

TOWN of PORT SAUNDERS

MUNICIPAL PLAN

1994-2004

*Prepared for the Town of Port Saunders
by the Urban and Rural Planning Division
Department of Municipal and Provincial Affairs
Government of Newfoundland and Labrador*

1994

URBAN AND RURAL PLANNING ACT

RESOLUTION TO RETAIN

EXISTING MUNICIPAL PLAN

TOWN OF PORT SAUNDERS

MUNICIPAL PLAN REVIEW

Number 3975-2013-001
Date September 19, 2013
Signature [Signature]

Under the authority of Section 28 (3) of the *Urban and Rural Planning Act 2000*, the Town Council of Port Saunders reviewed the 1994-2004 Municipal Plan and determined that no changes are required and that the said Municipal Plan will be retained.

Adopted by the Town Council of Port Saunders on the 29th day of May, 2007.

Signed and sealed this 28 day of June, 2012.

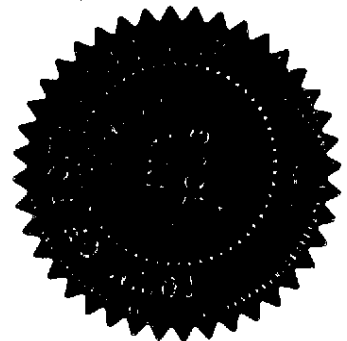
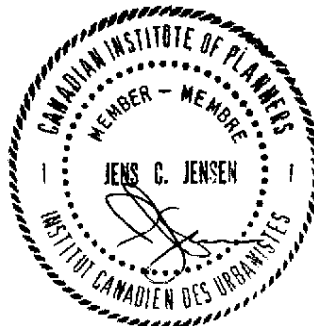
Mayor:

Tony Ryan

Clerk:

Judy Zindan

(Council Seal)

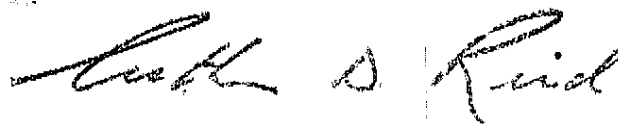


URBAN AND RURAL PLANNING ACT
NOTICE OF APPROVAL
TOWN OF PORT SAUNDERS
MUNICIPAL PLAN REVIEW 1994-2004

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 Town of Port Saunders Municipal Plan Review 1994-2004, adopted by the Town Council of Port Saunders, on the 11th day of May, 1994, subject to the following change.

The Commercial land use area between the hospital and the Residential Subdivision is changed to the Residential designation.

Dated at St. John's this 28th day of September, 1994.



ARTHUR D. REID, M.H.A.
CARBONEAR DISTRICT
Minister of Municipal & Provincial Affairs

NOTICE of ADOPTION

Resolved, pursuant to section 15 of the Urban and Rural Planning Act, that the Council of the Town of Port Saunders adopt the Municipal Plan which is attached hereto and is impressed with the Seal of the Council, signed by the Mayor, and certified by the Clerk.

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 Municipal Plan.

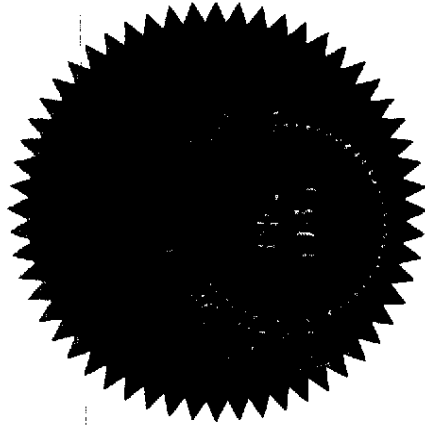
Proposed by: Deputy-Mayor Chris Biggin

Seconded by: Councillor Jerry Lavers

SEAL and SIGNATURE

Signed and sealed pursuant to section 15 of the Urban and Rural Planning Act this
12th day of May, 1994.

Tony Ryan
Mayor



CLERK'S CERTIFICATE

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan
adopted by the Town of Port Saunders on the 11 day of May, 1994.

Joanne Beaudin
Clerk

TABLE OF CONTENTS

Page

1 INTRODUCTION

1.1 Foreword	1
1.2 Interpretation	4
1.3 Municipal Planning Area	5

2 SUMMARY AND CONCLUSIONS OF THE BACKGROUND STUDY

2.1 Population, Housing and Employment	9
2.2 Problems, Opportunities and Needs	10

3 MUNICIPAL PLAN

3.1 The Future Community	12
3.2 Goals, Objectives and Policies	14
3.2.1 Community Structure	16
3.2.2 Residential	19
3.2.3 Commerce and Industry	26
3.2.4 Environment and Natural Resources	31
3.2.5 Public and Community Uses	34
3.2.6 Recreation/Open Space	35
3.2.7 Transportation	38
3.2.8 Public Works and Utilities	40
3.3 Specific Provisions	

4 IMPLEMENTATION

4.1 Programme of Development	42
4.2 Public Works	43
4.3 Administration	44

LIST OF MAPS

Municipal and Planning Area Boundaries	8
Regional Setting of Port Saunders	9
Municipal Plan Future Land Use Map A	At back of report
Municipal Plan Future Land Use Map B	At back of report

LEGEND

The highlighting in this document indicates changes to the text by deleting or adding as follows:

~~deletion~~ of text

addition to text

Following the Public Hearing, all changes will be incorporated into a consolidated document.

1 INTRODUCTION

1.1 Foreword

a) Municipal Planning in Newfoundland and Labrador

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

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 needs, public services, social services and other relevant factors.

The Plan contains goals, objectives and policies of Council regarding development of the Municipal Planning Area for the next ten years. Its aim is to coordinate Council policies and undertakings in order to promote the well-being of the entire community and to efficiently utilize available financial and material resources, especially land. The Port Saunders Municipal Plan, consists of written text in which the goals, objectives and policies are set out, and Future Land Use Maps indicating the allocation of land into various land use categories.

Ministerial Approval

When the Municipal Plan is formally adopted by resolution of Council under section 15 (1) of the Act, two copies must be impressed with the Seal of Council and signed by the Mayor. Council must then give notice of a public hearing on the Municipal Plan, and its intention to seek approval of the Minister of Municipal and Provincial Affairs by publishing a notice to that effect in the Newfoundland Gazette, and in a newspaper circulating in the community. At a Public Hearing the Commissioner appointed by the Minister will hear objections and representations, and subsequently forward to the Minister a written report together with copies of all the evidence taken at the Hearing.

After the Commissioner's Report has been submitted, Council must apply to the Minister for approval of the Municipal Plan. On receipt of two copies of the Municipal Plan, a copy of the adopting resolution and all written objections and representations considered at the Public Hearing, the Minister may approve the Municipal Plan, with or without modification, or may withhold approval and order that a new Municipal Plan be prepared. Upon approval, the Minister will endorse a copy of the Plan and return it to Council. 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 Council and upon all other persons, corporations and organizations. The Plan must be reviewed by Council at the end of every five years from the date on which it comes into effect and, if necessary, revised to take account of developments which can be foreseen during the next ten-year period.

Municipal Plan Implementation

When a Municipal Plan comes into effect, 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 *Land*

Use Zoning, Subdivision and Advertisement Regulations. These are also known as the Development Regulations. Normally, these are prepared at the same time as the Municipal Plan, and like the Plan, may be amended at any time to include new land uses and specific regulations.

Development Regulations must comply with the requirements of the Urban and Rural Planning Act and the standardized format that has been established for all towns and communities in the Province.

