

TOWN OF SUMMERFORD MUNICIPAL PLAN

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

List of Municipal Plan Amendments

TOWN of SUMMERFORD
MUNICIPAL PLAN
1996 - 2006

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

NOVEMBER 1996

NOTICE of APPROVAL

I, Arthur D. Reid, Minister of Municipal and Provincial Affairs, under and by virtue of the power conferred by the Urban and Rural Planning Act, hereby approve the Summerford Municipal Plan, adopted by the Town Council of Summerford on the 16th day of APRIL, 1997.

Dated at St. John's this 8th day of JANUARY, 1997⁸



Arthur D. Reid, M.H.A
*Carbonear-Harbour Grace District
Minister of Municipal and Provincial Affairs*

NOTICE of ADOPTION

Resolved, pursuant to section 14 of the Urban and Rural Planning Act, that the Council of the Town of Summerford 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: Bruce Bowers

Seconded by: Calvin Barnes

SEAL and SIGNATURE

*Signed and sealed pursuant to section 15 of the Urban and Rural Planning Act this
26th day of September 1997.*

P. Joyta G. Allen
Mayor

SEAL

CLERK'S CERTIFICATE

*Certified that the attached Municipal Plan is a correct copy of the Municipal Plan
adopted by the Town of Summerford on the 16 day of April , 1997.*

Jacky Austin
Clerk

1.0 INTRODUCTION

1.1 FOREWORD

The Summerford Municipal Plan is comprised of a series of policy statements about future land use in the community based on information compiled in the Background Report. The Plan outlines the goals, objectives and policies of Council regarding the development of the Municipal Planning Area over the next ten years. The policies are statements by the Town regarding how it intends to guide and regulate development. Future Land Use Maps at the back of the report show the locations of the various categories of land use. Any development to take place within the planning area from the date upon which this Plan has been approved by the Minister of Municipal and Provincial Affairs must comply with applicable policies of the Plan.

The following brief summary of Municipal Planning Legislation and procedures is intended to assist Council in understanding and using its Plan. Details are contained in the *Urban and Rural Planning Act*.

1.1.1 Planning in Newfoundland and Labrador

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 needs, public services, social services, and other relevant factors. These studies and surveys are included in The Background Report.

The Plan describes the goals, objectives and policies of Council regarding the development of the Municipal Planning Area for the next ten years. The Municipal Plan is a formal statement of policy on land use, a device to facilitate communication between Council and community members, and a framework for decision-making. The Summerford Municipal Plan consists of two parts: the written texts in which the goals, objectives and policies are set out and the Future Land Use Maps which illustrate 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 the Council and signed by the mayor. Council must then give notice of a public hearing on the Municipal Plan, and its intention to seek the approval of the Minister of Municipal and Provincial Affairs by publishing a notice to that effect in the Newfoundland Gazette, and in the newspaper circulating in the community. At the 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 evidence taken at the 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 of the adopting resolution and of all written objections and representations considered at the Hearing. On receipt of this material, the Minister may approve the Municipal Plan, with or without modification, or may disapprove it and order that a new Municipal Plan be prepared. Upon approval, the Minister will endorse a copy of the Plan and return it to 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.

Development Scheme may enable the municipality to acquire, assemble, consolidate, subdivide and sell or lease land and/or buildings which are necessary to carry out provisions of the Municipal 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 agreements with owners of the land as will permit its acquisition and use for those purposes. Council may also specify the manner in which any particular area of land is to be used, subdivided or developed, and may regulate the construction of buildings which would interfere with 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 SUMMARY AND CONCLUSIONS OF BACKGROUND STUDIES

According to the census data, the 1991 population of Summerford was 1157 persons, which was a slight decline from the 1986 population of 1,169. The population grew from 1,099 in 1976 to 1,198 in 1981, after which a slight decline in population occurred. The population fluctuations over the course of the past two decades are likely a result of changes in the economic climate. The population can be expected to stabilize or continue to decline because of the poor economic predictions for the fishery and the forest sector.

Housing requirements are a direct result of the population and family size in a location. Because of a provincial trend toward smaller family size, the number of housing units needed may increase even if the population stays at present levels. According to the 1991 census data there are currently 334 dwellings in the Town of Summerford. Depending on land availability and economic conditions, areas for approximately 50 building lots for future housing sites need to be identified over the next 10 years.

The Effect and Variation of the Municipal Plan

When a 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.

