development may be accommodated provided that each individual lot conforms to the special infill policies set out in this Municipal Plan and standards designed to implement them. The policies shall not apply to areas that are partially or totally undeveloped or where the potential exists to meet appropriate standards.

The following policies shall apply to special infill areas, in addition to all other policy statements set out in this section.

- (a) Residential infilling in existing developed areas may be permitted where the lot does not have sufficient frontage or is set back more than would be acceptable for a developing area, provided access to a public road is available and emergency service can be provided.
- (b) Only single dwellings may be developed on a special infill building lot.
- (c) The maximum building setback of a dwelling from the front lot line shall not, in any circumstances, be subject to variance.

2.2 ADMINISTRATION

(a) Introduction

The preparation, adoption, and approval of this Municipal Plan represents only a part of the planning process. In other words, the Plan is not an end in itself nor does it serve any useful purpose without being implemented.

The Municipal Plan must be implemented by means of the regulatory powers conferred upon the Council by section 37 of the Urban and Rural Planning Act and such other statutes, enabling legislation and programs as may be applicable. The Plan must serve as a continuing reference and guide to Council and its officials in order to achieve the goals, objectives, policies, and programs which it contains.

(b) Land Use Zoning, Subdivision, and Advertisement Regulations or the Development Regulations

The direction and orderly control of land use is an important feature of the municipality's planning program. For that purpose, Development Regulations are the most effective tools. After the Plan is formally adopted, Council is required under section 37 of The Urban and Rural Planning Act to prepare these Development Regulations for the control of land use in strict conformity with the Municipal Plan. These must include Land Use Zoning Regulations. Other regulations must be in compliance with Part VIII of the Act. Council may establish these other regulations to control the use and development of land in accordance with the Plan.

Land Use Zoning, Subdivision and Advertisement Regulations to be administered and enforced by the Council shall include:

- The powers of Council including rules and administrative procedures governing the Council's consideration of a decision on planning applications.
- Rules and administrative procedures for appeal boards.
- General development standards for all zones.

- Regulations governing the subdivision of land, covering but not limited to, subjects such as services to be provided, building lines, public open space, design standards, and transfer of streets and utilities to the Council.
- Definitions of key words and phrases to be used in the interpretation of the Regulations.
- A classification of uses of land and buildings to be used in the Use Zone tables.
- Zone tables tailored specifically for each use zone listing the permitted and discretionary uses and the standards and conditions for development in each specific zone.
- Use Zone maps dividing the Planning Area into areas corresponding with the use zone tables.

Zoning divides the entire municipality into separate land use areas or zones, each with a stated category of uses and standards for development.

Essentially, zoning is a means of ensuring that the future land uses are in conformity with the Municipal Plan, that they are properly situated in relation to one another, and that they do not conflict with or adversely affect adjacent properties. Based on concepts set out in the Municipal Plan, zoning directs new growth into suitable area and protects property by requiring that development afford adequate light, air, and privacy for persons living and working within the community. Zoning also allows for the control of development directly in each area so that property can be effectively serviced by means of a corresponding extension of the existing public services.

As mentioned above, in the Development Regulations, there are permitted uses for each of the zones and are generally allowed as a matter of right in that particular zone.

The issuing of permits for these permitted uses is usually straight forward, subject to the requirements of the Development Regulations and any further conditions imposed by Council. Discretionary uses are those which may be allowed in a specific zone if:

- (i) The development would not be contrary to the general intent and purpose of the Development Regulations, the Plan, or any other further plans or regulations.

- (ii) Proper public notice has been given and Council is satisfied that it is not against the public interest and will fit into the zone as a complementary of non-damaging use.
- (iii) Council is satisfied that the discretionary use is suitably located within the zone proposed.

Permitted and discretionary uses are listed individually for each zoning category in the Development Regulations.

(c) Control of Development

Council will exercise proper control over all development within the Planning Area in accordance with this Plan and the Development Regulations.

Any person wishing to develop¹ or subdivide land for any purpose within the Planning Area shall make application on the prescribed forms to Council for permission. It is important to note that the Council will require a separate permit to be obtained by the developer for the subdivision² of land. All new development or redevelopment as well as any change of use or intensity of use or alteration or improvement to any land or existing building will require a permit from the Council. In addition, a separate permit will be required for all building work and the occupancy of a building. A building permit will not be granted until a development and/or subdivision permit has been obtained.

Council may grant approval in principle to enable a developer to test a proposal for conformity with the municipal plan and development regulations without having to go to the expense of preparing detailed plans.

If the Council is in favour of the proposal, approval in principle may be given, subject to the submission and approval of detailed plans of development and any other conditions that Council may impose. An approval in principle is processed and considered just like any other application.

¹ The Urban and Rural Planning Act should be referred to for the precise definition of "development".

² Subdivision means the dividing of any land whether in single or joint ownership into two or more pieces for the purpose of development.

(d) Capital Works Program

In an effort to ensure that adequate funds are available at the appropriate time to implement each feature of the municipal plan, Council shall prepare and submit every year, a five-year forecast of their anticipated capital expenditure requirements. This will be done in compliance with section 9 of the Municipal Grants Act.

3.0 MAPS

In order to further the development of an orderly, economic and attractive development pattern, the Planning Area is divided into groups of complementary land uses having related functions which do not ordinarily interfere with each other, constitute mutual nuisances, or hamper each other's activities. The general land use designations are set out on the Future Land Use Maps which form part of this Municipal Plan.

The intent of the Plan is to guide development within these land use designations, thereby separating activities that have conflicting requirements and functions. Commercial and other important transportation facilities and local resources, and the pattern of uses has been derived with the intent of preserving important natural features. It must be stressed that it is not the intent of this Plan to segregate land uses for the sake of such segregation but only for the purposes of preventing conflicts between each group of activities.

