

COMMUNITY OF PILLEY'S ISLAND
MUNICIPAL PLAN

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With Consolidated Amendments

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Prepared for the Community of Pilley's Island
by the Urban & Rural Planning Division
Department of Municipal & Provincial Affairs
Government of Newfoundland & Labrador

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1.0 ADOPTION & APPROVAL

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1.1 COUNCIL RESOLUTION

Resolved, pursuant to Section 15 of the Urban and Rural Planning Act, that the Council of the Community of Pilley's Island adopt the Municipal Plan entitled "Pilley's Island Municipal Plan, 1993-2003".

Resolved further, pursuant to Section 17 of the Urban and Rural Planning Act, that the Council 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 adopted Municipal Plan.

PROPOSED BY: Deputy Mayor Dennis Vincent

SECONDED BY: Councillor Arwin Payne


Certified as a correct copy of a Resolution passed at a meeting of Council held at
Pilley's Island Town Hall
on the 26 day of Sept., 1994.

Beth Travers
Clerk



12 SEAL AND SIGNATURE

Signed and sealed pursuant to Section 15(3) of the Urban and Rural Planning Act this *26*
day of *Sept.*, 1994.



Mayor (SEAL)

13 CLERK'S CERTIFICATE

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan
adopted by the Council of the Community of Pilley's Island, on the *26* day of *Sept.*
, 1994.



Clerk

URBAN AND RURAL PLANNING ACT

NOTICE OF APPROVAL

PILLEY'S ISLAND MUNICIPAL PLAN 1993-2003

I, Arthur D. Reid, Minister of Municipal and Provincial Affairs, under and by virtue of the powers conferred by the Urban and Rural Planning Act, hereby approve the Pilley's Island Municipal Plan 1993-2003, adopted by the Community Council of Pilley's Island on the 26th day of September, 1994.

Dated at St. John's this *24th* day of *April*, 1995.



ARTHUR D. REID, M.H.A.
Carbonear District
Minister of Municipal & Provincial Affairs

2.0 INTRODUCTION

2.1 FOREWORD

(A) PLANNING IN NEWFOUNDLAND

The Municipal Plan

This Municipal Plan has been prepared in accordance with the requirements of Section 14 of the Urban and Rural Planning Act, following surveys and studies of land use, population growth, the local economy, present and future transportation and communication needs, public services, social services and other relevant factors.

The Municipal Plan outlines the goals, objectives and policies of Council regarding the development of Municipal Planning Area over the next ten years. This Municipal Plan, consisting of a written text in which the goals, objectives and policies are set out, also includes Land Use Maps indicating the proposed allocation of land into various Land Use categories.

Ministerial Approval

When the Municipal Plan is formally adopted by resolution of the Council under Section 15(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 its intention to seek the approval of the Minister of

This brief summary of municipal planning legislation and procedures is intended to assist the Council in understanding and using its Municipal Plan. Details are contained in the Urban and Rural Planning Act.

Municipal and Provincial Affairs by publishing a notice in the Newfoundland Gazette and in a newspaper published, or circulating in the community. The notice must state where and when the Municipal Plan may be inspected by any interested person and the time and place set by the Minister for the hearing of any objections or representations. At the Public Hearing, a Commissioner appointed by the Minister will hear the objections and representations, and subsequently forward to the Minister a written report, together with copies of all the evidence taken at the Public Hearing.

After the Public Hearing is concluded and the 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 adopting resolution and of all written objections and representations considered at the Public 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 Municipal 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.

Development Schemes

At any time after the adoption of the Municipal Plan, the Council can prepare and adopt Development Schemes under Sections 30 to 32 of the Act for the purpose of carrying out specific proposals of the Municipal Plan.

A Development Scheme may provide 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 Scheme 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 the owners of the land as will permit its acquisition and use for those purposes. The Development Scheme 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 the Development Scheme.