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

Municipal Plan Administration

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*, otherwise known as Development Regulations. The Regulations are prepared at the same time the Municipal Plan is drafted, and are based on Standard Provincial Regulations prepared by the Provincial Planning Office.

The day to day administration of the Municipal Plan, and subsequent Development Regulations, is implemented by staff authorized by 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.

Development Schemes

At any time after the adoption of the Municipal Plan, the Council can prepare and adopt Development Schemes under Sections 30 and 31 of *the Urban and Rural Planning Act* for the purpose of carrying out specific proposals described in the Municipal Plan. A

The chief potential for future local employment stems from improvement and/or expansion of recreation and tourism facilities, from preserving and promoting the colourful history of the area, and by encouraging small businesses. The promotion and development of tourism provides the possibility for growth and greater stability of the local economy, along with incentives to preserve and protect existing natural resources. As well, there is the potential for the expansion of agricultural undertakings in the area. Finally, the provision of a variety of opportunities for local employment by means of encouraging small businesses should be given serious consideration.

2.2 PLANNING GOALS

The following goals set out in broad terms the general intent of the Summerford Municipal Plan. They represent a framework for the long and short term development of the Municipal Planning Area, upon which the Plan's policies will be based. A goal is a desired state which reflects the long-range purposes of Council. An objective is a short-range step towards achieving the goal.

2.2.1 Physical Layout and Character

- To preserve, protect and enhance the natural environment for its aesthetic, recreational and resource values.
- Encourage well planned, socially and environmentally sensitive development proposals.
- To create a more compact form of development within the Town.
- To establish areas and policies for different land uses which will contribute to wise use of land and promote economic development in the Town.

2.2.2 Housing

- To protect the amenity and integrity of residential areas.
- To provide an adequate quality, quantity and mix of housing.

2.3 POLICY STATEMENTS

The following policies express a course of action or intention adopted by Council, for the ten year time frame of this Municipal Plan. All development within the Summerford Planning Area shall be managed in accordance with the following general land use policies

2.0 MUNICIPAL PLAN

2.1 THE FUTURE COMMUNITY

The purpose of the Municipal Plan is to provide a guide for growth in the municipality and to control the type and form of development over a ten year period. The Plan, which establishes a systematic pattern for future growth and development to enhance the social, physical and economic well-being of residents, achieves this by dividing the Summerford Municipal Planning Area into groups of complementary land uses designations.

The Town of Summerford Municipal Plan attempts to guide development within these land use designations by separating activities that have conflicting requirements and functions. For example, commercial areas are located where businesses may benefit from transportation connections or conservation areas preserve significant natural features. It is not the intent of this Plan to segregate land uses for the sake of segregation but to prevent conflict between groups of activities while reserving land for its potential best use. Development is ultimately controlled for the good of the entire community and future generations.

The three main components of the Plan are goals, objectives and policies. Goals are an expression of Council's intent while objectives are specific measures towards achieving that intention. Policies are statements expressing a course of action, usually with respect to a particular land use class. The policies are intended to promote a compact community while allowing for a wide variety of compatible land uses. The detailed standard and precise requirements necessary for the implementation of these policies are contained in the development regulations.

standards and requirements set out in the regulations prepared to implement this plan, in order to safeguard and improve the road system of the community, and to provide easy access for fire protection and municipal services. New development, shall, wherever possible, contribute to reducing existing dead-end roads.

(4) Policy: The boundaries between types of land use portrayed on the Future Land Use maps are general only and, except in the case of roads or other physical barriers, are not intended to define exact limits. Therefore, minor adjustments may be made to these boundaries for the purpose of implementing the Plan.

(5) Policy: Nothing in the Plan shall affect the continuation of a use which was legally established on the day that this Plan was approved by the Minister of Municipal and Provincial Affairs. Where a building or use exists which does not comply with the intent of the Plan and the designated use, then it shall not be substantially expanded. Minor extensions may be approved provided there will be no adverse effects on surrounding properties or the environment.

(6) Policy: Compact development shall be encouraged in order to minimize the cost of services such as snow removal. This encouragement could take the form of favourable zoning and the issuance of development permits for compact developments in locations in keeping with this plan.

B. Objective: To ensure that natural areas such as drainage courses, shorelines, and steep slopes are protected from development.

