

Town of Brigus Municipal Plan

2011-2021

Prepared for:
The Town of Brigus

Prepared by:
CBCL Limited



Date:
June 2012

Project #:
103037.00



Urban and Rural Planning Act

Resolution to Adopt

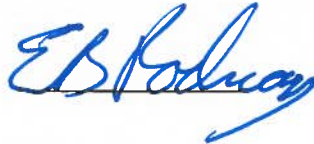
Town of Brigus Municipal Plan 2011 - 2021

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Brigus adopts the Brigus Municipal Plan 2011-2021.

Adopted by the Town Council of Brigus on the 4 day of September, 2012.

Signed and sealed this 14 day of September, 2012.

Mayor:

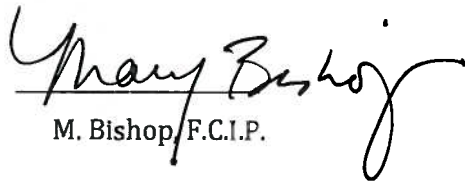


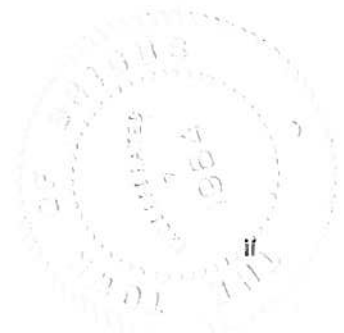
Clerk:



Canadian Institute of Planners Certification

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


M. Bishop/F.C.I.P.



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Urban and Rural Planning Act
Resolution to Approve
Town of Brigus
Municipal Plan
2011 - 2021

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

- a) adopted the Brigus Municipal Plan 2011-2021 on the 4 day of September, 2012.
- b) gave notice of the adoption of the Brigus Municipal Plan by advertisement inserted on the 17 day and the 24 day of September, 2012 in the Compass.
- c) set 4 day of October, 2012 at the Brigus Recreation Centre , Brigus, 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 Brigus approves the Brigus Municipal Plan 2011- 2021 with the following changes:

Section 7.3 and 7.4 of the Municipal Plan are revised to clarify the requirements for public consultation and for amending the Municipal Plan by replacing the word "and" with "or" at the end of the second last bullet of each section.

Correcting the Future Land Use Map to reflect the removal of the Cupids Pond Protected Watershed Boundary that is no longer a protected watersupply area. Lands designated Residential Mixed and Rural.

Reducing the area of lands designated Conservation around Frog Marsh Pond and designating them Historic Townscape;


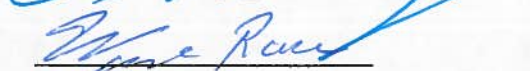
Reducing the area of lands designated Conservation along the Conception Bay Highway, Keatings Road, and Guys Lane and designating them Residential Mixed.


Changing the designation of lands north of Rattley Row to Residential Mixed to reflect the original designation from the 1994 Municipal Plan and Development Regulations.

SIGNED AND SEALED this 9 day of JULY

Mayor:

Clerk:

, 2013. Municipal Plan/Amendment	
REGISTERED	
Number	615-2013-001
Date	August 22, 2013
Signature	

Form 1041-ES (2011)

Department of the Treasury
Internal Revenue Service

OMB No. 1545-0047
Estimated Tax on Income of Estates

Use Form 1041-ES to calculate and pay estimated tax on income of estates (other than estates of decedents who died in 2010 or 2011) and trusts.

Form 1041-ES is for use by the estate or trust. It is not to be filed with the estate or trust's tax return. Form 1041-ES is used to calculate and pay estimated tax on income of estates (other than estates of decedents who died in 2010 or 2011) and trusts.

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REGISTRATION INFORMATION
Signature of preparer
Signature of taxpayer
Signature of agent

[Handwritten Signature]

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1 Introduction

1.1 Purpose & Planning Period

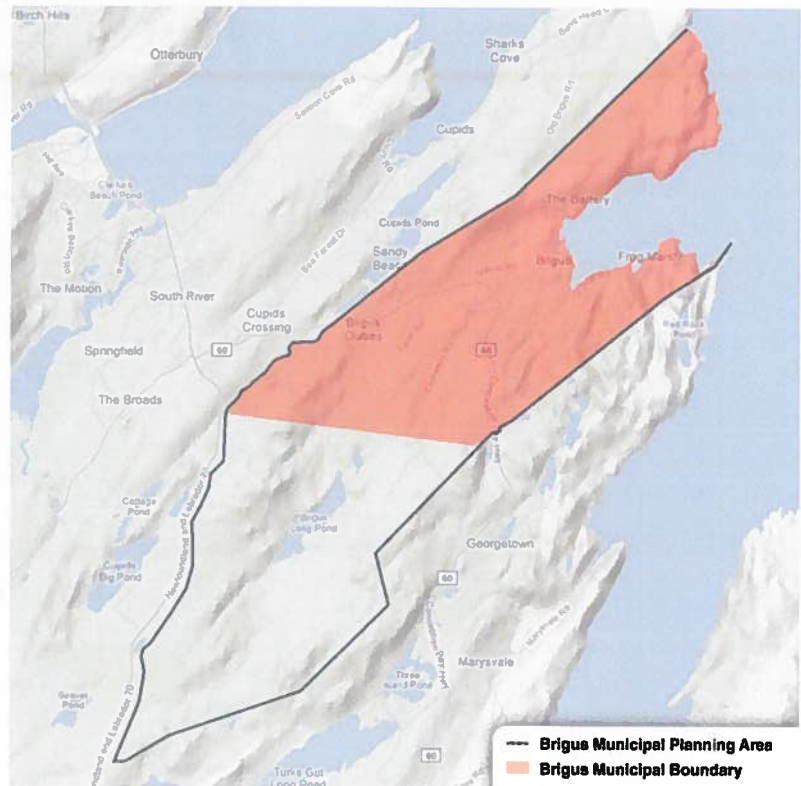
The Brigus Municipal Plan is Council's comprehensive policy document for the sustainable management of growth and development within the municipal planning area over the ten year planning period 2012 to 2022. The Plan repeals and replaces the Town of Brigus Municipal Plan 1993-2003.