Municipal Plan Administration

When a Municipal Plan comes into effect, the Council is required to develop a scheme for the control of the use of land in strict conformity with the Municipal Plan in the form of land

use zoning, subdivision, and any other regulations necessary. After adoption by the Council, these regulations must be submitted to the Minister for approval.

Regulations must comply with the requirements of the Urban and Rural Planning Act, and Standard Provincial Regulations have been developed to form the basis of these regulations. Councils are also advised, if they have not already done so, to adopt the National Building Code of Canada as its building regulation.

The day-to-day administration of the Municipal Plan, and subsequent 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.

(B) MUNICIPAL PLANNING AREA

This Municipal Plan represents the first attempt to formally plan Pilley's Island and to establish a framework for guiding and controlling development within the Municipal Planning area.

The Pilley's Island Municipal Planning Area was defined on May 23, 1980, and is delineated on the map below. The primary purpose of these boundaries is to define the area for which the Municipal Plan will be prepared and therefore control development in the rural lands that could impact the Community.

2.2 SUMMARY OF BACKGROUND REPORT

The Background Report presented an inventory of the existing situation and outlined the problems and potentials with respect to development of the Community. The following is only a summary of these findings, and for more detailed information reference should be made to the Background Report.

2.2.1 Population, Households and Employment

The population of Pilley's Island in 1991 was 465, down from 528 in 1986. This decline can be directly attributed to the lack of suitable land for residential development, and the absence of a good commercial/industrial base. However, the development of a new serviced subdivision, coupled with Council's tourism initiatives, could result in a reversal of this trend and a stabilization of its population base by 2003.

In 1991 there were 141 households in Pilley's Island. Since population levels are not expected to increase during the next decade, there should not be a great demand for housing lots. Nevertheless, by looking at the past housing trends it can be assumed that the Community should be prepared to supply one to two residential lots on an annual basis for the next ten-year period. This can be accomplished by further infilling and developing the vacant serviced (road, water, sewer) area south of the saltwater lagoon.

The community does not have industrial or commercial base. The two schools are the major sources of employment in the community with the fishing and forest industries playing significant roles.

2.2.2 Assumptions/ Relevant Factors

The major factor in planning for Pilley's Island's future is the economy. The state of the economy has definite implications for future population growth, future land use requirements, and basic infrastructure. The community's present economic base is very weak and depends upon the general region for employment and services. The Municipal Plan recognizes this and policies have been developed that help create an attractive environment for business.

A basic economic assumption of the Municipal Plan is that the cod moratorium will continue for the next several years. During the interim, the fishery compensation package will help offset the loss of income from the cod fishery.

Another assumption is that the Council will persevere in promoting the tourism potential of the Community, especially as it relates to the establishment of a municipal campground and the preservation and promotion of its historical buildings and property. This should create business opportunities for the Community's residents, and stimulate the general economy.

The summer cottage area at Spencer's Dock had the undesirable potential of developing into a full time residential area. The Council must keep abreast of this and discourage full time occupancy in the area.

3.0 THE MUNICIPAL PLAN

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3.1 GOALS

Goals are formulated in broad terms and are derived from the values and desires held by the Community. The following goals are therefore general expressions of the Council's intent for the future Community with respect to matters under its jurisdiction or influence.

- To provide for future growth in all categories of land use.
- To provide an orderly layout of the Community for efficient development of land use infrastructure.
- To protect the sensitive quality, aesthetic and recreational values of the natural environment of the planning area.

3.2 OBJECTIVES AND POLICIES

While goals are long term ambitions of Council, the objectives are short range steps in achieving these goals. They are more specific and represent a basis for the development of the Plan's policies.

The policies are statements expressing a course of action usually with respect to particular land use classes. The policies are intended to promote a compact community while allowing for a wide variety of compatible land uses. For implementation of the policies, the detailed standards and precise requirements are outlined in the Development Regulations. The following objectives and policies will be pursued by Council:

3.2.1 Community Structure

The future form of the Community will change slightly during the next ten years. Although the community will not expand any further along Route 380 because of site conditions and the strain it would place on existing municipal services, the residential component will expand eastwards, south of the saltwater lagoon, where water and sewer lines have recently been installed.