The day-to-day administration of the Municipal Plan, and implementing regulations, is in the hands of staff members authorized by Council. Council staff have the duty of issuing all necessary permits approved by Council, making recommendations to Council in accordance with the Municipal Plan policies, and implementing regulations regarding all development in the Municipal Planning Area. The Urban and Rural Planning Division of the Department of Municipal and Provincial Affairs may be consulted on any development matters.

Other Plans for Development

At any time after the adoption of the Municipal Plan, Council can prepare and adopt Development Schemes under section 30 of the Urban and Rural Planning 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 Plan.

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 agreement with owners of the land as will permit its acquisition and use for the 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 project.

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

1.2 Interpretation

The Municipal Plan contains proposals of the general development of the Municipal Planning Area and in compliance with legislation includes a proposed network of streets and the division of land into areas of permitted land use classes, as well as public infrastructure proposals, a public works program showing associated expenses and the method of financing, and a development program.

The following sections and Future Land Use Maps constitute the legally effective parts of the Municipal Plan.

The general terms referred to hereinafter are defined as follows:

- "Council" shall mean the Council of the Town of Port Saunders.
- "Development Regulations" shall mean the Port Saunders Land Use Zoning, Subdivision and Advertisement Regulations.
- "Municipal Planning Area" shall mean the Port Saunders Municipal Planning Area.
- "Town" shall mean the Town of Port Saunders.

The boundaries between the different land uses designated in the Municipal Plan are meant to be general, except in the case of roads or other prominent physical features where they are intended to define the exact limits of each category.

Nothing in the Plan shall affect the continuance of land uses which are lawfully established on the date that this Plan comes into effect.

1.3 Municipal Planning Area

By virtue of the powers of the Urban and Rural Planning Act, Port Saunders was designated a Planning Area on the 22nd of September, 1980. The boundaries follow the shoreline from the innermost penetration of the sea at Keppel Harbour, around the harbour of Port Saunders and north approximately 4 km. Boundaries extend inland to include furthestmost points of Tilt Pond, Stove Pond and Gilmores Pond (see Map 1). The Planning Area Boundary is coincident with the Port Saunders Municipal Boundary and straddles between the municipalities of Port au Choix to the north and Hawke's Bay to the south.

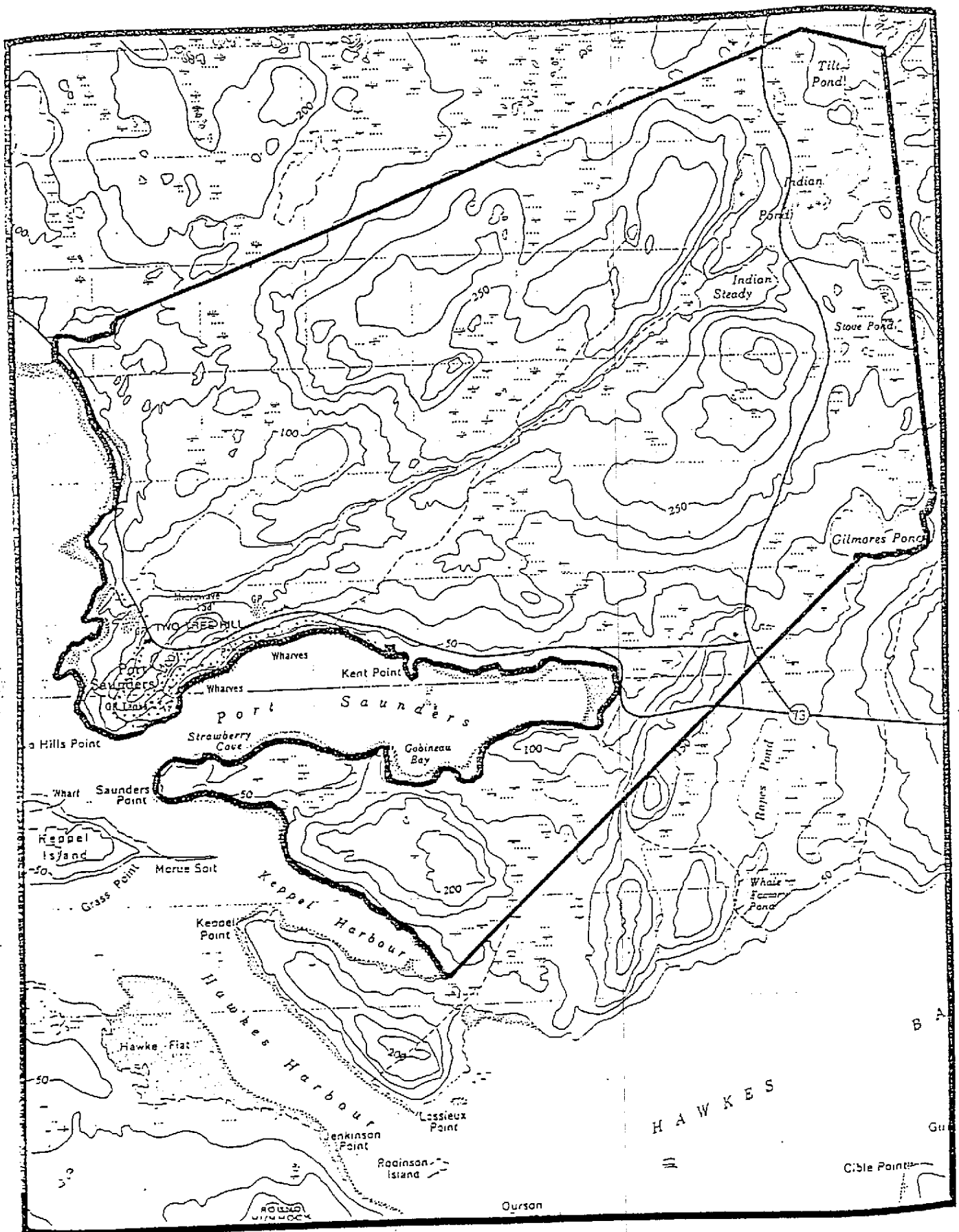
The Regional setting of Port Saunders is illustrated on Map 2. Located on the west coast of the Northern Peninsula, the area is midway between Deer Lake, 230 km to the south and St. Anthony, 200 km to the north. The Town is accessible by the Viking Trail, Route 430, and is approximately 4 km off the Port Saunders-Port au Choix turnoff.

Port Saunders was first incorporated as a Community on August 13, 1956, and its boundaries extended in 1970, to form coincident boundaries with neighbouring municipalities. A regional background study was completed in 1969 by Newfoundland Design Associates, followed by a draft community plan in 1970. The Provincial Planning Office prepared a final community plan in 1970, although the town has never formally adopted it.