The Plan sets out policies for the management of growth and development in the community. Through the Plan, Council aims to protect the historic character and built form of Brigus' townscape, promote the health and safety of residents, support the local economy and protect the environment through the efficient utilization of land, water and other resources.

The Municipal Plan sets the vision, goals and objectives for community development and includes written policies and the Future Land Use Map. Development Regulations implement Town policies through specific requirements that ensure land is controlled and managed in accordance with the Plan.

1.2 Planning Area

The map on the right shows the Municipal Planning Area for the Town of Brigus. The Planning Area is governed by Town Council, which exercises control over all development, watersheds and amenities of the municipality. The Planning Area for Brigus extends beyond the political/taxed Municipal Boundary to include and protect the Town's drinking water supply and adjacent rural areas.



Source: Dept. of Municipal Affairs, 2011
Base map: Google, 2011



1.3 Plan Preparation & Public Consultation Process

The current Brigus Municipal Plan and Development Regulations were prepared by the Urban and Rural Planning Division, Department of Municipal and Provincial Affairs, and approved in 1994. This Municipal Plan reflects a review of the 1994 Plan, subsequent amendments and other relevant planning documents.

The figure on the right outlines the process to establish the Brigus Municipal Plan in accordance with the *Urban and Rural Planning Act, 2000*. Relevant planning issues have been reviewed including a review of current land use, demographic and economic data. The Municipal Plan takes into consideration, and incorporates where appropriate, the recommendations set out in the integrated Community Sustainability Plan (2010) as well as older studies such as the Brigus Development Study (1990), Townscape Conservation and Community Development Program (1986) and the Townscape Study (1971).

The consultation process also included contact with various government agencies and other relevant organizations. The residents of Brigus were also consulted and given the opportunity to provide feedback throughout the Plan review process. On March 8, 2011, a public meeting was held at the Brigus Recreation Centre. Printed invitations were distributed to residents that included information about the Municipal Plan review process, and the event was advertised in the Telegram newspaper. Following the meeting, residents had the opportunity to provide further input by email and phone.

The Planning Process



Research & Analysis

Assessment of current planning contexts, uses and interests, review of past townscape and development studies, and assembly of GIS mapping data.



Consultation

Consultation with residents, Council, provincial agencies, local organizations, and other stakeholders.



Draft Plan & Map

Town vision, goals and objectives, plan policies and mapping prepared for the updated Brigus Municipal Plan.

Development Regulations prepared to implement plan policies.



Plan Review

Department of Municipal Affairs reviews Plan for conformity with Provincial policy and law.

Council considers draft Plan, adopts Plan, and appoints a Commissioner to hold a public hearing.



Municipal Plan Approved

Council considers Commissioner's report, approves Plan, submits Plan to Municipal Affairs for registration, and publishes Notice of Approval in the Newfoundland Gazette.



1.4 Approval Process

When the Municipal Plan is formally adopted by resolution of Council under Section 16 (1) of the *Urban and Rural Planning Act, 2000*, Council gives notice of a public hearing on the Municipal Plan. At the public hearing the Commissioner appointed by the Council will hear objections and representations, and will then write a report to Council together with copies of all submissions taken at the hearing.

After the Commissioner's report has been submitted, Council considers the recommendations and may approve the Plan, or approve it with changes recommended by the Commissioner. Council then submits the Municipal Plan and accompanying Development Regulations to the Minister of Municipal Affairs to be registered in a planning registry established in the Department. The Plan comes into effect on the date notice of its registration is published in the Newfoundland & Labrador Gazette (Section 24(3)).

1.5 Effect

When the Municipal Plan comes into effect it is binding upon Council and upon all other persons, corporations and organizations.

1.6 Implementing the Plan

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 Development Regulations. These "Development Regulations" are prepared and approved 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.

Day-to-day administration of the Municipal Plan and Development Regulations will be conducted by staff members authorized by Council, who will issue permits for developments approved by Council. Staff will also make recommendations to Council on matters pertaining to development in accordance with the Municipal Plan and enforce the regulations.

Details about the Implementation of the Plan can be found in Section 7: Implementation.

1.7 Reviewing and Amending the Plan

Under the *Urban and Rural Planning Act, 2000* Council must review the Plan every five years from the date on which it comes into effect, and if necessary, revise it to reflect changes in the community that can be foreseen during the next 10-year period. The Plan may be amended as necessary prior to the five-year review in response to new development proposals, changed policies, or community priorities. Such amendments must follow the process outlined in Sections 14 to 24 of the *Urban and Rural Planning Act, 2000*.



1.8 Interpretation

In this Municipal Plan:

"Council" shall mean the Council of the Town of Brigus.

"Development Regulations" shall mean the Brigus Land Use Zoning, Subdivision and Advertisement Regulations.

"Municipal Planning Area" shall mean the Brigus Municipal Planning Area.

"the Plan" shall mean the Brigus Municipal Plan

"Town" shall mean the Town of Brigus.

"Historic character" refers to the development pattern, architectural and outdoor features established in Brigus prior to confederation, particularly the built form that emerged during the 19th century at the height of Brigus' development.

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 of land use.

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



2 Planning Context

2.1 Development Pattern

Brigus is located in one of Newfoundland's earliest settlement regions.¹ Through success in the cod fishery and sealing industries, the town flourished to the height of its development in the mid to late 19th century. During this period, Brigus' distinctive townscape was established through building form, scale, architectural features and a development pattern of houses placed along narrow roads with wooden fences and stone walls – all of which are still evident today.² Adding to this distinctive character of

the old town are its ponds and watercourses and large deciduous trees. This area consists mostly of residential dwellings but also contains many of the town's businesses and public buildings. The historic townscape of Brigus is regarded as both a local and provincial heritage resource. It is promoted as a destination for tourists and attracts recreational boaters to its harbour and a growing number of seasonal residents who have contributed to the revitalization of the town's built heritage.



Further inland, beyond the old town is an area of more modern development which is mostly residential in nature but also includes farmland, public buildings and businesses. Along the Conception Bay Highway there is a mixture of commercial and residential development. Beyond that to the west is the Gullies area which is comprised of large lot rural residential development and farmland. Further inland, east of the Roache's Line is an area of land reserved as the watershed for the Town's water supply source.