Future commercial development will locate within the established community limits, and in the new area designated on the road to the ferry dock. As well, a site on the highway, near the Triton/Pilley's Island causeway, has potential for highway commercial uses, and will be further explored when the water line is extended to the area.

The summer cottage area at Spencer's Dock will not expand, but will continue to be infilled. As a means of discouraging the conversion of the cottages to permanent residences, water and sewer will not be extended to the area.

Objectives

- To exercise development control.
- To provide policy positions for all aspects of community development.

Policy

- Council shall adopt development regulations to implement the policies of the Municipal Plan.

- Approval of all future development shall be contingent upon its compliance with minimum standards for streets, lots and municipal services in order to protect the community from the long term problems associated with substandard development.
- Future urban related development will be confined to the existing built up area, with the exception of an area south of the saltwater lagoon and the two Comprehensive Development Areas.

3.2.2 Residential

An area south of the saltwater lagoon has recently been serviced with water and sewer lines, and a road. This area will be the recipient of most of the residential growth in Pilley's Island, and therefore is reserved primarily for housing development.

Objectives

- To promote an environmentally safe and attractive housing supply.
- To provide land space for 15 to 20 new housing lots within the existing serviced (water and sewer) areas.

Policy

- This policy shall apply to the Residential area shown on Future Land Use Map II.
- All new development must have proper road access and have lot frontage on a public road.

- New development must be connected to municipal water and sewer services by the time of occupancy.
- Residential and recreational open spaces uses may be permitted. Uses that are complementary to the residential character of the area, such as home occupation uses, personal service, and those of a commercial convenience nature, are also allowed provided they are accommodated within single dwellings.

3.2.3 Comprehensive Development Area (Residential)

In addition to the residential subdivision presently developed, an area in the western end of the Community, as shown on Future Land Use Map II, also has potential and needs to be preserved in order to ensure that the long term residential needs of the Community can be satisfied.

Objective

- To designate an area for the Community's future residential requirements.
- To provide for the orderly and efficient development of the area reserved for future residential development.

Policy

- This policy shall apply to the Comprehensive Development Area (Residential) shown on Future Land Use Map II.

- Council shall adopt a subdivision plan before permitting new development in this designation.
- The subdivision must be designed to make optimum use of the land and shall include a plan showing the roads, lot layout, water and sewer lines, and storm drainage.
- Water and sewer lines must be installed before development permits are issued.
- The subdivision will be developed on a cost recovery basis.
- Until the Comprehensive Development Area is changed to Residential, the only permitted use shall be conservation.

3.2.4 Mixed Development

The existing commercial and public uses found in Pilley's Island are already intermixed with the established residential component and appear to be co-existing quite well. The Municipal Plan recognizes this and allows for this continued mixture of uses, while at the same time preserving the predominant residential character of the community. This designation is applied to most of the urban development located along Route 380, as well as to many of the side roads.

Objectives

- To protect the existing and future development from land use conflicts.
- To encourage the infilling of vacant serviced land.

Policy

- This policy shall apply to the Mixed designation as shown on Future Land Use Map II.
- Each development must have adequate lot frontage through which vehicle access to a public road is obtained.
- When commercial or light industrial developments are placed near residential properties, the residential use shall be protected from incompatible aspects of the commercial use. This shall be done by requiring adequate sideyards, separation, screening and buffers.
- Where new development will be connected to municipal water and sewer services, connection must be made before occupancy will be permitted. Where on site services are proposed, it must be demonstrated to Council and the Department of Health that the site has the capacity to bear such services over the long term without adverse or off site impacts.
- A maximum floor area for non-residential uses shall be established in order to ensure non-residential uses are in keeping with the scale of residential development.
- The primary development shall be residential. Other uses of a commercial, public, light industrial, and open space nature may be permitted provided they do not create any nuisance to adjacent property owners. Council shall require adequate off-street parking for each development.