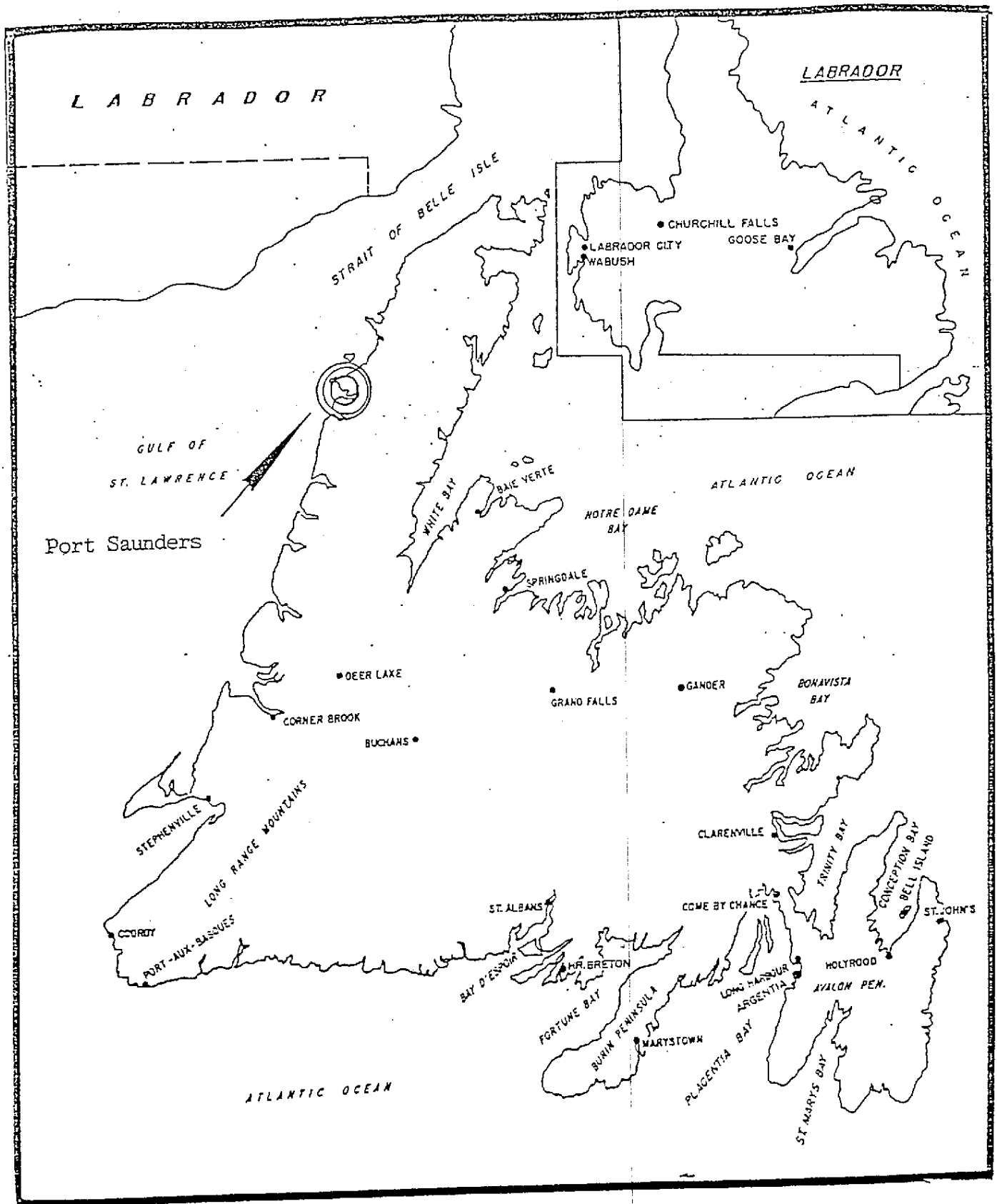
Since the preparation of the community plans, several changes have occurred to the structure of the community. With respect to public works, the road leading to Port au Choix, through Port Saunders, has been paved and no longer forms part of Route 430. A piped surface supply from Tom Taylor's Pond has replaced the deep wells previously used for the Town's water supply.

Residential subdivisions and new commercial development have expanded beyond the original community settlement. A new regional high school, marina and RCMP detachment are among the many new developments in the Town.

The continual growth and change to Port Saunders and the necessity for Council to exercise greater control over future developments has prompted the preparation of a new Municipal Plan.



MAP 1 - MUNICIPAL AND PLANNING AREA BOUNDARIES



MAP 2 - REGIONAL SETTING OF PORT SAUNDERS

2 SUMMARY AND CONCLUSIONS OF THE BACKGROUND STUDY

2.1 Population, Housing and Employment

Background information on Port Saunders, Hawke's Bay and Port au Choix and the surrounding area will be found in the Background Report prepared for the original Municipal Plans. This information was updated in the studies carried out for the 1992 review of the Plans.

While the area has continued to increase in population, the rate of increase has fallen quite sharply for the three subject towns in the study area as it has for the Province and the Great Northern Peninsula.

The economy of the area continues to be dominated by the fishery and the fish processing industry, although there are signs of some considerable diversification into service employment, including tourism.

It appears that employment at the fish plant in Port au Choix has decreased and the amount of groundfish processed was said to be well below the potential landings for the plant. Despite uncertainty and adversity in the fishery, it appears that in the long-term the fishery and the plant at Port au Choix have a reasonably secure future.

The Background Report contains a very comprehensive review of the forestry industry in the area, most of which is still applicable today. However, it should be noted that in the fall of 1991, the Corner Brook Pulp and Paper Company announced that its Hawke's Bay Woods operations would be shut down in 1992 and 1993. This is reported to have affected some 110 people, not all of whom live in the study area.

Employment in the community, business and public service sector, which would include hotel and restaurant services, has increased. This increase is probably related to the growth in the tourist industry. This activity holds some promise of increased employment for the whole Northern Peninsula area. With recent attention to the Gros Morne Park, L'Anse aux Meadows and the Grenfell centenary, the area has had some considerable exposure and it is likely that this can be used to draw tourists to the area.

The area is undergoing severe economic difficulties in common with the rest of the Province, and indeed the whole North American economy. It is likely, however, that any one or all three of the economic mainstays of the area—the fishery, forestry, and tourism—will recover in the future and that some modest growth will occur. The area's position and role as a service centre half way up the Great Northern Peninsula, midway between Deer Lake and St. Anthony, is well established. It is therefore concluded that the population projections calculated for the original Plans should stand and no new ones need to be produced. Population for Port Saunders for 1991 was reported by the 1991 Census as 822. Population projections for the purposes of this Municipal Plan estimate 944 by 2001.

Based on these projections this Plan projects a requirement of 0.95 hectares of new housing land by 1997, and 1.94 hectares by 2002 (based on fully serviced development).

2.2 Problems, Opportunities and Needs

Port Saunders is a compact community well located on south facing slopes overlooking the sea. Its main problems are a lack of employment for the local workforce. Its main physical problem is the prevalence of steep slopes throughout the Town. The community has a well established role in the provision of services to adjoining communities and its location close to the Viking Trail and the presence of commercially designated land on the highway to Port au Choix present opportunities for tourist related development. The existence of the Marine Service Centre is another valuable facility. The main street of the Town requires some extra off-street parking provision to be found. There are several areas of backland

which might be developed residentially, and two Comprehensive Development Areas present opportunities for community growth.

3 THE MUNICIPAL PLAN

3.1 The Future Community

Future planning is designed to coordinate and promote the rational and economic growth and management of the community. Together the text of the Municipal Plan, the proposed Land Use Map and the Zoning Regulations will be the Town's tool for managing growth.

Where previous town development was hemmed in by the old highway and the shoreline, the future community, out of necessity, will expand beyond these boundaries.

New residential development will be directed to Comprehensive Development Areas and infilling will be encouraged in the rest of the Town, as water and sewer services become available. The steep grade in older residential areas precludes the development of direct frontage for homeowners. To discourage traffic hazards on the arterial road by the presence of vehicles and pedestrians, Council will encourage off-street parking.

The commercial centre in downtown Port Saunders will be improved over the long-term by proper zoning and the implementation of parking standards. The Esso tank farm adjacent to the hospital is a conflicting use and should be considered for relocation towards the Marine Service Centre should the opportunity arise.