¹ A more detailed overview of the planning context can be found in Appendix B, Municipal Plan Background Report.

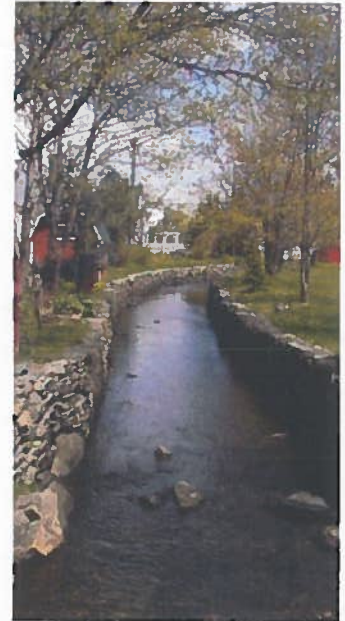
² While historic buildings in Brigus vary, generally the houses have a simple form, are clad in narrow four inch wood clapboard siding, painted white, with six inch wood trim around double hung windows, doors and building corners. A distinctive porch style developed in Brigus with a rounded roof and glazed doors and sides. Sheds and other accessory buildings have historically matched the materials, roof shape, and colours of the main house.



Undeveloped rural parts of the planning area provide other resources for residents; most notably blueberry grounds, community pasture, agricultural lands and forest resources. Prominent hills, ridgelines and coastline of exposed bedrock provide a natural setting that complements the historic townscape and adds to the unique character of the community.

Extensive wetlands and streams empty into Harbour Pond in the heart of the Historic district. In this area, the Brigus stone walls have been used to stabilize and channel the streambanks, creating a distinctive feature of the Brigus townscape. Around Harbour Pond, new development is resulting in infilling of the pond to expand yards, create parking space and docks for boaters. Beaver Pond, situated in the historic district is surrounded by residential development. A third pond - Frog Marsh Pond - is located at the end of South Side Road, has historically been used for recreation and leisure activities.

A public wharf provides docking facilities for commercial and recreational boats at the mouth of Harbour Pond. Elsewhere along the shoreline, particularly to the south to Antles Beach the construction of wharves and docks is leading to an infilling in the harbour and loss of public access to the shoreline. Bishop's Beach is a popular public recreation area.

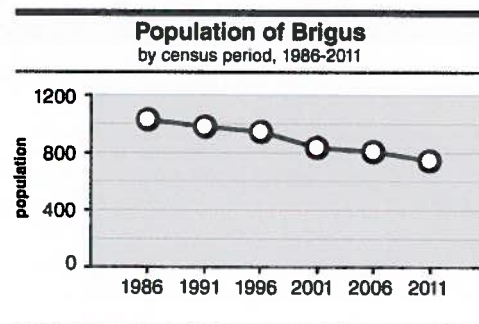


2.2 Climate Change Vulnerability

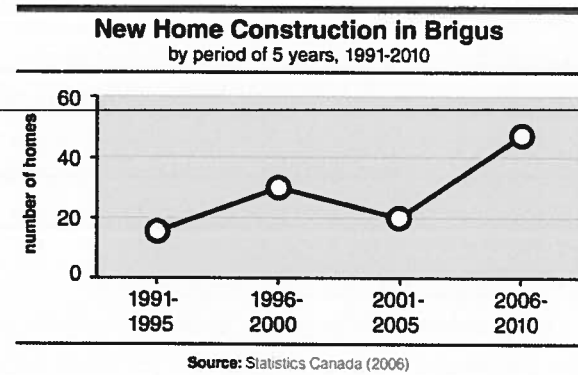
In an era of increasing concern about the potential impacts of climate change, Brigus is particularly vulnerable. Existing development along the channelled streams in the historic district and low lying areas around Harbour Pond and wharves and docks along Brigus Bay are all at risk from more intense and frequent storms, floods, erosion, storm surges and rising sea levels. Future development must be managed to anticipate and prevent damage to persons and property as a result of climate change impacts. Preventing development in areas vulnerable to flooding and improving the design of infrastructure in vulnerable areas are means by which the Town can protect itself.

2.3 Population and Housing Need

Over the past two decades, the year-round population of Brigus has declined (see figure to right). Today, the community of approximately 820 residents is composed of an increasing proportion of older residents. While the number of residents who are in town seasonally or occupy second homes on an occasional basis is difficult to capture through census data, anecdotal evidence suggests that Brigus is becoming more and more a seasonal community. This is evident in the increasing number of houses constructed in the town since 2006,



despite the declining population and economy (see figure at right). At the same time, renovations were being made to older homes, purchased for occupation by seasonal residents attracted to the beauty and historic character of the community. This activity has resulted in increased property values and growing pressure on the Town for development of lands, particularly in the historic district, as landowners seek to take advantage of higher land values and demand for seasonal residences.



Currently there appears to be sufficient land available for residential development in the community to accommodate future needs well into the future. Provision for a greater range of housing options is desirable as a means of addressing housing affordability, for seniors who wish to remain in the town and for others who may be attracted to moving to the community.

2.4 Historic Preservation

Following several studies, most notably a 1986 report called *“What’s So Special About Brigus? A Townscape Conservation and Community Development Study”* prepared for the Brigus Historical and Conservation Society, the Town enacted regulations designed to preserve the built heritage and fabric of the Historic Townscape in 1992. These regulations contained general principles and guidelines with respect to the general form and scale of development, building height, exterior appearance of siding, roof lines, doors and windows. It also addressed the style of accessory buildings, fences, retaining walls and signs. In 1994, the guidelines were incorporated into the Town’s Development Regulations. While no longer guidelines, the regulations provided for considerable exercise of Council discretion in decision-making with respect to managing development in the historic district.

Consultations held as part of the plan review process indicate that while there is community-wide recognition of the importance of Brigus’ heritage, residents articulate where to “draw the line” differently.

In the intervening years since the regulations came into effect, various Councils have experienced challenges with implementing these regulations, with varying degrees of success. As a result, while the essential form of the historic townscape remains intact, alterations to heritage structures and new development not consistent with the historic architectural form, place the Town at risk of losing its distinction as a town that has preserved its historic character – precisely those features that are key to its past, present, and future.