3.2.5 Comprehensive Development Area (Mixed)

An area in the western end of the community, opposite the school, is set aside for future commercial development. Although the area is not serviced with water or sewer, the school is experiencing water problems with its on-site well, and the Council feels that a coordinated effort (already initiated) by the school board and the Council to extend the community water system to service the school is imminent. If this becomes a reality, then this section of land will be ideal for urban related development.

Objective

- To designate an area for a mixture of residential, commercial and light industrial uses.

Policy

- This policy shall apply to the Comprehensive Development Area (Mixed) shown on Future Land Use Map II.
- The municipal water system must be extended to the school before development permits are issued.
- Individual sites must be approved by the Department of Health prior to the installation of an on-site sewer system.
- Adequate off street parking shall be provided.
- Permitted uses shall be those of a residential, commercial and light industrial nature.
- Until the area is serviced with water, the only permitted use shall be conservation.

3.2.6 Educational

The Educational designation is applied to the two schools in the community – a high school and an elementary school. The high school is located in the eastern end of the community, near the causeway, and is surrounded by vacant land. The elementary school is located in the western section of the community, and is bounded by houses and vacant land.

Objectives

- To designate areas of land for educational purposes.
- To protect the existing schools and grounds from conflicting uses.

Policy

- This policy applies to the Educational designation as shown on Future Land Use Map II.
- Permitted uses shall be schools and related facilities.
- Council shall ensure that the highest standards of safety are maintained in and around the educational areas.

3.2.7 Commercial

~~———— A site on the road to the ferry dock has been selected to accommodate future commercial uses. Although certain types of commercial developments can locate in the Mixed Development areas of the Community, Council's policy is to have a commercial area set aside that would be~~

~~free from non-commercial developments. The site can also be economically developed since it is adjacent to the Community water and sewer system.~~

Objectives

- ~~—To provide suitable land to accommodate the establishment of new commercial development.~~
- ~~—To protect new commercial development from non-compatible uses.~~
- ~~—To attract new commercial development to the Community.~~

Policy

- ~~—This policy is applied to the Commercial designation shown on Future Land Use Map H.~~
- ~~—All development shall front on a public road and have sufficient lot frontage through which access to the public road is obtained.~~
- ~~—All development must be connected to the Community water and sewer system.~~
- ~~—Adequate off-street parking shall be provided in order to prevent parking and traffic problems from occurring.~~
- ~~—Any extension to the municipal water and sewer must be the responsibility of the developer.~~
- ~~—Permitted uses shall be those of a commercial, light industrial and highway service nature.~~

3.2.8 Heritage Preservation

Located within the central part of the Community are two buildings and property that have historical significance to the residents of Pilley's Island. The site contains a century old United Church building, and an old community hall that is to be converted into a museum. A heritage committee has already been established to research and promote this resource.

Another area worthy of preserving is the old copper mine site which included the shoreline of Mine's Pond and Cobb's Pond. The intent of designating these areas for heritage preservation is to ensure that the mining artifacts and the old associated activities remain intact for future generations.

Objectives

- To protect and enhance the community's historical resources for its residents and visitors.
- To encourage the conservation of structurally sound historic buildings.

Policy

- This policy applies to the Historic Preservation designation shown on Future Land Use Maps I & II.
- Permitted uses shall be those of a conservation nature, especially as they relate to the protection of the historic and related property.
- Renovations or alterations to the buildings must not alter their historic value. Any such alteration must serve to enhance it and must conform to any guidelines established for that purpose.

- Council shall endeavor to ensure that the heritage resources related to the old Copper Mine site remain undisturbed.

3.2.9 Summer Cottage

An area immediately west of the Community site, known as Spencer's Dock, has evolved into a summer cottage area. There are at least 25 cottages here on well spaced lots, with most having adequate lot frontage to a public road. There are no existing health concerns, and allowing further infilling should not present any problems.

Objectives

- To accommodate the existing cottages, and to provide space for a limited number of new cottages on an infilling basis.
- To protect the land and shoreline from pollution.