(1) Policy: There are areas of land within the planning area which are considered to be environmentally and hydrologically sensitive. These areas can be grouped into natural drainage routes, flood plains, areas of steep terrain and unstable slopes, wetland, shoreline frontage and coastal areas. These areas need to be protected and reserved in the interest of public safety and well being.

and designations. The Future Land Use Maps (in the Appendix) establish the pattern of development in conjunction with the land use policies.

2.3.1 General Development

The following policies are general in scope and can be applied to all development within the Planning Area. In specific circumstances they may apply to different sections of the municipality.

A. Objective: To provide a framework for development.

(1) Policy: To provide sufficient areas for development and redevelopment that meet the future needs of the community, the following land use areas are established in the Plan and designated on Future Land Use Maps in the Appendix.

Residential
Mixed Development
Commercial
Open Space
Protected Watershed
Seasonal Dwelling
Rural

(2) Policy: No development shall be carried out within the Planning Area, except in accordance with this Plan and the accompanying zoning and subdivision regulations, unless a permit for the development has been issued by the Council.

(3) Policy: All development must have proper road access. Building setbacks from public roads shall be provided in accordance with the zoning and subdivision regulations. New development and redevelopment shall meet certain site design

C. Objective: To prevent land use conflict between urban development and intrusive rural land uses.

(1) **Policy:** Urban development shall not be permitted to encroach on quarry operations. Council shall enforce a separation between urban development, especially housing, and extraction operations.

(2) **Policy:** In order to avoid any possible land use conflict, a 1.6 km. buffer zone around the existing waste disposal site shall be established, and incompatible development shall not be permitted in this buffer zone.

D. Objective: To expedite the free flow of traffic along Route 340.

(1) **Policy:** Council shall refer application for development in the Building Control Lines of Route 340 to the Department of Government Services and Lands for approval.

(2) **Policy:** Access to Route 340 shall be controlled so to reduce potential hazards and expedite the free flow of traffic.

2.3.2 Residential

Housing is the major land use in Summerford, and will remain so during the plan period. Most residential development is single detached, and stretches for several kilometres along the coastal road. The need for new building sites during the time period covered by the plan will be primarily for housing at an estimated maximum of 5 dwellings per year over the next ten years.

The housing in Summerford is scattered over a large area, with most residences located on larger lots. Some non-residential uses are scattered amongst the homes, especially churches

and graveyards. Backlot development can be found in several locations. Considerable vacant, developable land suitable for infilling exists throughout the town, but its availability is limited by ownership considerations and the provision of adequate servicing. The Municipal Plan should allocate land for further residential development by taking stock of developed land suitable for infilling or conversion for residential use, and of currently undeveloped serviceable land. Whenever possible Council encourages compact development accessible to existing water and sewer.

The following objectives and policies are designed to ensure that adequate serviceable land is reserved to meet future housing needs.

A. Objective: An adequate supply of housing sites to meet community needs.

(1) **Policy:** The Future Land Use map in the appendix designates land for residential use during the plan period.

B. Objective: To provide for the health and safety of residents and visitors.

(1) **Policy:** An adequate level of all community services and facilities is to be provided at each stage of community development, including police and fire protection, public health facilities, a water supply and distribution facility, sanitary sewerage, roads and pedestrian ways, schools, parks and garbage disposal.

C. Objective: To create a good residential environment for established housing areas and new residential locations.

(1) **Policy:** Residential areas shown on the Future Land Use Map shall be comprised of predominantly single, detached dwellings. Council may consider other types of housing, including mobile homes, on a scale and at a concentration which preserves

the low density character of the residential areas. In all unserviced residential infill areas, housing shall be limited to single detached dwellings and mobile homes.

(2) **Policy:** Development shall be sited and carried out in a manner that provides for proper site drainage, avoids erosion at levels below the site, and does not contribute to pollution of existing, low lying wet areas and bogs.

(3) **Policy:** Most new residential development shall front onto an existing public road or be part of a new residential subdivision with roads built to Council standards. However, development of single dwellings or mobile homes on lots without road frontage may be permitted. Adequate levels of public safety must be assured. Such development must not pose a hazard to adjacent dwellings or impede the development of adjacent land. Council shall ensure that the driveway, constructed and maintained by the users, is adequate to provide safe access.

(4) **Policy:** If there is potential for subdivision development, Council shall require a road reservation to be maintained. In such cases, Council shall satisfy itself that the backlot and road reservation are situated to allow for future development.

D. Objective: A promote a compact form of development which minimizes cost of providing municipal services.

(1) **Policy:** Infilling of vacant lots and land shall be promoted in areas where Council provides water and sewer services.