The challenge - and opportunity - for the community over the next planning period will be to provide for new growth and development in a manner that integrates seamlessly into the



existing urban fabric, particularly within and adjacent to the historic area. These updated planning documents provide policies to protect the Town's historic townscape and the investment that is being made to preserve it, while acknowledging the need for solutions that can accommodate a range of affordabilities, modern services and conveniences, and professional architectural interpretations of the historic style. As the historic character is protected and enhanced, Brigus will remain an authentic, resilient community.

2.5 Economic Development

Today, Brigus is a "tourism" town. Seasonal tourist accommodations, services and events such as the annual Blueberry Festival continue to attract visitors from all over the world. Brigus is well-positioned to build on the provincial tourism marketing strategy that emphasizes creativity, genuine and friendly people, cultural vibrancy and heritage, and the rugged beauty of the natural environment. The sustainability of economic prospects garnered through the tourism industry relies to a large extent on the historic townscape character and distinctive natural setting of the community.

Over the past decade, private investment in new development and renovation in the residential sector has contributed to the local economy and general prosperity of the community, creating employment and an increase in property values. This is expected to continue over the planning period as Brigus is likely to remain a residential community. Permanent residents will continue to rely on a mix of income sources generated within the community and the wider region.

2.6 Municipal Services

The town of Brigus has a low debt servicing ratio. As a result, it has sufficient means to borrow funds for needed capital infrastructure investment. In recent years, investment in new development and the renovation and restoration of existing buildings has had the effect of increasing property values and improving the community's tax base.

Water and sewer services have been provided to the Station Road areas and most of the older part of the town. Currently, service extensions are being planned for Riverhead. A program of street upgrades are being implemented as part of a municipal capital works program. As a participant of the regional waste management process, municipal waste is sent to the Robinhood Bay Regional Landfill in St. John's.

The Town has recently invested in improvements to its municipal fire hall and depot located in the heart of the historic area. During the consultations, it was suggested that the Municipal Depot be relocated and the property utilized to increase public space and amenity. *3*



3 Vision and Planning Goals

3.1 Community Vision

With a rich and colourful history, we delight in our past while looking to a future in which Brigus is a safe and vibrant community, where we share with visitors our pride in our traditions, built heritage and stunning natural surroundings. We attract new residents by providing opportunities for active living, quality municipal services and good governance.



3.2 Community-Wide Goals

The following community-wide goals are consistent with the Vision and will guide the Town of Brigus over the next decade:

Protect the character of the historic townscape

Brigus has a rich history, the story of which is told through the built heritage that remains in the community today. Protecting our community culture, attracting new residents and sustaining the tourism industry is dependent on protecting the stunning natural hillsides, historic architectural styles and the traditional layout of buildings and streets in relationship to one another, the land and water.

Promote practices of environmental stewardship

Good stewardship of the natural environment means protecting our land and water resources as healthy ecological habitats for fish and wildlife, as clean and reliable sources of drinking water and as opportunities for recreation.

Support an authentic and resilient local economy

Supporting an authentic and resilient local economy means ensuring that land is designated for continued fishing activity and related processing industries, while at the same time expanding our tourism services and showcasing our built heritage and spectacular surroundings to visitors. We will be ready to respond to new opportunities and changes within the regional economy.

Enable the health and well-being of community members and visitors

Brigus is a safe and attractive community for people to explore on foot, bicycle, boat, and more. We will continue to improve the health and well-being of our citizens by supporting active lifestyles with new trails, programs and other opportunities for recreation for all ages.

Establish clarity of requirements for development and renovation

Through the Municipal Plan and Development Regulations, Council is committed to improving the clarity of requirements making development and renovation processes easier to follow. Through these improvements the historic townscape and natural environment will be better protected for current and future generations of Brigus residents and visitors.

Invest wisely to ensure high quality of municipal services

Maintaining municipal infrastructure and providing a high level of municipal services is a priority of Council. We will carefully manage municipal infrastructure assets, balancing investment to extend municipal water and sewer services with the need for ongoing maintenance to ensure high quality of potable water, safe streets, waste disposal and recreation facilities.



4 Community-Wide Policies

The Town will pursue the following land use objectives in order to achieve its community-wide goals:

- Provide for future residential, commercial, industrial and rural resource development in appropriate locations to accommodate future growth of the community.
- Protect the natural and scenic assets of the community by ensuring that development occurs in an efficient, environmentally safe and responsible manner.
- Recognize and protect the historic townscape fabric, built heritage and cultural landscape of the community for its aesthetic, cultural, social and economic value.
- Manage investment in municipal infrastructure to ensure a well maintained and efficient level of services.

The following policies shall apply to development throughout the Brigus Planning Area:

Policy G-1 Management of growth and development

It is a priority of Council to minimize costs of municipal servicing by directing new development to areas that can be easily serviced from existing water and sewer infrastructure. Infill development is the preferred form of new development. Empty buildings and lots that are currently out of use provide an opportunity for new residential and commercial uses within existing built up areas of the Town.

Policy G-2 Townscape character

It shall be the intention of Council to protect and enhance the town's unique sense of place and ensure that new development is consistent with current style, size, scale and form of development in the town, with special consideration given to the designated Historic Townscape Area.

Policy G-3 Preservation of stone walls & river embankments

As part of the Town's goal to retain the historic townscape of Brigus, it shall be a priority of Council to protect the characteristic stone walls and river embankments. Removal of these walls and embankments is prohibited, and their repair must utilize traditional materials and not be replaced with poured concrete or pre-cast retaining wall blocks or other incompatible materials. Traditional materials shall also be used for construction of new walls and embankments.



Policy G-4 The Brigus coastline

The shores of Brigus Bay, Brigus Cove and Harbour Pond are valued community assets providing opportunities for recreational activities such as swimming, boating, fishing and passive recreation. Maintaining an open and accessible shoreline shall be a priority for the Town, particularly at Bishop’s Beach. The Town also recognizes the potential of shoreline areas for the construction of marinas, boathouses, jetties, wharves, moorings or other docking facilities. Such structures and facilities must be constructed in a manner that is sensitive to the historic character of Brigus, not result in extensive filling in of the shoreline areas or prevent traditional public access and use of shoreline areas.