Policy

- This policy shall apply to the Summer Cottage area shown on Future Land Use Map II.
- New development must front on a public road, and have access to that road.
- As a means of discouraging residential development, and because of the costs involved, Council will not provide municipal water and sewer services to the area.
- New development will require the approval of the Department of Health.
- The permitted uses are summer cottages and those of an open space nature.

3.2.10 Environmental Protection

Loadabats Pond is the source of domestic water supply for the Community, and is protected under the Department of Environment and Lands Act. Although the watershed's boundaries are less than 200m from the Community's developed areas, it remains free from development.

Objectives

- To provide a safe and dependable water supply for the community.
- To prevent pollution or harmful development in the water supply area.

Policy

- This policy shall apply to the Environmental Protection designation shown on Future Land Use Maps I & II.
- All proposals for development within the watershed must have approval of the Water Resources Division, Department of Environment and Lands.
- Permitted uses are those related to the conservation of water supply.

3.2.11 Recreational

The Recreational designation includes two areas of recreational significance to the community – the sports field, bounded by the residential designation, and the swimming/picnicking/hiking area located one kilometer outside the Community on the road to the Long Island Ferry.

Objective

- To provide for the future and present recreation needs of the Community.

Policy

- This policy shall apply to the Recreational Areas shown on Future Land Use Map I & II.
- Permitted uses shall be those related to outdoor assembly and open space.
- Buildings that are directly related to the recreational use may be permitted, such as change rooms and equipment storage.

3.2.12 Rural and Resource

The Rural and Resource designation includes the remainder of the planning area that is not identified for urban, watershed, recreational or summer cottage use. These rural areas are presently being used for rural and resource related uses such as domestic wood cutting, and aggregate extraction. The Plan allows for the continued use of these resources and uses and offers measures for their protection.

Objectives

- To ensure the natural and historic resources are utilized to such a degree as to secure their availability for future generations. This includes the forest, wildlife, fish, aggregate, historical, water and agriculture resources.
- To protect the rural areas from pollution.
- To minimize land use conflicts.

- To respect government land management policies.

Policy

- This policy shall apply to the Rural and Resource area as shown on Future Land Use Maps I and II.
- The land within this designation may be used for uses associated with forestry, agriculture, fishing, mineral workings, recreation, tourism, solid waste disposal, and rural industrial.

The following sections set out policies specific to these uses and resources.

3.2.12 (a) Forestry

- Forestry operations must not be a nuisance to existing development.
- Forestry operations must be environmentally safe.
- Permits shall be issued in conjunction with the Department of Forestry & Agriculture office in Springdale.

3.2.12 (b) Agriculture

- Development, where possible, shall be screened from the highway and existing development.
- Agricultural operations shall not be a nuisance to existing development.
- Livestock operations will require the approval of the Department of Environment and Lands, and shall be separated an adequate distance from the development.

3.2.12 (c) Mineral Workings

- Development associated with mineral workings may be permitted.
- Mineral extraction shall not be a nuisance or danger to existing development.
- The site must be rehabilitated when operations cease. Therefore, a rehabilitation plan may be required as part of an application.
- Council may require mineral workings and associated development to be screened from the highway, the development in the Community and other rural and resource uses that could be detrimentally affected.

3.2.12 (d) Recreation

- Permitted uses shall be those related to outdoor recreation, such as parks and playing fields.
- Structures associated with an outdoor recreation use shall be designed and located in order to preserve the natural amenities of the area.

3.2.12 (e) Rural Industry

A general industrial or hazardous industrial use which is not suited for location in the built up part of the Community because of extensive land requirements, outdoor storage, or other features of its operations, may be located in the Rural and Resource areas provided it meets the following conditions:

- The development shall not require municipal services (i.e. water and sewer), and shall have no adverse impact (visual, smoke, dust, or noise) on urban areas, public roads, or other rural and resource uses.
- The industrial development must be capable of operating without adverse environmental impacts.
- Council may limit outdoor storage, specify site fire control requirements, require buffers and fencing.
- No retail sales or service may be carried out from the site.