Serviced industrial-commercial and unserviced 'rural' industrial areas will be provided east of the arterial road and at the junction of Route 430, respectively. These alternative commercial and industrial lands are required if Council is to accomplish its efforts toward diversification in the local economy.

Active recreational activity will centre around the local baseball diamond. Consideration will also be given to applications for other sports related activities, such as volleyball or tennis

courts. Passive recreational activity will take advantage of regional parks and the site north of the forestry station. Conservation areas will prevent development in areas with hazardous, steep slopes.

Rural lands will support the region's transportation system, aggregate resource areas, productive forests, rural industries, and the water supply. The watershed of Tom Taylor's Pond¹ must be protected from development that would adversely affect the quality or quantity of the Town's water supply. Mineral activities within the vast watershed area must be carefully scrutinized against potential pollution to the watershed. Close supervision of mineral activities within the watershed will be maintained in order that resource uses (watershed and aggregate extraction) remain compatible. Council will consult with the Department of Environment and Lands where adverse conditions may occur. Site rehabilitation of the gravel pit in the watershed near the built-up area of the Town is strongly encouraged.

It is also the intention of this Municipal Plan that additional Use Zones may be added to the Development Regulations if the specific uses are permitted in the general Land Use Designation and the future use will be compatible with adjacent uses.

¹ Tom Taylor's Pond has an abundant water supply and has been considered in the long-term for a supply source to the adjacent municipality of Port au Choix. A regional approach to shared water resources is vital.

3.2 Goals, Objectives and Policies

The following goals and objectives have been identified by Council and will represent what Council intends to achieve during the ten-year planning period. Each goal expresses Council's intention for future growth with respect to a matter under its jurisdiction or influence. The objectives are specific measures of that intention.

3.2.1 Community Structure

Background

The general pattern of land use is in the form of linear development along the coast of the bay of Port Saunders, with major accesses at eastern and western extremities. The topography is unique to the area. Much of the town is built on a steep ridge referred to as Two Tree Hill and has slopes greater than 25 percent in places. While the ridge affords a scenic view of the harbour, it has produced severe constraints to development. Many houses have no direct access to a local road and winter road conditions can be hazardous.

The waterfront property is filled predominantly by fishing related industries such as the Marine Service Centre and several docks and wharves for the independent fishermen. There are two main areas of mixed development, a tightly knit downtown area and a relatively newer area taking the form of highway commercial activity. Some of the more incompatible uses found are the Esso storage tanks near the hospital and a gravel pit adjacent to commercial activity. From a regional perspective, the town plays the role as an administrative centre, with the presence of a forestry station, RCMP detachment, hospital and various other government agencies.

Forest lands, an extensive watershed area for domestic water supply and aggregate areas comprise most of the undisturbed rural area. A Protected Road, Route 430, passes through the eastern end of the municipality and some industrial activity is located at the turnoff towards the Town.

Community Structure Goals:

- ▶ *To integrate future development within vacant lands in the town and the outer extremities of the built-up community.*
- ▶ *To improve the functioning and aesthetics of the existing community.*

Objectives:

Promote development, where possible, southwest of the main arterial.

Require all new development to be compact and economical in the use of land.

Designate rural areas close to the developed area of Town to act as buffers to necessary rural activities and to limit strip development.

Discourage on-street parking on the main arterial.

Encourage new growth to link with the larger 6 inch-water line in the Town and upgrade, where necessary, those lines of lesser widths.

To study the feasibility of sewer installation near Seaview Avenue in the older part of the Town where sewerage effluent is ponding in the ditches.

To provide improvements in the older commercial area and maintain its vibrant character.

To improve amenities surrounding the baseball diamond in the form of greater park development. This may include such facilities as tennis or volleyball courts.

To deplete resources of the gravel pit on the main road to the satisfaction of Council and promote rehabilitation of the pit as soon as possible.

To designate steep slopes as conservation for the protection of their natural beauty and to prevent hazardous development thereon.

Community Structure Policies:

Lands designated as Rural shall play an important function to limit directions of urban growth and protect the natural resources of the municipality.

Over the ten-year planning period, future residential growth shall be accommodated south of the arterial road. Larger commercial-industrial developments unable to locate downtown shall locate on a local road off the arterial road.

No Backlot development shall be permitted unless Council is satisfied that adequate access and parking can be provided.

Development which does not comply with the intent of the Municipal Plan shall not be permitted. ~~Boundaries between different land uses are general divisions except where they are meant to coincide with roads or other prominent features. No amendment is therefore required for minor adjustments that do not contradict the intent of the Plan.~~

3.2.2 Residential

Background

Port Saunders has grown at a moderate rate and will continue to require land for new housing. In order not to limit local residents in their choice of residential areas, Council will encourage

infilling in other areas that suit the style and type of housing requested. Some lots are available throughout the Town, with direct frontage on local roads; however, in the older developed areas of the community a municipal services system will be required before further infilling occurs. For those areas where access cannot be obtained, Council will endeavour to open these areas over the ten-year plan period.

The Comprehensive Development Area opposite the Department of Forestry and Agriculture office has been almost fully developed, with only a few lots available. This area has been designated Residential Area "A". Part of CDA "A" has been changed to Residential and is designated Residential Area "B". This area shall not be developed until water and sewer services and roads are available and all the lots in Residential Area "A" have been sold.

Large land assemblies for residential purposes will follow the policies set forth in Section 3.3 of this Municipal Plan.

Residential Goals:

- ▶ ~~To provide suitable and sufficient land for meeting the long term housing and residential requirements.~~
- ▶ ~~To plan for an approximate total of 41 new housing units within the Plan period of 1993-2003.~~
- ▶ ~~To establish a range of uses that are compatible in Residential areas.~~

Objectives:

~~To plan for an approximate total of 41 new housing units within the Plan period of 1985-1995;~~

To reserve large tracts of residential land for comprehensive, detailed development.

To provide for an acceptable mixture of residential and other compatible uses in Residential areas.

To maintain and protect the character and quality of life in residential areas.

To locate alternative areas of residential land that will afford the opportunity for the development of a variety of housing types.

To encourage the growth of a complementary road network to housing sites.

Residential Policies:

New housing development will be accommodated, where possible, within vacant backlands provided adequate access and parking is available to the satisfaction of Council. Backlot development shall be discouraged.

Infilling vacant lots along existing roads shall be permitted in Residential areas, except where future accesses are required (see transportation policies).

Larger assemblies of land reserved for residential subdivisions shall be "comprehensively" developed through a detailed, planned layout (see Specific Provisions, CDA policy).

All development in Residential Areas shall connect to appropriate municipal services.

Within Residential areas, dwellings, recreational open space and their accessory uses shall be permitted. Non-residential uses may be permitted provided they are complementary and compatible to the basic residential character. Examples of non-residential uses, permitted at the discretion of Council, include churches, convenience stores, professional offices and other home occupations. Council shall ensure extra parking is provided in these cases as a condition of the development permit. Home occupation uses must be compatible with the surrounding

neighbourhood and may not create nuisance or hazard. These uses are to be limited to the production and sale of speciality goods, light industrial uses such as the repair of appliances, small engines, woodworking, offices, the provision of personal services or other similar activities. It is the policy of this Municipal Plan that home occupation uses may be permitted on suitable developed residential building lots while other uses may require specific land use designations.