Policy G-5 Community trails

Preserving the traditional footpaths and walking trails in Brigus will be a priority of Council. Proposals for new development must identify and provide for the continuation of traditional footpaths and trails, and may be required to provide a separation buffer in the form of a fence or vegetation between a proposed development and existing pathway. Consideration may be given to re-route a traditional pathway provided such re-routing retains the continuity and ease of access of the pathway.

Over the planning period, Council will undertake a community evaluation to identify traditional footpaths, public right-of-ways and other recreational trails, the location of which will be incorporated into the Land Use Zoning Map.

Policy G-6 Scenic views & ridgelines

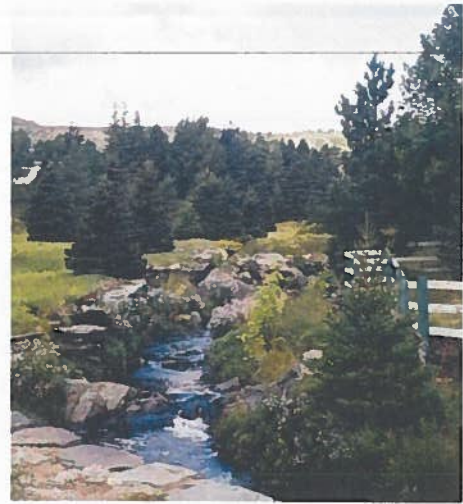
Exposed hills and ridgelines identified on the Future Land Use Map surrounding the community are a distinctive feature of Brigus. It shall be a policy of the Town to consider the visual impact of development that may be proposed on these hills, particularly any development that would project above the ridgelines visible from public vantage points in the Historic Townscape area. Council may require a visual analysis to determine the impact of a proposed development located on the hillsides visible from Brigus Bay and other points within the Historic Townscape Area.



Policy G-7 Waterways and wetlands

The Town recognizes the natural and recreational value of rivers, streams, wetlands, and ponds to the character and amenity of the Town and their important roles in stormwater management and in providing habitat for fish and wildlife.

1. Council shall protect the water quality of local streams, rivers and significant wetlands by ensuring that all necessary Federal and Provincial approvals, including setback requirements have been obtained prior to the issuance of a building permit for development projects;
2. Development and activities that require works such as water crossings, bridges, culverts, stream diversions and stormwater management devices, shall be planned, designed and constructed so as to ensure that fish habitat and passage is preserved, protected, and where possible, enhanced;
3. Over the planning period, the Town, in consultation with the Water Resources Management Division of the Department of Environment and Conservation, will undertake appropriate studies to define the floodplains along streams susceptible to flooding.
4. Council will explore opportunities to become part of the Provincial Government's Municipal Wetland Stewardship Program. The program's principle goal is to help Towns, developers, landowners and other wetland habitat stakeholders become more aware of the value of wetlands within their jurisdiction and to empower them to undertake their own actions to conserve these areas. By signing a Wetland Stewardship Agreement, Brigus will become part of the Municipal Wetland Stewardship Program. Should such an agreement be made, the Municipal Plan will be amended to reflect the area(s) covered by the agreement.



Policy G-8 Groundwater protection

Because most households in Brigus rely on groundwater as a source of drinking water, it is important to ensure that groundwater sources are protected.

1. Private on-site septic systems, where permitted, shall be properly designed, installed and maintained;
2. Where development on the basis of on-site septic systems is permitted, an assessment of groundwater quantity and quality will be required in accordance with the Provincial Department of Environment and Conservation Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells, 2009; and
3. The Town will work with the Water Resources Management Division of the Department of Environment and Conservation to document and map all groundwater wells in the community.



Policy G-9 Development in hazardous areas

Council shall prohibit development in areas that may be susceptible to erosion, flooding or any other hazards. In areas designated for development, Council may require detailed engineering studies to evaluate the suitability of the land for a development where backfilling is proposed, or where there may be potential for flooding, erosion or other hazard to occur.

Policy G-10 Residential subdivision

1. Proposed subdivision of lands for residential, commercial and industrial development will be subjected to evaluation for conformity with the goals, objectives and policies of this Plan and the requirements of the Development Regulations.
2. In residential subdivisions, development of cul de sacs will be discouraged. Wherever possible new development should provide street and pedestrian connections to existing streets or provide for future street connections to adjacent undeveloped property.
3. Proposed subdivision developments will be subject to a comprehensive evaluation by the Town including:
 - An investigation of the physical features of the site to identify opportunities and constraints to development. Where possible, the layout of roads should conform to the topography;
 - An assessment of how the development contributes to achieving the principles, goals and objectives set out in this Plan;
 - Review of comprehensive subdivision and engineering plans, including cost estimates for the engineering works;
 - A demonstration of how the pedestrian pathways, roads, grading and services mesh with and connect to adjacent lands and provide for future access to undeveloped lands in the area;
 - A review of proposed landscaping, open space and provision of street trees;
 - An investigation to ensure compatibility between the subdivision and surrounding land uses and urban fabric; and
 - The impact of the development on municipal finances.

It shall be a policy of the Town that the transfer of road right of ways to the Town in new subdivision developments will be required to the full extent of the developer's property and that no property shall be retained so as to prevent future development of adjoining lands.

Policy G-11 Servicing requirements & costs

As the Town is bound by a Limit of Servicing Agreement with the Province for cost-shared funding for construction and maintenance of municipal infrastructure, it is the policy of Council to require all proposed development located outside the Limit of Servicing area to construct any new streets and services (or extensions to existing streets/services) to the highest level of town standards, at the developer's expense.