3.2.12 (f) Tourism

- A tourism development consisting of a theme park or camping facility may be permitted. Ancillary uses may also be permitted, but must be designed and oriented to serve the on-site development only.
- All tourism developments will be protected from encroachment by non-compatible uses.
- Adequate buffers shall be maintained between any tourism development and the urban area.
- Adequate parking shall be provided.
- All development shall have safe access to a public road.

4.0 IMPLEMENTATION

4.0 IMPLEMENTATION

4.1 PUBLIC WORKS

With the exception of the Whalen's Road/Pitman's Road/Waterfront Road areas, all of the community is serviced by water and sewer. The Council expects to have these areas completely serviced by 1994 under its Capital Works Program. Upgrading and paving of the local roads will then become a priority for 1995-1996.

The following Table shows the appropriate time frame and estimated costs for the various projects.

CAPITAL WORKS PROGRAM

1993	Water and sewer – Pitman's and Whalen's Roads	\$140,000
1994	Sewer – Waterfront Road	\$136,000
1995	Paving of various streets	\$262,000
1996	Paving Waterfront Road	\$48,300
Total		\$586,300

4.2 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.

4.3 RESOURCE REFERRALS

The Background Report identified a number of resources and land uses within the planning area that are important to the Community and the Province. These will be protected through zoning and the referral process. The following agencies noted some interest in a particular natural resource or land use and requested to have some further input early in the planning stages of a new development.

Department of Mines and Energy

The Department of Mines and Energy noted that there are a number of quarries and aggregate potential sites within the planning area. To ensure the protection of this resource and to minimize negative impacts on surrounding uses, any application for development within an aggregate potential area, 300m of a quarry, or 1000m of a rock quarry, will be referred to:

Department of Mines and Energy
P.O. Box 4750
St. John's, NL
A1B 4J6

Department of Fisheries and Oceans

Any development that has the potential to affect marine or freshwater fish habitat will be referred to:

Section Head
Planning and Inventory
Habitat Management
Department of Fisheries and Oceans
P.O. Box 5667
St. John's, NL
A1C 5X1

Historic Resources

Proposals for development along the coast and banks of interior streams and ponds will be referred to:

Historic Resources
Department of Tourism and Culture
P.O. Box 8700, Confederation Building
St. John's, NL
A1B 4J6

4.4 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 36 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 (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 tool. After the Plan is formally adopted, Council is required under Section 36 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, Subdivision Regulations, and Advertisement 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.

The 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 and decision on development applications.

- Rules and administrative procedures for appeal boards.
- General development standards for all zones.
- Regulations governing advertisements.
- 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 Municipal Planning Area into zones corresponding with the use zone tables.

Zoning divides the entire Municipal Planning Area 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 goals, objectives, and policies set out in the Municipal Plan, zoning directs new growth into suitable areas 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 which are primary and are allowed in their 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 Municipal Plan, or any further plans or regulations.
- (ii) Proper public notice has been given and Council is satisfied that it is not against the public interest and is complementary to the permitted use classes.
- (iii) Council is satisfied that the proposed discretionary use is suitably located within the zone proposed.

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

(c) Control of Development

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

Any person wishing to subdivide¹ or develop² land for any purpose within the Municipal Planning Area shall make application on the prescribed forms to Council for a permit. It is important to note that the Council will require a separate permit to be obtained by the developer for the subdivision of land. In this case, a separate permit will also be required for all building work and the occupancy of a building. A building permit will not be granted until a development permit has been obtained. In addition, 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 development permit from Council.

Council may grant outline planning permission 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.

¹ Subdivision means the dividing of any land whether in single or joint ownership into two or more pieces for the purpose of development.

² The Urban and Rural Planning Act should be referred to for the precise definition of “development”.

If the proposal conforms with the Municipal Plan and Development Regulations, Council may issue an outline planning approval subject to the submission and approval of detailed plans of development and any other conditions that Council may impose. An outline planning approval is processed and considered just like any other application.