The development of higher density residential structures such as apartment buildings shall be located in peripheral areas of residential neighbourhoods. It shall have close access to collector or arterial streets and shall have adequate onsite parking.

Within the designated Residential areas existing non-conforming uses shall be tolerated. Minor expansions may be permitted, at Council's discretion, provided that such expansions do not adversely affect existing or future residences.

3.2.3 Commerce and Industry

Commercial and Industrial Goals:

- *To promote and encourage employment opportunities by diversifying the community's economic base and maintaining its status as an administrative centre.*

Objectives:

To improve and strengthen the amenities of the downtown in order to enhance its viability as a primary commercial area.

To reserve land adjacent to the Marine Service Centre for potential industrial activity that will complement and encourage growth in the fishing industry.

To open areas for the larger industrial-commercial lot development unable to locate downtown.

To participate in job development programmes such as the Canadian Job Strategies (Employment and Immigration Canada, Canada Employment and Immigration Commission) for improvements to recreational areas or other necessary clean-up or development projects.

To support the work of the Department of Rural, Agriculture and Northern Development Industry, Trade and Technology and the St. Barbe Northern Development Association in lowering unemployment which is particularly higher among women.

To support and encourage the initiation of home-based businesses, especially those related to the crafts industry and tourism while ensuring that such operations do not prejudice residential amenity.

Commercial Areas

Background

The unique character of downtown Port Saunders should be preserved as the heart of the community. In order to preserve its proper functioning and viability in the long-term, traffic and parking congestion must be alleviated. A consolidation of commercial uses is desirable and hence, the presence of industrial and single dwelling residential uses will be phased out.

Commercial Policies:

Areas designated as Commercial shall permit a full range of commercial, service, community and mercantile uses. Cultural and entertainment uses that are complementary and compatible of these uses are permitted at Council's discretion. Industrial and single dwelling residential uses are not permitted. It is the policy of this Municipal Plan to permit the establishment of

specific use zones within existing Commercial land use designations, if these use zones are compatible and directly related to commercial development that is permitted in the area.

All development in Commercial Areas shall connect to appropriate municipal services.

Development standards such as parking, access, loading facilities and property appearance shall be applied when considering an application for development in Commercial Areas. Where a proposed development does not meet parking requirements, Council shall consider levying a charge against the developer to contribute to the cost of parking lot development elsewhere in the downtown.

The Council will seek the relocation of the nonconforming uses in the downtown commercial designated area, particularly the oil tanks which are visually unattractive and are an environmental hazard. Together with the hospital site which is expected to become vacant, the location will be used for a major commercial development to provide a new focus for the main street area of the community.

Industrial - Commercial Areas

Background

A second industrial-commercial focal point is on the main road passing through the municipality. The area houses a service station, restaurant, industrial supply store and the Lion's Club. A gravel pit is immediately west of the area. The watershed boundary approaches the rear of the properties. Future expansion for local commercial-industrial activity should take place off a rear local road so that vacant property behind will not be prejudiced against development nor will the safety and convenience of a free flow of traffic be impaired on the main road.

While some commercial activities may capitalize from direct frontage on the arterial road, Council will reserve land for future access and road construction further inland so as not to prejudice such future development. Council may stipulate the frontage requirements as a condition of the permit and will only undertake road construction where sufficient demand is created.

Along the waterfront, there is fishery-related industrial activity in the form of wharves and docks. This activity is an integral part of the economy of the area and plays an equally important role of providing a scenic quality and character to the Town. This Municipal Plan will permit a continuation of this activity which depends on access to the waterfront for its viability. Council will not however, discourage commercial development which is seen to complement the area.

A new emphasis on the control of development will be focused on parking improvements for which regulation standards will be the main management tool.

Industrial-Commercial Policies:

The area designated for Industrial-Commercial Use, in the north, will be reserved primarily for a range of commercial uses such as wholesale and retail stores, offices and service shops. Certain low hazard industrial activity shall also be permitted. Industrial uses include general industrial uses such as manufacturing, industrial service, contracting and transportation establishments and storage facilities.

The waterfront property designated for Industrial-Commercial use will permit the same land use types on a discretionary basis. Development that conflicts with existing development by virtue of its size, activity, noise or other hazards generated will be avoided.

Public and community services requiring large sites that cannot be adequately accommodated in Community and Public Use Areas or Recreational Assembly Zones may be permitted in the

northern Industrial-Commercial Centre at Council's discretion. Such uses will be avoided on the waterfront.

It is the policy of this Municipal Plan to permit the establishment of specific use zones within existing Industrial-Commercial land use designations, if these use zones are directly related and compatible to permitted commercial-industrial activities.

All development in areas designated for Industrial-Commercial use shall connect to appropriate municipal services and shall have frontage onto a rear local road or the arterial road, or onto Main Street.

When considering an application for development in Industrial-Commercial areas, Council may apply development standards such as parking, loading facilities, access, screening and other amenities or improvements as conditions of the permit.

Council will ensure adequate onsite parking is provided for the activity related to the development ~~onsite for the owner's use and the project "customers'" use of the development.~~ Where no immediate parking space is available on the waterfront, Council shall attempt to provide nearby grouped parking with the assistance of the developer. This assistance may be in the form of a surcharge on the permit to contribute to costs of future parking lot development.

Industrial Areas

Background

The Marine Service Centre is the only heavy industrial activity in Town. The area surrounding the Marine Service Centre will remain for industrial use.

Other light industrial activity is found on the waterfront in the form of docks, wharves and storage sheds. Non-traditional industrial activity is encouraged to locate north of the arterial road. (See Industrial-Commercial Area Policies).

Some industrial activities are more suitable in rural areas, where they can be separated from other non-compatible uses. These uses must not require water and sewer services and should be located as close to the developed area of the Town as is feasible. Another type of industrial activity is rural, unserviced industrial activity. This land use type is in itself self explanatory. Council will encourage screening and buffering by keeping the natural trees and vegetation in areas during further expansion or development. Policies for this type of rural industry are accommodated under Rural Land use policies.

Industrial Policies:

The amenity of surrounding non-industrial areas shall be protected from any industrial activity. Development standards for location, access, outdoor storage, parking, fencing or screening shall apply to all industrial areas. No industrial use shall be permitted where a potential adverse impact to the natural environment cannot be mitigated or remedied.

Land north of the Marine Service Centre shall be reserved for the Centre's expansion or related development. No access to the highway from this land will be allowed.

The uses that may be permitted in an industrial land use designation will be of a general industrial nature and may range from light to hazardous industrial uses. Other development such as convenience stores, professional offices and complementary commercial or retail activity may also be permitted in industrial areas if it is related to an industrial activity. The bulk storage of hazardous materials may be permitted in Industrial Areas where this is essential to support an otherwise non-hazardous industry. The Council will, under these circumstances, impose such siting, construction and other safety requirements as it judges to be necessary.

Industrial area further removed from the Town shall be reserved for unserviced 'rural' industries. Council shall adopt regulations under the Rural zone specifying standards for rural industrial use.

It is the policy of this Municipal Plan to permit the establishment of specific use zones within existing Industrial land use designations if these use zones are compatible with permitted industrial activities.