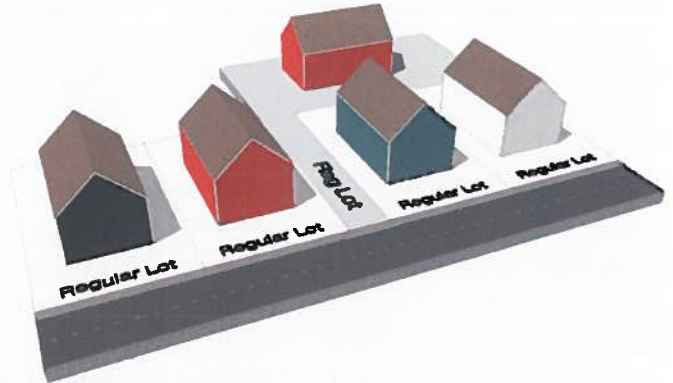
Policy G-12 Frontage on publicly maintained street

All new buildings, except accessory buildings, shall have appropriate frontage on a publicly maintained road.

Policy G-13 Back Lot Development

Notwithstanding Policy G-12, back lot development, or development of lots behind existing development as illustrated at right, may be considered on a limited basis in areas designated Residential Mixed Use on the Future Land Use Map. Such development may be considered where:

1. There is sufficient land for a lot to be developed, but topography or other constraints would preclude development of adjoining lands on a more comprehensive basis;
2. Where possible, the lot will be serviced by municipal piped water and sewer;
3. The lot will have adequate access to an existing public street;
4. There is no objection from abutting property owners who may be affected by the proposed development;
5. No more than three dwellings shall be permitted on the shared access; and
6. Back lot development will not be permitted where it would prevent future development of adjoining undeveloped lands.



Policy G-14 Provision of buffers

Where required by the Town, a separation distance between adjacent land uses that are incompatible, such as between industrial or commercial development and adjacent residential uses, may be required in the form of a buffer. Buffers may also be required to visually screen uses from each other, reduce noise or impacts from exterior lighting. The required depth of a buffer, screening, landscaping and noise attenuation features shall be determined by the Town and financial guarantees may be required to ensure that required buffers are put in place.

Policy G-15 Non-conforming uses

In accordance with the Section 108 of the *Urban and Rural Planning Act, 2000*, Council shall recognize that any development or land use that legally exists on the day that this Plan comes into effect, may continue. Where a building or use exists which does not comply with the intent of the Plan and the designated use, it shall not be substantially expanded. Minor extensions may be approved provided there will be no adverse effects on surrounding properties or the environment and a change of from one non-conforming use to another more acceptable use may be permitted.



Policy G-16 Discontinuance of a nonconforming use

It is Council's intention to phase out non-conforming uses over time. If a non-conforming use ceases to exist for a period of more than one year, new uses for the property and/or building must conform to the current land use designation and development must meet the development standards as outlined in the Development Regulations. In exceptional circumstances, Council may consider extending non-conforming use rights beyond one year following discontinuance of a nonconforming use to a maximum of 18 months.

In determining whether a legal non-conforming use has been discontinued, or in evaluating proposals for a change from one non-conforming use to another non-conforming use, Council shall take into consideration a fair balance between the individual landowner's interest and the community's interest. A use shall be considered to be discontinued where:

- the scale or intensity of the activity can be considered to bring about a change in the type of use;
- the addition of new activities or the modification of old activities is, in the opinion of Council, considered remote from previous activities; or if the new or modified activities can be shown to create undue additional or aggravated problems for the municipality, the local authorities, or the neighbours, as compared with what went before.

Policy G-17 Home occupations

It is Council's intent to foster the growth of small businesses as home occupations in a manner that is compatible with surrounding land uses. Businesses in the form of home occupations may be considered in any residential dwelling in any land use designation within the community. Business uses that consist only of an office in a dwelling will be a permitted use. Businesses operating as home occupations shall not be highly visible, generate traffic, noise, odours or create any potential hazards, by virtue of the nature of the business, to surrounding properties.

Policy G-18 Small-scale agriculture

Small-scale agricultural production in the form of community and market gardens, or for home use may be considered within the built-up areas of the community. Livestock may be kept on residential property if the lot is of a sufficient size to allow safe, nuisance-free dissipation of wastes. Furthermore, the quantity and type of livestock are limited to what Council considers traditional for households on small plots in the Planning Area. The keeping of home livestock shall not be undertaken as a commercial operation and must not cause disturbance to adjacent residential uses.

Policy G-19 Public utilities

It shall be a policy of Council to permit the location and placement of utilities throughout the Planning Area, except the Conservation zone, provided that they do not cause pollution, present danger to health, create a nuisance to residents or cause unsightliness. If deemed necessary by



Council, adequate screening and buffering or other measures to minimize negative visual impacts may be required.

Policy G-20 Signs

Signs and advertisements erected in the community shall be of high quality and located and constructed in a safe manner in accordance with standards set out in the Development Regulations.

Policy G-21 Property maintenance and safety

All building lots shall be landscaped to contribute to the public realm and townscape character. The exteriors of buildings, particularly commercial properties, restaurants, shops and stores, or any business catering to tourists, shall be properly finished and maintained to the satisfaction of Council. Owners of dilapidated structures shall be required to repair or remove them at their own cost if they present a safety hazard or are deemed unsightly. Wrecked or inoperable vehicles, boats, machinery or equipment of any kind shall not be stored or abandoned where it may be in general public view.



Policy G-22 Landscape alteration

Activities such as the filling in of low lying or steeply sloped areas or cutting into hillsides to expand useable land area can have significant impacts on wetlands, natural drainage and the stability of slopes, resulting in erosion and creating visual impacts in the community.

1. Alteration of steep hillsides through the deposition of fill or by excavation, whether for the purposes of creating land suitable for development or not, shall be prohibited. Land disturbance affecting more than 50 square meters in area shall require application, review and approval by the Town and show the full extent of disturbance that is intended. Council may require applicants for such development to provide an assessment of geotechnical aspects, visual and environmental impacts, as well as impacts on adjoining properties and land use zones and;
2. Where alterations to the landscape are approved, financial guarantees may be required to ensure adequate site rehabilitation and/or landscaping.

Policy G-23 Protection of archaeological resources

There are seven known archaeological sites in Brigus, six of them underwater that are protected under the *Historic Resources Act*. To ensure these and other potential historic resources are protected, proposals for development involving major ground disturbance, including works along the coastline shall be referred to the Provincial Archaeology Office, Historic Resources Division, Department of Tourism, Culture and Recreation.



