

**Town of
Cormack
Municipal Plan Amendment
No. 1, 2010**

Prepared for the

**Town of
Cormack**

by

**CBCL Limited
September, 2010**

**Urban and Rural Planning Act
Resolution to Adopt
Town of Cormack
Municipal Plan Amendment
No. 1, 2010**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Cormack adopts Municipal Plan Amendment No. 1, 2010.

Adopted by the Town Council of Cormack on the 14 day of October, 2010.

Signed and sealed this 26 day of November, 2010.

Mayor:

Melvin Rideout
Naayt Neiud

Clerk:

Mary Bishop
Mary Bishop, F.C.I.P.

Canadian Institute of Planners Certification

I certify that the attached Municipal Plan have been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

Urban and Rural Planning Act

Resolution to Approve

Town of Cormack

Municipal Plan Amendment

No. 1, 2010

Under the authority of section 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Cormack

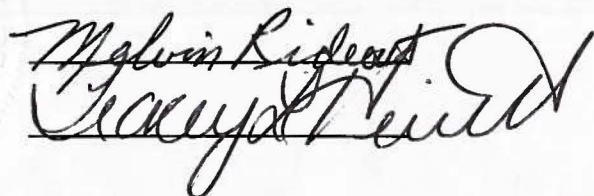
- a) Adopted the Cormack Municipal Plan Amendment No. 1 on the 14 day of October, 2010.
- b) Gave notice of the adoption of the Cormack Municipal Plan Amendment by advertisement inserted in the *Western Star* on the 23 day and the 30 day of October, 2010.
- c) Set the 18 day of November at 7:30 p.m. at the Town Hall, Cormack, for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Cormack approves the Cormack Municipal Plan Amendment No. 1, 2010, as adopted.

SIGNED AND SEALED this 26 day of November, 2010.

Mayor:

Clerk:



Municipal Plan/Amendment	
REGISTERED	
Number	<u>1195-2011-002</u>
Date	<u>March 1, 2011</u>
Signature	<u>Cormack</u>

Town of Cormack

Municipal Plan Amendment No. 1, 2010

Introduction

The Town of Cormack, incorporated in 1964, adopted a Municipal Plan and Development Regulations in 2007. The Town now wishes to amend the Municipal Plan and this report has been prepared to explain the proposed changes, and to serve as a basis for consideration by the general public before they are approved by Council and submitted to the Minister of Municipal and Provincial Affairs for registration.

Background

The Town has recently received applications for several uses that require the severance of a parcel of land from agricultural properties in the Rural Mixed Designation of the Municipal Plan. In some cases, the development proposal includes the re-use of an existing building on the agricultural property that is no longer required or used for agricultural purposes.

Current Plan policy does not permit severance of agricultural properties for any purpose other than a residential use. Council wishes to amend the Plan policy to provide for consideration of severances of agricultural properties for commercial and industrial uses under certain circumstances.

The proposed amendment will also add general industry as a use that may be considered in the Rural Mixed Use Land Use Designation in the Municipal Plan to correct an inconsistency that has been discovered between the Municipal Plan and the Discretionary uses listed in the Rural Mixed Land Use Zone in the Development Regulations.

A corresponding Development Regulations amendment will add provisions for severances of agricultural lands for commercial uses generally, and include additional commercial and residential uses as discretionary uses in the Rural Mixed Use Land Use Zone.

Amendment No. 1

1. Section 6.5 of the Municipal Plan - Rural Mixed Designation, STATES:

"6.5 Rural Mixed Designation

The Rural Mixed Designation extends north easterly along Veteran's Drive from Rocky Brook to each of the "community nodes" - the mixed use development and community centre areas - to a point on Veteran's Drive where the Crown Land Windbreak stops - approximately two kilometres north east of Spruce Avenue. This is a very attractive area with dwelling and businesses well set back from the road and screened by the trees of the wind break.

The primary use in this category is agriculture. Forestry is also permitted. Residential uses and certain types of public uses, public utilities, utilities (wind farms, etc.) and businesses can be allowed as either permitted or discretionary uses in this designation provided that these do not interfere with agricultural or forestry activity.

Any requests for development in the Rural Mixed designation shall be reviewed by the Departments of Government Services and Natural Resources. Other agencies shall be consulted as appropriate."

IS AMENDED (*with changes in italics*) TO STATE:

"6.5 Rural Mixed Designation

The Rural Mixed Designation extends north easterly along Veteran's Drive from Rocky Brook to each of the "community nodes" - the mixed use development and community centre areas - to a point on Veteran's Drive where the Crown Land Windbreak stops - approximately two kilometres north east of Spruce Avenue. This is a very attractive area with dwelling and businesses well set back from the road and screened by the trees of the wind break.

The primary use in this category is agriculture. Forestry is also permitted. Residential uses and certain types of public uses, public utilities, utilities (wind farms, etc.) businesses *and general industry* can be allowed as either permitted or discretionary uses in this designation provided that these do not interfere with agricultural or forestry activity.

The general policy is that regardless of the Plan designation, no development shall be allowed to impede the appropriate (Farm Practices Act) agricultural activities, and any permit for a commercial use shall contain a provision to the effect that the applicant acknowledges that she or he is operating a business in an agricultural area. Separation distances and other provisions that typically affect the location and type of agricultural activities in respect of commercial development, and commercial development in respect of agricultural activities, may not always apply.

Severance of land from a farm for a business can only be entertained if the severance does not prejudice the operation of the farm and is approved by the Agrifoods Division of the Department of Natural Resources along with the Town.

The area of land to be severed from a farm shall not exceed the minimum area required for the proposed use, including access, required yards, buildings and on-site well and septic system. Furthermore, a severance of land from a farm shall be limited to lands in the Rural Mixed Designation, and no portion of a severed parcel shall be located in the Agriculture land use designation.

Once the severance or subdivision has occurred, and this applies to lots previously created under the "Sons and Daughters" clause of the Land

Development Act or previous Plan policies, no further subdivision of such lots shall be allowed until such time as they are designated for commercial purposes.

Any requests for development in the Rural Mixed designation shall be reviewed by the Departments of Government Services and Natural Resources. Other agencies shall be consulted as appropriate."