Mixed Development Areas

Background

The Mixed Development Land Use designation in Port Saunders reflects areas that have evolved into a combination of uses characterized by residential, commercial, and service activities. These areas are usually in transition and can accommodate a wide variety of activities, often of a business nature. They are particularly important in smaller communities in that they provide opportunities for new businesses that cannot afford the start up costs of moving to a area that is designated for their particular purposes, but may still be suitable in areas with some housing. Sometimes new developments are established on separate lots or in conjunction with a residential use. Typically, areas of mixed development occur along a main road that is accessible to passing traffic or near a commercial or industrial area. An area becomes less suitable for residential development as other types of uses become predominant. The rate of change depends on the local opportunities for business development, as well as the overall suitability of the Mixed Development Area as a commercial area. In many cases, the mixed character is continued indefinitely. One of the most important aspects of a Mixed Development policy is that it must protect residential lots from the negative effects of other forms of development, while still allowing these other activities to locate in the same area.

Mixed Development Area Policies:

Mixed Development Areas are established as indicated on the Future Land Use Map.

The uses that may be permitted in a Mixed Development Area shall include those of a general and commercial residential nature, small-scale commercial and light industrial uses, service, office and professional uses, civic uses, recreational uses, and other related activities.

Home-based occupations that are compatible with surrounding uses and dwellings may be permitted in a Mixed Development Area if the uses are set out in the Port Saunders Development Regulations.

Non residential uses and home occupation uses in a Mixed Development Area may not create a nuisance or hazard to adjoining properties and, if necessary, must be adequately separated and buffered from surrounding residential development. Adequate off-street parking space must be provided for these uses.

3.2.4 Environment and Natural Resources

Background

This section addresses Rural Area Policies, Resource Policies, Mineral Working Policies, Conservation Policies and Watershed Protection Policies. The developed part of the Planning Area is surrounded by important rural resources. The watershed feeding the Town's domestic water supply approaches the northeastern boundaries of the Town. Productive forest and aggregate resource areas have been identified. There are occurrences of the Back Arm Dolomite in the Municipal Planning Area. The Back Arm Dolomite is a high quality dolomite that is of metallurgical grade. Areas requiring preservation have also been identified and designated for Conservation so that no development takes place. These include areas with excessively steep slopes and areas of ecological and environmental importance.

Other development in the rural part of the municipality includes a Protected Road, Route 430, which was built to bypass the community several years ago. This highway is subject to Protected Road Zoning Regulations administered by Development Control Division Unit of the Urban and Rural Planning Division, Department of Municipal and Provincial Affairs. Some unserviced industrial activity is located at the junction of Route 430 and the local highway accessing Port Saunders. A regionalized waste disposal management system is being pursued. The use of Hawke's Bay waste disposal site will continue until an alternative site is developed.

Environment and Natural Resource Goals:

- ▶ *To protect the Community environment from natural or manmade hazards and to preserve the quality, amenity and resources of the natural environment.*

Objectives:

To designate areas which have steep slopes and dangerous escarpments as Conservation Areas.

To prevent development in ecologically sensitive or physically unsuitable areas.

To protect the quality and quantity of water in the watershed of the municipal water supply, Tom Taylor's Pond, ~~(the Town's domestic water supply)~~ and prevent contamination of all other watercourses in the municipality.

To protect productive forest areas in the undeveloped part of the Planning Area ~~non-urban areas~~ ~~such as rural lands~~.

To require the rehabilitation of aggregate and mineral extraction sites after the resources have been depleted.

~~To schedule the regional development of aggregate and mineral resources so that depletion of the resource to Council's satisfaction may be followed with rehabilitation (with respect to the gravel pit in town).~~

Rural Area Policies:

~~In order to protect natural resources and to provide land for activities best suited to a rural location, the Plan designates these areas as Rural~~ a Rural land use area is established.

~~No development in the Rural Area may be permitted if it is not in character with the qualities or amenities of the rural and resource area, produces an unnecessary demand for municipal services, or contributes to strip development along a road or highway.~~

The uses that may be permitted in a Rural area must be related to the development of a natural resource or be of an industrial nature. Other uses that are related to recreational activities, commercial tourism, open space uses, utilities, animal, agriculture or combined industrial and commercial activities may also be permitted. Other activities which require a separation from developed areas may also be permitted.

It is the policy of this Municipal Plan to permit the establishment of specific use zones within the existing Rural land use designation if these use zones are compatible with permitted Rural activities.

~~Uses permitted in Rural Areas include agriculture, forestry, recreational open space, mineral working, veterinary use, cemeteries, communication antennae and public utilities. Certain "rural" industries (eg., scrapyards and outdoor storage) which do not require municipal servicing and are desirous of screening or buffering may be permitted at Council's discretion.~~

(1a) Resource Consultation Policies

For development affecting resources specified on the Future Land Use Plan Maps, consultation will be made with the following agencies:

<i>Forest Areas</i>	<i>Department of Forestry and Agriculture</i>
<i>Aggregate and Mineral Occurrence</i>	<i>Department of Mines and Energy and the Department of Environment and Lands</i>
<i>Watershed Protection Area, Stream and Pond Shorelines (100 metres)</i>	<i>Department of Environment and Lands and Department of Fisheries and Oceans</i>
<i>Protected Road, Route 430 (development 150 metres either side of the highway) (accesses off the highway)</i>	<i>Department of Municipal Affairs (Development Control Unit of the Urban and Rural Planning Division) and the Department of Works, Services and Transportation</i>

(1b) Mineral Workings Policies

Small-scale mineral working operations may be permitted within the Planning Area, provided that they are conducted so that no nuisance or danger is caused to the general public and the scenic beauty of the surrounding area is preserved. In order to accomplish this extraction sites ~~preserve the scenic beauty and amenity of the area, operations~~ will generally be restricted to areas not exposed to public view.

Mineral extraction within the Watershed Protection Area shall be carefully scrutinized against potential adverse affects, hazards or nuisances to the community or the environment. The approval of the Department of Environment and Lands shall be obtained before any aggregate extraction takes place within the protected watershed area.

No mineral working operations will be permitted to cause the pollution of any watercourse, especially the municipal water supply.

Developers of mineral workings will be required to provide adequate buffering, setbacks, fencing, erosion and sedimentation control, site maintenance, and proper accesses to ensure a safe and aesthetically acceptable operation.

When issuing a permit for any mineral working area, Council may attach such other conditions as are in its opinion necessary to properly regulate the operation.

Upon completion of any extraction activity, and where the resource has been depleted, all buildings and machinery will be required to be removed. The site shall be rehabilitated so as not to constitute a danger to the public or present an unsightly appearance and shall be left in a state so that it may be used for a compatible land use in the future.

2. ~~Environmental Protection Areas~~

(2a) ~~Conservation Policies:~~

~~Areas designated as Conservation shall be environmentally protected from all development.~~

~~The only development allowed in Conservation Areas established by this Municipal Plan will be activities which enhance or do not materially affect the physical environment, such as conservation or fisheries activities in shoreline locations, and these areas shall be protected from environmental damage which may be caused by the development of surrounding land. Passive recreational activities may also be permitted in Conservation areas.~~

~~It is the policy of this Municipal Plan that specific land use zones may be established within a Conservation land use zone, if the use zones are directly related to and compatible with uses permitted in that area.~~

Vegetation buffer zones shall remain along all watercourses to protect fish habitats from the impacts of erosion or contamination and to protect the amenities of the area.

(2b) Watershed Protected Area Policies

The watershed boundary has been set out on the Future Land Use Maps. The boundaries measure the extent to which pollution and contamination should be avoided in order not to adversely affect the domestic water supply of Tom Taylor's Pond.

Land use activities that will have a detrimental effect on the quality or quantity of the water shall be prohibited within the boundaries designated for watershed protection.