Policy G-24 Assessment of proposals for development

Council may engage professional services for the review and assessment of proposals for a development where, in the opinion of Council such an assessment is required to ensure that the development is consistent with the intent and policies of the Plan and standards set out in the Development Regulations.



5 Managing Land Use

Land use in Brigus will be managed in accordance with the general land use policies set out in Section 4 of this Plan and policies for specific land use designations illustrated on the Future Land Use Map as follows:

Historic Townscape
Residential Mixed
Rural
Environmental Protection
Water Supply Area

5.1 Historic Townscape

Objectives

1. To recognize and preserve the unique character of the historic Brigus Townscape
2. To preserve built heritage through sensitive renovation and provide opportunities for adaptive re-use
3. To protect investment in built heritage by ensuring new development is consistent with the historic building form, scale and architectural features unique to Brigus
4. Manage development to maintain the traditional appearance and pattern of streets, streetscapes, waterways and public open space
5. Expand the Historic Townscape Area to include the southside and develop policies to manage new development in this area

Historic Area Policies

Policy H-1 Historic Townscape land use mix

The Historic Townscape land use designation takes in the historic settlement areas of Brigus. Residential is a prominent land use in this zone; however, as the traditional heart of the community, it also includes commercial, cultural, civic, public open space, marine and tourism service uses. Council will encourage the continuation of this fine-grained and complementary mix of uses within this area.

Within this land use designation, the Town will encourage a variety of types of housing and commercial uses, particularly where such uses contribute to the preservation of historic buildings.



Industrial uses will be limited to those associated with fishing and marine activities at the harbour. Within this land use designation, mobile or prefabricated homes or uses requiring open storage or large parking areas will not be permitted.

Policy H-2 Development of the Southside

It shall be a policy of this Plan to expand the Historic Townscape designation to include the Southside, where the first buildings of Brigus were constructed. While there are presently few dwellings in this area, it shall be the policy of this plan to require new development to be in the form, architectural style and scale of the original buildings in this area, or where none existed, of a form and scale similar to that of dwellings in the original Historic Townscape designation.

Policy H-3 Historic development pattern

It shall be a priority of Council to ensure that development preserves and complements the historic development pattern by establishing appropriate standards for development, restricting the widening of roads, and prohibiting the removal of stone walls and river embankments. Council will encourage landscaping, the protection of traditional paths and rights-of-ways and the construction and repair of wood fences and stone walls consistent with the traditional appearance of the townscape.

Policy H-4 New development

New buildings (including accessory buildings) are not required to be replicas of existing heritage buildings. However, within the Historic Townscape Area, new buildings will be required to be compatible with the historic building form, scale, height, setbacks and architectural features unique to Brigus. These requirements are specified in the Development Regulations.

Policy H-5 Alteration of buildings with historic value

Repairs, renovations, alterations or additions to the building envelope of existing heritage buildings or structures, shall, where possible, retain the characteristics and features of the original building in accordance with requirements set out in the Development Regulations.

Policy H-6 Alteration of non-heritage buildings

Repairs, renovations, alterations or additions to the building envelope of existing non-heritage buildings or structures, shall, where possible, be done in a manner compatible with adjoining heritage properties in terms of building form, scale and architectural features.

Policy H-7 Accessory buildings

Small sheds, garages and greenhouses shall be permitted in association with permitted uses. However, accessory buildings will be required to be of similar construction as the main building on the property in terms of exterior cladding and roof line. Placement of accessory buildings shall generally be in rear or side yards, but may be considered in front yards where such placement is desirable by virtue of topography or preservation of views and in such cases, is



part of an overall plan for development of the property. Temporary accessory structures such as portable canvas, baby barns or plastic shelters shall not be permitted.

Policy H-8 Parking

Parking lots and spaces associated with residential and commercial development in the Historic Townscape Area shall not be of a size or located in a manner that will be detrimental to the areas historic appearance and atmosphere. Shared use of parking lots will be encouraged. Where possible, parking areas associated with commercial uses will be located in rear or side yards with suitable screening or landscaping.

Policy H-9 Landscaping

Landscaping of properties in the Historic Townscape Area shall retain traditional fences in accordance with standards that will be set out in the Development Regulations. In considering applications for development, Council will consider the placement of such things as driveways, access points, the placement and style of fences or other landscape features in relation to adjoining properties and the impact on the streetscape.

Policy H-10 Signs

All signs within the Historic Townscape Area shall be developed in accordance with standards set out in the Development Regulations.

Policy H-11 Heritage Advisory Committee

Council may establish a Heritage Advisory Committee to review and make recommendations on proposals for development in the Historic Townscape Area, and to advise Council on heritage issues.



5.2 Residential Mixed Land Use

Objectives

1. To provide sufficient area for future residential growth in the community
2. To recognize a traditional mix of land uses and provide for the continuation of mixed development in the future
3. To manage land use that ensures the peaceful co-existence of residential and other uses

Residential Mixed Policies

Policy M-1 Residential Mixed Land Use Designation

The Residential Mixed land use designation extends outward from the historic townscape area along existing streets and reflects the existing mixed use pattern of development that has emerged over time. Council will continue to permit a mix of uses with commercial, institutional, civic/recreational, and light industrial uses developed in a manner that is compatible with the predominantly residential nature of the area. While single dwelling residential uses are the predominant land use in the Residential Mixed land use designation, other forms of housing are and will be required in the community such as double and row dwellings.

Policy M-2 Non residential uses

Non-residential uses in the Residential Mixed designation will be primarily located along the main streets leading into the community – the Conception Bay Highway, Station Road and Irishtown Road. A range of commercial, public, institutional, assembly uses, recreational uses and a limited number of light and general industrial uses may be considered, but they shall be designed and constructed so they do not create a nuisance or hazard to adjoining residential properties. If necessary, such uses will be required to be adequately separated and buffered from surrounding residential development. Adequate off street parking space must be provided for these uses.

Policy M-3 Design and aesthetics

Although buildings constructed in the Residential Mixed designation are outside of the Historic Townscape, Council shall encourage developers to construct buildings with the historic form, scale and architectural features unique to Brigus. Council shall ensure that development for all uses conforms to a high standard of building design, appearance and landscaping.