(2) **Policy:** In the Residential designation, lot sizes for unserviced development shall be scaled to meet provincial requirements for interim, on-site water supply and/or on-site sewage disposal. Where town water and sewer lines are available within 150 metres of a lot, the dwelling shall be connected to the service lines and lot size shall be reduced according to the specifications for serviced development.

(3) **Policy:** Where the land is suitable for a comprehensively planned subdivision, no development shall proceed until a plan of subdivision has been prepared that complies with the Plan and implementing Regulations and unless required public services, such as water and sewer, roads and telephone and electric utilities, are predetermined and provided at the expense of the developer.

E. Objective: To minimize any potential conflict of non-residential land uses in residential neighbourhoods.

(1) **Policy:** Small home businesses may be permitted in conjunction with a dwelling provided adjacent residents are not affected because of nuisance factors such as noise, odour, dust or fumes. Council may require the home business to provide a buffer. Council shall require adequate off-street parking for both the dwelling and the home business.

(2) **Policy:** At the discretion of Council, uses providing services or amenity to residents of a neighbourhood may be permitted. Examples of such uses include convenience stores, child care, playgrounds, schools, places of worship, and other public uses. Council shall consider the compatibility of these uses with the surrounding residential area and their potential impact on adjacent dwellings. Council may require these uses to provide screening or a buffer.

(3) **Policy:** Fishing and marine related uses, such as wharves and fishing sheds may be permitted along the shoreline.

2.3.3 Mixed Development

In order to optimize utilization of the community land base and to maintain a viable combination of compatible land uses, areas of existing mixed land uses may permit some

types of commercial or public uses in conjunction with the established focus of residential use.

A. Objective: To provide for the continuation of the traditional mix of residential, commercial, and public buildings in the central part of town and along Route 340.

(1) Policy: Residential uses shall be the predominant land use. Commercial, light industrial, public and recreational uses may be accommodated where not in conflict with residential uses. Council shall require adequate off-street parking for each development.

(2) Policy: To encourage infilling between existing development.

B. Objective: To preserve the amenity of residential uses.

(1) Policy: Adverse effects of any proposed development on the adjacent existing residential uses shall be prevented or minimized through proper site planning and buffering.

(2) Policy: All development shall have adequate frontage on a publicly maintained road, incorporate necessary off-street parking and loading facilities, and be serviced with municipal water where available.

(3) Policy: Where a business or public uses abuts a dwelling, Council may require a buffer, in the form of tree planting or fencing, to protect the amenity of the residential use.

2.3.4 Commercial

A number of local businesses of various sizes have been established in Summerford. These range from convenience stores and a bank to various service establishments, along with a

few home-based businesses. Sites for a modest expansion of convenience shopping and personal service uses could be required during the plan period.

A. Objective: To provide an adequate number of convenient sites for locally oriented commercial, service and office activities.

(1) **Policy:** Land designated as Commercial shall be reserved primarily for retail, personal service, business and general assembly uses. Service stations and light industrial uses may be appropriate on sites where they will not cause a nuisance to surrounding existing or planned uses.

(2) **Policy:** All new commercial facilities shall provide adequate off-street parking and loading space in accordance with the standards established by Council.

B. Objective: To preserve the amenity of residential uses which may be affected by commercial or other non-residential uses.

(1) **Policy:** Where a business abuts a residential dwelling, Council may require a buffer, in the form of tree planting or fencing, to protect the amenity of the residential use.

2.3.5 Open Space

The Open Space designation is intended to protect environmentally sensitive and/or scenic areas, and to provide active recreational opportunities. The Town of Summerford favours the preservation and protection of areas of scenic attraction and areas of natural beauty for the benefit of the community.

A. Objective: To preserve environmental areas and provide recreation facilities.

(1) **Policy:** No development shall be permitted in the Open Space designation except for passive and active recreation facilities. Passive recreation, such as hiking and ski trails shall be permitted. Other permitted uses shall include indoor and outdoor recreation facilities. Uses accessory to the recreational facilities may be permitted at Council's discretion.

(2) **Policy:** Areas designated Open Space because they are environmental sensitive or provide scenic amenity shall be retained in their natural state, except where planting of trees, control of erosion and similar preservation measures are required, and shall be protected from pollution or abusive activities.

B. Objective: To provide for the present and future recreation needs of the community

(1) **Policy:** Parks and children's playgrounds serving nearby residents should be developed in residential areas.