Uses permitted in the watershed area will be limited to passive recreational/open space activities and antennae. Agriculture and forestry may be permitted at Council's discretion provided such activities do not adversely affect the water quality. Consultation with Approval of the Department of Environment shall be obtained for any proposed development in the protected watershed area be sought where mineral activity such as aggregate extraction may have detrimental effects on the community water supply or is demonstrated as a non-compatible resource use.

3.2.5 Public and Community Uses

Background

Most of the Public and Community use developments serve an important regional function to such towns Port Saunders serves as a regional centre for communities as far as Plum Point and south to Daniel's Harbour. Hence, Port Saunders has been referred to as the administrative centre for the area. The Humber-St. Barbe Catholic School Board has recently constructed a high school in Port Saunders and there is a sixteen-bed hospital serving the regional needs of the area and the new hospital also provides a regional service. For those community-oriented uses

~~necessary to locate in the Town, the plan protects these areas in light of expansion. This Municipal Plan designates land use areas to accommodate public and community uses that may serve both the Town and the surrounding region. Council will reassess land use needs for future developments upon review of the Municipal Plan.~~

Public and Community Use Goals:

To maximize the safety and the use of educational facilities.

To designate areas for the development of public and community oriented services.

To reduce or eliminate hazardous conditions which jeopardize the health and welfare of the community residents.

Objectives:

To permit only complementary land uses such as residential, recreational, and church uses, in the vicinity of educational areas.

To deter any development east of the highway that may encourage pedestrian movement (students) across the arterial.

To ensure onsite development standards such as parking, bus loading or unloading and play areas are maintained for the safety of students.

~~*Undertake a feasibility study for installing a sewer system in the older part of Town.*~~

Improve fire protection within the Town

Upgrade the Town's water distribution system including repairs of the pumping station and the water intake.

~~To seek the relocation of the fuel storages tanks.~~

~~Designate the Esso Storage tanks as a non conforming and unsuitable use (in the downtown area and adjacent to the hospital) in the event that future relocation becomes an available opportunity.~~

Ensure that adequate off-street parking is provided in areas where the safety of pedestrians and vehicles is at risk.

Public and Community Use Policies:

~~Public and Community Use Areas permit such developments as schools, churches, hospitals and other community oriented facilities.~~

~~The uses that may be permitted in a Public and Community use area shall be related to public and community services, fire protection services, medical facilities, recreational facilities and other similar uses such as offices involved in the provision of services.~~

~~It is the policy of this Municipal Plan to permit the establishment of specific use zones within the Public and Community use land use designation, if these use zones are directly related to and compatible with uses permitted in the area.~~

Particular attention shall be given to access, parking requirements, safety, fire protection, the effects on adjacent land use activities and other desirable amenities in Public and Community Use Areas.

No use in a Public and Community Use area may be permitted to create a nuisance or hazard to other surrounding areas.

Council shall adopt regulations to specify development standards for educational use zones, institutional use zones and general community use zones.

3.2.6 Recreation/Open Space

Background

The Recreational Centre and the site for the relocation of the baseball diamond are north of the highway. Other land unsuitable for development is designated conservation but may be used for recreational purposes.

Recreation Goal:

To provide sufficient land for parks and recreation to meet the needs of the community.

Objectives:

To foster cooperative relationships with adjoining municipalities of Hawke's Bay and Port au Choix in the promotion of regional use of parks and recreation and to support a regional identity for the pursuit of indoor recreational facilities.

~~To landscape the park area surrounding the local baseball diamond for complementary activities such as a children's playground.~~

To limit the types of recreational activity on Tom Taylor's Pond where such activity may have a detrimental affect on the pond which provides the Town's water supply.

Recreation Policies:

~~Council shall adopt zoning regulations to designate specific areas of Recreation/Open Space for active recreational use, for protection of aesthetic values, and for buffering purposes. Development will be limited in areas of open space that are unsuitable for development due to physical constraints such as steep slopes, rock outcrops and inaccessibility. Hiking trails and nature parks, as well as cemeteries, antennae and allotments are acceptable uses in open space areas.~~

~~Council shall adopt zoning regulations to designate specific areas of Recreation/Open Space for active recreational use. Indoor and outdoor recreational assembly uses such as baseball diamonds and arenas, for example, are permitted.~~

~~The uses that may be permitted in a Recreational Open Space Area shall be related to recreational activities and other associated activities such as fairs or outdoor gatherings.~~

~~The need for additional neighbourhood parks and open space shall be assessed at the time of development of comprehensive development areas. In the case of such subdivision development, Council may require a percentage of land to be dedicated for public use from the developer.~~

3.2.7 Transportation

Background

Future roads should be designed and constructed for the convenience and safety of users according to the function the roads perform. Specific transportation policies to follow have been made with respect to a functional road classification.

Land uses designated on the Future Land Use Maps are based on the carrying capacity of the current and future road system. New roads have been planned to access vacant backland, to

alleviate potentially congested traffic areas and to improve fire protection and snow removal for individual homeowners and businesses. To complement the new roads planned over the ten-year period, access points will require protection from development.

The transportation systems for Port Saunders consists of four road classifications—Protected Roads, arterial roads, collector roads, and local roads. Each road functions hierarchically to accommodate the highest to lowest traffic volumes. This is to ensure maximum safety and convenience to pedestrian and vehicular traffic. On those narrow roads where snowclearing becomes a problem, it may be advised to adopt one side, on-street parking.

Transportation Goal:

To improve the road network and parking standards for a safer, more efficient transportation system.

Objectives:

Adopt development standards for parking to ensure each type of land use provides a minimum number of spaces as a condition of its permit.

Seize opportunities to turn suitable vacant lots downtown for conversion to parking spaces.

To encourage improved accesses for the development of vacant lands, the ease of snow removal, and the convenience of landowners, as well as to provide improved access for police and fire crews or other emergency situations.

Transportation Policies:

All new roads shall conform to minimum standards adopted by Council. ~~and all new road development shall conform to those standards.~~

Future access points (as designated on Future Land Use Maps) shall be kept free of development in order to provide access for future backland development. ~~until such time that engineering advice on road construction is obtained.~~

~~Dead-end roads shall be discouraged; alternatively, provision should be made for cul de sacs, turnarounds, or the interconnection of streets. All building lots must have streetline frontage on a public road.~~

~~Backlot development is discouraged where the property owner cannot obtain direct frontage onto a road.~~

Route 430 shall have limited access and shall be subject to provincial Protected Road Zoning Regulations (Department of Municipal and Provincial Affairs, Development Control Unit of the Urban and Rural Planning Division). No access shall be made without prior approval from the Department of Works, Services and Transportation.

The main road linking the highway to Port au Choix functions as an arterial road to carry traffic through the Town. In order to permit a free flow of traffic, access to a road shall be by a public street or from a private access. Future expansion of the Industrial-Commercial area shall be off a service road which can utilize the potential of backland development without restricting traffic on the main road.

Main Street, which runs from the Marine Service Centre through the downtown and around to the high school, functions as a collector road. Adequate clearance shall be maintained by the way of parking regulations and snow removal to ensure ~~1) emergency traffic to the hospital is not jeopardized, and 2) the downtown is safer and accessible to pedestrians and vehicular traffic users.~~

All other roads are local roads. Direct access is permitted on local roads such as Subdivision Road, Central Avenue, Seaview Avenue, Hillside Avenue, Church Avenue and Saunders Avenue.

3.2.8 Public Works and Utilities

Background

Careful planning in the design and construction stages of public works and utilities is crucial to efficiently manage the financial resources of the Town and to protect the public's health and safety. Among the works proposed over the ten-year plan period are road improvements and extensions, upgrading the water distribution system, and the feasibility study for sewer installations.

