

Planning & Permitting Information Sheet

Planning

Land use planning affects almost every aspect of life in the Municipality of the County of Cumberland. It helps decide where homes and factories should be built; where parks and schools should be located; where roads, sewers and other services should be provided; and whether something should be preserved or protected.

Land use planning means managing our land and resources. It helps each community to set goals about how and if it should grow and develop and to work out ways of reaching those goals while keeping important social, economic and environmental concerns in mind. It strives to balance the interests of individual property owners with the wider interests and objectives of the entire community.

Development Control

The purpose of development control is not to stop development or to make life difficult for developers or home builders. Instead, the main purpose is to ensure the orderly and rational development of land to create sustainable human settlements that accommodate a variety of land uses to meet the needs of the people who live in these settlements.

I am sure we can all think of examples of:

- inappropriate or poorly sited development which should not be located where it is; or
- projects/buildings that do not have the necessary facilities (car parking, sewage treatment plant) or infrastructure (access roads, drainage, water supply) to support it; or
- buildings that are structurally weak and are easily damaged during hurricanes, earthquakes or other disaster events; or

- development projects which have serious negative impacts on the country's sensitive environment, particularly its beaches/coastal areas.

The development control function seeks to manage and regulate property development to ensure that all development takes place at an appropriate time and place and in such a manner that it conforms to a pre-determined set of policies or standards, especially the Municipality's Land Use By-Law .

Zoning Confirmation

Upon written request, the Development Officer can provide a letter certifying the zoning and the requirements of the Land Use By-Law for parcel of land. Please check our Fees Policy for fees associated with this service.

Integrated Community Sustainability Plan (ICSP)

Using a holistic approach and the four pillars of sustainability (Environment, Economy, Society and Culture), this ICSP outlines and describes the sustainable planning issues and topics that were brought forth through public consultation; the sustainable development goals and actions that will work toward realizing a vision for the future of the Municipality; and infrastructure investment priorities – some of which are eligible expenditures for the gas tax revenue, and others which could potentially be implemented with funding from other sources.

Property Subdivision

See Forms & Applications for an Application for Subdivision Approval

Property subdivision is the division of an area of land into two or more parcels, and includes a re-subdivision or a consolidation of two or more parcels. Most subdivisions require the approval of a Development Officer.

Subdivision approval is not required for defacto consolidation. Two or more lots that are and have been in common ownership and used together since April 15, 1987, or earlier are deemed to be consolidated if the owner or the owner's agent registers a statutory declaration in the land registration office stating that the lots were in common ownership and used together on or before April 15, 1987, and have continued to be so owned and used.

Subdivision approval is also not required for a subdivision in the following circumstances:

- Where all lots to be created, including the remainder lot, exceed ten hectares in area;
- Resulting from an expropriation;
- Of a cemetery into burial lots;
- Resulting from the disposal of a street, trail, or abandoned railway right of way or part thereof, including consolidation with adjacent land;
- Resulting from the quieting of a title;
- Resulting from a devise of land by will be executed on or before January 1, 2000.

*Note this list is not comprehensive. Please consult your lawyer to determine if any of these or other exemption applies.

The Subdivision By-Law

The Subdivision By-Law (found in Policies & By-Laws) controls the subdivision of land in the municipality in accordance with the development policies of the Municipal Planning Strategy. It includes regulations dealing with lot size and shape, access, procedures for approval. As with development permits, the Development Officer has very little discretion in approving subdivision plans. An application must comply with the subdivision and Land Use By-Law; otherwise, the Development Officer must refuse to approve it.

Other Subdivision Regulations

- Subdivision Fees Policy: Sets the fees charged by the Municipality related to the application and approval of subdivisions.
- Public Roads Policy: Sets out the conditions and standards which must be met before the Municipality will accept ownership of any Municipal Public Road.
- Road & Street Standards Manual (Private Road Standards): Sets out the conditions and standards which must be met before the Municipality will approve a Private Road.

These regulations, along with the Subdivision By-Law, are found within the Consolidated Subdivision Regulations (see Policies & By-Laws).

Fee Schedule

Our fees are as listed in our Fees Policy, found in Policies & By-Laws.