(2) **Policy:** Additional recreational facilities will be provided in areas where they are needed and when the Town's financial resources permit, with an emphasis on accessibility to the older age groups.

2.3.6 Protected Watershed

The Town of Summerford obtains a portion of its municipal water supply from Rushy Cove Pond, which has been designated as a protected watershed by the Department of Environment and Labour. The watershed of Rushy Cove Pond extends over the Summerford/Cottlesville municipal boundary.

As a source of domestic water for Summerford and Cottlesville, the portion of the Rushy Cove Pond watershed lying in Summerford is designated Protected Watershed. The intent of Plan policy is to protect the quality and quantity of the domestic water supply.

A. Objective: To protect the quality of the domestic water supply.

(1) **Policy:** Permitted development in the Protected Watershed designation shall be limited to land use activities and structures related to the provision of municipal water.

(2) **Policy:** No land or water based activities may be permitted without the written approval of the Minister of Environment and Labour.

2.3.7 Seasonal Dwellings

There are several cottages located along the shore of Dildo Run. The Seasonal Dwelling designation will allow additional cottage development in this area.

A. Objective: To permit cottage development.

(1) **Policy:** Cottages not intended for year-round occupancy shall be permitted.

(2) **Policy:** Council shall not provide any municipal services or infrastructure to development in the Seasonal Dwelling designation.

2.3.8 Rural

The Rural designation includes the portion of the planning area not identified for urban use or open space. Natural resources such as aggregate, forest, and undeveloped land have a significant economic and recreational value and are important community resources.

industrial uses associated with quarrying and aggregate extraction may be permitted provided such uses do not negatively impact on surrounding land uses because of noise, dust, vibration or traffic. Council may require a physical or visual buffer.

(2) Policy: A pit cannot locate within 300 metres of urban development. A bedrock quarry must be separated from urban development by 1000 metres. Any development within these separation buffers must be referred to the Department of Mines and Energy.

C. Objective: To protect and enhance the environment of the community's hinterland.

(1) Policy: Development in proximity to any watercourse shall be subject to the requirements of the Department of Environment and Labour.

(2) Policy: Plans for any activities that have the potential to affect fish habitat should be forwarded to Fisheries and Oceans Canada for review.

(3) Policy: The Authority may attach conditions to development approval for any permitted Rural use, where appropriate.

A. Objective: To protect natural resources from development that may adversely affect their future utilization.

(1) **Policy:** The uses permitted in rural areas include resource based uses such as forestry and agriculture, fishing and marine uses, mineral exploration and recreation. At Council's discretion, cemeteries, rural industry, service stations, quarrying, and scrap yards and solid waste disposal sites may be permitted. Council may also permit commercial recreation uses such as RV parks, resorts or golf courses in the Rural designation.

(2) **Policy:** The location and operation of rural resource uses, especially quarrying and rural industry, shall be considered in relation to residential development. A separation buffer is required between urban development and a quarry. Any development proposals within this buffer shall be referred to the Department of Mines and Energy. Extraction operations and rural industrial uses may be required to maintain or create a visual buffer as prescribed by Council.

(3) **Policy:** Agriculture and forestry operations shall conform to the regulations and guidelines of the Department of Forestry Resources and Agrifood and any regulations and conditions prescribed by Council.

(4) **Policy:** Residential development shall not be permitted in the Rural designation unless needed for the continual on-site supervision of a permitted and established operation, and then only at the discretion of Council.

B. Objective: To ensure the optimum utilization of the aggregate reserve areas.

(1) **Policy:** Additional controls shall apply to identified aggregate reserve areas by zoning them Mineral Workings in the implementing regulations. These areas shall be reserved for activities associated with aggregate extraction. High intensity

3.0 IMPLEMENTATION

The Summerford Municipal Plan provides the basis from which all development within the Planning Area will be controlled and monitored. The Municipal Plan must be implemented by means of the regulatory powers conferred upon Council by section 36 of the *Urban and Rural Planning Act* and other such statutes, enabling legislation and programs as are applicable. Council will implement the Municipal Plan by establishing and adopting a set of Land Use Zoning, Subdivision and Advertisement Regulations. 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.

The preparation, adoption and approval of this Municipal Plan represents only a part of the planning process. The Plan is not an end in itself and does not have any purpose without being implemented. Furthermore, the Plan cannot implement itself and can be functional and effective only through Council's actions and efforts to carry it out.