Public Works and Utilities Goal:

To forecast the number and kinds of public works required in the Planning Area over the next ten years so Council may prepare strategies for its long-term budgets.

Objectives:

To pursue cost-sharing programs offered by the Provincial Government for financial assistance of firefighting equipment, local improvements and other necessary public works.

To minimize development costs of public works that are deemed unnecessary or untimely to the better implementation of the Plan, and hence, maximize the use of existing municipal services and infrastructure.

Public Works and Utilities Policies:

New public works and utilities shall follow the program for development to encourage an economical and logical sequence for growth.

Municipal Services shall be constructed and installed as financial resources permit and in accordance with the forecast of the Capital Works programme.

Upon the development of the Comprehensive Development Area and other expanding land use areas, Council will assist and cooperate with Newfoundland Hydro authorities in order that adequate provisions are made for electrical service, transmission rights-of-way and terminal station locations.

Public work projects such as the extension of water mains will only take place where there is a strong demand for services and when substantial development is predicted in order to recover capital costs as soon as possible.

Council shall pursue financial support from other agencies, where applicable, to assist in necessary projects that overburden Council's budget. Such activity may be directed, for example, to the provincial/municipal cost-sharing programmes, for firefighting equipment or road paving and reconstruction.

3.3 Specific Provisions

Specific provisions are expressions of Council's intention with respect to a particular component of the Plan. For the Port Saunders Municipal Plan, specific provisions are made for the Comprehensive Development Area (CDA).

Comprehensive Development Areas

The infilling of residential uses in existing areas of the community is a logical way to satisfy housing needs. Most services such as water, road access, snow removal, and garbage collection have been incorporated into Council's budget. However, to meet the housing land requirements over a ten-year period, the Plan looks to provide an additional source of suitable land for residential development. This long-term planning permits the preservation of large tracts of undeveloped land. With this landholding, ad hoc expansion of the community would seriously jeopardize and prejudice the potential of the area.

To complement infilling, the Plan designates an area for residential development. Referred to as a CDA, the Comprehensive Development Area calls for efficient and orderly subdivision design.

The CDA is the continuation of most recent residential expansion in Port Saunders. The 6" waterline is suitable sized to extend services to the area. Council will consider opportunities to maximize the use of the entire triangular shape of the property through an efficient design in the road construction. The provision for a turnaround in the road or alternative rear access onto the arterial road will be required.

The opportunities for large-scale comprehensive development elsewhere in Town are limited without bearing substantial development costs. Much of the Town is serviced by 2" and 4" waterlines, prejudicing further extension. The extensive watershed area in the north and the rugged topography in the west pose further restraints. These conditions stress the importance of comprehensive development in the CDA.

Council will abandon previous proposals for land development to the west of the existing residential areas on Two tree Hills. At the time of study, the existing 2" waterline and the lack of a sewerage system rendered the costs per lot too high for viable development.

Comprehensive Development Area Policies:

Large tracts of land suitable for residential development shall be designated as Comprehensive Development Areas (CDAs).

In order to ensure orderly and efficient development of reserved land, development approval shall not be given in a CDA until such time as a Comprehensive Plan has been prepared, and an amendment to this Municipal Plan to change the designation of the area to Residential has been adopted and approved.

A Plan of Subdivision prepared under the provisions of the Development Regulations, together with the appropriate conditions and agreements, shall be considered comprehensive development. The CDA plan shall outline the subdivision of land, the reservations for access, the road network, method of servicing, landscaping or buffering, and other provisions deemed necessary for its proper design and function.

CDA B will require a water and sewer feasibility study and the preparation of a comprehensive plan before it can be considered for development.

4. IMPLEMENTATION

The Port Saunders Municipal Plan contains proposals for general development within the Municipal Planning Area. Its successful implementation depends on Council's application of Land Use Zoning and Subdivision Regulations and its ability to carry out the public works prescribed in the Plan.

4.1 Programme of Development

Development in the community will be primarily residential and local commercial. Much of the vacant residential land in the main part of the community is privately owned, where it is difficult to predict when and where such development will occur. Backlot development will be discouraged unless Council is guaranteed safe passageway to and from the development. No development will occur in the CDA until final subdivision plans and feasibility studies are completed for road construction and servicing.

Public work projects such as the extension of watermains will only take place where there is a strong demand for services and when substantial development in the area is predicted to recover capital costs as soon as possible. Council supports the installations of sewer systems in the older commercial areas as a priority capital works project.

In order to provide for adaptation of the Plan policies to unforeseen or changing circumstances, Council may amend the Plan subject to procedures set out in section 27 of the Urban and Rural Planning Act. The plan shall also be reviewed on a comprehensive basis five years after its approval.

4.2 Public Works

The public works necessary to carry out the stated objectives of the Plan will greatly depend on the financial capability of Council. The construction of parking spaces downtown may be partially financed by the accumulation of surcharges on development permits. The cost of direct services to land or property may be recovered from developers or through a local improvement assessment paid by property owners.

Council is advised to formulate a Program of Financial Planning for road construction and other capital works. This would involve a capital expenditure forecast covering a five-year period, indicating a proposed program of public works, their order of priority, the estimated capital costs and the method of financing. Funding for special projects may be also pursued through various government programs offering financial assistance and cost-sharing. The following is list of Capital Works Projects to be considered in the Planning Area over the ten-year plan period which would be incorporated into Council's budgeting strategy.

Water and Sewer Services:

Completion of the water and sewer system.

Subdivision Development:

Extension of services to the CDA.

Road Construction:

Local upgrading (paving and patching)

Phased 'new road' construction (see Future Land Use Maps)

Fire Protection:

625 g.p.m. pumper fire truck (cost-shared 75% Provincial/25%

Municipal Firefighting Programme)

Local Improvement Projects

Ball Park/Playground

Parking Lot/Spaces downtown

Rehabilitation of gravel pit

4.3 Administration

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 programmes 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 programmes which it contains.

Development Regulations

The direction and control of orderly land use is an important feature of the community's planning programme. 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 develop fully a scheme for the control of the use of land in strict conformity with the Municipal Plan and any further plans or development scheme. These must include land use zoning regulations, subdivision regulations, and such other regulations in compliance with the requirements of Part II of the Act as the Council may deem necessary to control the use and development of land in accordance with the Plan.

Essentially, zoning is a means of ensuring that the future land uses are in strict 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. It directs new growth into suitable areas and protects property by requiring that development afford adequate light, air, 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.

The implementing Land Use Zoning, Subdivision and Advertisement Regulations (Development 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 planning 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.

subdivision³ 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 outline permission, sometimes called approval in principle, to enable a developer to test a proposal without having to go to the expense of preparing detailed plans. An outline application will require only a location plan and a brief description of the proposal sufficient for the Council to make a proper proposal, outline permission may be given subject to the submission and approval of detailed plans of development and any other conditions that appear necessary. An outline application will be processed and considered just like any other application.

The Council may approve an application for a development or subdivision, approve it with conditions, or refuse it. Each application must be evaluated in light of the policies and intent of the Plan and implementing Land Use Zoning and Subdivision (Development) Regulations. Any person who is dissatisfied with the decision of Council may appeal to the appropriate Appeal Board.

Development Control properly exercised will ensure not only growth in the community in terms of land use but will enhance safety and convenience for the residents of the City.

³ "Subdivision" means the dividing of any land whether in single or joint ownership into two or more pieces for the purpose of development