In order to implement this Plan, Council must take the necessary action, as required by the Urban and Rural Planning act and outlined below:

- i) Prepare, adopt and request the Minister of Municipal and Provincial Affairs to approve Development Regulations.
- ii) Control future development by enforcing the Development Regulations and the policies of this Plan.
- iii) Undertake a municipal program of water servicing geared to the availability of community resources and financial assistance from the higher levels of government.
- iv) Prepare and adopt development schemes for any area when and if the need for their development arises.

- v) Make necessary amendments on the Plan when conditions of the community change, and undertake a review of the Plan every five years.

3.1 ADMINISTRATION AND DEVELOPMENT REGULATIONS

For the purpose of administering the Plan, Council will proceed to establish and adopt Land Use Zoning, Subdivision and Advertisement Regulations pursuant to Section 37 of the Urban and Rural Planning Act. The Development Regulations will be drawn up in strict conformity with the objectives and policies of the Plan, and will contain general land use regulations designed to control the use of all land within the Planning Area. These regulations also constitute the legal device for implementing the Plan.

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

- i) The powers of Council, including rules and administrative procedures governing Council's consideration of, and decision on, planning applications.
- ii) Rules and administrative procedures for appeal boards.
- iii) General development standards for all zones.
- iv) Regulations governing advertisements.
- v) Regulations governing the subdivision of land, covering but not limited to, subjects such as services to be provided, building lines, public open space, and design standards.
- vi) Definitions of key words and phrases to be used in the interpretation of the Regulations.
- vii) Classification of land and building uses to be used, in a Use Zone Table.
- viii) Tables tailored specifically for each use zone, listing the permitted and discretionary uses and the standards and conditions for development in each specific zone.

- ix) Use Zone Maps dividing the Planning Area into zones corresponding with the use zone tables.

Zoning is essentially a means of ensuring that the future land uses and development are in conformity with the Municipal Plan, that they are properly situated in the community, and that they do not conflict with or adversely affect neighbouring uses. It attempts to provide adequate space for each type of development. It directs new growth into appropriate areas and protects existing 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 density in each area so that property can be effectively serviced by such public facilities as roads, schools, utilities, municipal and recreational facilities.

Subdivision regulations, on the other hand, govern the development of areas larger than individual building lots for residential or other purposes. They prescribe standards for street improvements, lot sizes and lot layouts, procedures for dedicating land for public purposes, and other necessary requirements.

Existing development which does not conform to the land use designations in this Plan may continue in this non-conforming use subject to limitations on enlargement. A non-conforming use may be changed to another use only if the new use is deemed more compatible with surrounding properties and the Plan policies.

3.2 DEVELOPMENT CONTROL

All persons, groups, or organizations wishing to develop land for any purpose shall apply to Council for permission on the prescribed form. Council shall examine the application on the basis of the Regulations, which reflect the policies and proposals of the Municipal Plan, and may approve the application, approve it with conditions, or refuse it. Any applicant who is dissatisfied with the decision of Council may appeal to the appropriate appeal board.

All applications to Council must include a sketch plan of the proposed development, indicating as accurately as possible the location of the development, the proposed use of the lands and the location of existing and proposed buildings or structures. Applications for development in areas under the control of other government departments as well as Council, shall be referred to the concerned agency for review.

3.3 CAPITAL WORKS PROGRAM

In compliance with the *Municipal Grants Act*, and in order to ensure that adequate funds are available at the appropriate time to implement each feature of the Municipal Plan, Council shall prepare and submit annually to the Department of Municipal and Provincial Affairs a five-year forecast of anticipated capital expenditure requirements.

The realization of many of the goals contained in the Summerford Municipal Plan is brought about through a definite allocation of development funds for the most important projects. Through the development of a project time frame and cost schedule, Council can allocate funds for these projects and remain within the financial capabilities of the community.

The Town's water and sewer servicing program and any future capital works beyond that must conform with applicable policies and land use designations of the municipal plan. Water and sewer projects must not contribute to sprawl, since that would conflict with the Plan's goal of promoting compact development. It should also be recognized that extensions of the water and sewerage systems required for new development, including residential subdivisions, are the responsibility of developers and not the municipal or provincial governments.

3.4 AMENDMENT AND REVIEW OF PLAN

Since conditions in the Town may change during the Plan period, Council may amend this Plan at any time by following the same procedures which brought the Plan into effect. Any such amendment shall be read together with and form part of this Plan.