Policy M-4 Vehicle and pedestrian access

Council will require that new commercial, light industrial or higher density residential development or redevelopments of existing buildings have well-designed access points that will enable the efficient and safe flow of vehicular and pedestrian traffic.



Policy M-5 Parking, loading areas and outdoor storage

Parking and loading areas shall be provided for new development with commercial and light industrial uses in accordance with standards provided in the Development Regulations; and Council shall ensure that all areas for outdoor storage associated with commercial and light industrial uses, including the storage of waste, is located in rear or side yards, with appropriate screening and containment.

Policy M-6 Multiple unit residential development

Multiple unit dwellings must be located where they can be connected to the existing water and sewer system. Where they are proposed to be located next to single dwelling residential uses, they shall be designed and sited on the lot in a manner that does not create nuisance or conflicts by virtue of placement of such things as exterior lighting, parking, balconies, waste receptacles, driveways or accessory buildings.

Policy M-7 Subdivision and high density residential development

Residential subdivision and high density residential (e.g. apartments) development will only be considered for approval as part of a development agreement with a layout approved by Council. Proposed subdivisions and higher density developments will be subjected to evaluation for conformity with the goals, objectives and policies of this Municipal Plan and Development Regulations.

5.3 Rural Land Use

Objectives

1. To permit existing natural resource lands and associated uses to continue and to preserve land for future resource use and urban development within the town's Planning Area
2. To preserve and protect undeveloped rural lands for resource and low-intensity land uses and conservation of natural areas

Rural Land Use Policies

Policy RU-1 Rural Land Use Designation

The Rural Land Use designation is applied to lands outside the built up area of the community that include forested land, areas of steep hills, rock outcrops, rugged coastline areas, and other natural areas used for traditional activities such as blueberry harvesting. There are also a few small farms or lands used for agriculture that are also included in the Rural land use designation. The purpose of the Rural land use designation is to accommodate, in appropriate locations, rural resource uses such as agriculture and forestry, and conservation and outdoor recreational uses such as parks and trails. Other uses, such as cemeteries, assembly uses,



aggregate resource extraction, industrial, uses docks and wharves and limited seasonal dwellings may be considered in the Rural land use designation in areas where they are not generally visible from the community or roads leading into the community. Recreational uses associated with the tourism industry such as cottages and trailer (RV) parks may also be considered. Animal uses that are not considered agriculture uses such as kennels, can also be considered.

Policy RU-2 Residential dwellings

Dwellings shall be restricted to a farm dwelling that is necessary for the operation of an approved agricultural enterprise.

Policy RU-3 Environmental stewardship of rural and resource lands

It shall be a policy of Council to ensure that natural resource uses occur in a manner that is environmentally sustainable so that these lands and resources can continue to be used by future generations.

Policy RU-4 Agriculture

Development of commercial farming operations will be subject to a development agreement between the Town and the operator.

Policy RU-5 Blueberry Management Units

It shall be the policy of Council to ensure that Blueberry Management Units in the Planning area are retained as important economic and social assets of the community. Proposals for development within any Blueberry Management Unit will be referred to the Agrifoods Branch, Department of Natural Resources, for review and recommendation prior to and decision of Council. Where a portion of a Blueberry Management Unit is within a Protected Watersupply Watershed, all development and operation plans must be approved by the Water Resources Management Division, Department of Environment and Conservation.

Policy RU-6 Mineral exploration and development

It is a policy of this Plan that all mineral exploration and development activities are to be conducted in a manner that minimizes the adverse effects of such activities, and that the derelict lands resulting from such operations are properly rehabilitated in accordance with a plan approved by the Department of Natural Resources.



5.4 Environmental Protection

Objectives

1. To protect identified waterways and wetlands as important wildlife habitat and for their role in the management of stormwater
2. To enable the designation of other environmentally significant or vulnerable waterways, land or coastal areas for environmental protection and passive recreation use in the future

Environmental Protection Policies

Policy EP-1 Environmental Protection Land Use Designation

The waterways and wetlands of Brigus drain towards Brigus Harbour. As the community grows outward from the historic core, it will be important to ensure that the capacity of natural drainage systems is not reduced. Lands designated for Environmental Protection are intended to protect waterways and wetlands, scenic landscape features of the community and to prevent development in locations that may be hazardous by virtue of natural erosion, storm surge events or flooding. Within this land use designation, Council regards conservation and recreation uses, such as nature trails and nature interpretation, as acceptable uses.

Policy EP-2 Community partnerships

Council recognizes the contribution of groups and organizations that foster improved environmental stewardship in the community and the region. Council will continue to support and participate in Tidy Towns Newfoundland and Labrador to promote environmental stewardship at the individual and community level and a sense of pride in community among residents.

The development of passive recreation uses will be encouraged through partnerships with community groups and organizations and neighbouring municipalities. Hiking trails, boardwalks and nature interpretation structures will be designed and developed with minimal environmental disturbance. Council shall support and assist community efforts to improve natural areas for passive recreational uses, education and the preservation of fish and wildlife habitat.



5.5 Water Supply Protection

Objectives

1. To ensure that Brigus has an adequate supply of safe, high quality water that is suitable for drinking and other purposes

Water Supply Protection Policies

Policy W-1 Water supply protection

This important designation protects the Town's water supply watershed that is within the Brigus Planning Area. Within the Water Supply Protection land use designation, only uses that are directly related to the functioning of the water supply system and conservation uses will be permitted. Natural resource uses such as forestry or agriculture, or the construction of utilities such as transmission lines may only be permitted with the approval of the Department of Environment and Conservation Water Resources Management Division.

Policy W-2 Passive recreational use

Passive, non-motorized recreation uses, such as walking and hiking, may be permitted in this land use designation. Any formal trail development must be designed by a qualified landscape architect, including a thorough analysis of the impact to the water supply system. Trail development must be done in accordance with the Provincial Policy for Land and Water Related Developments in Protected Public Water Supply Areas.

Policy W-3 Water supply protection awareness

It shall be the intention of Council to create awareness of the Town's water supply and the need to protect it. Council will consider awareness strategies, including but not limited to posting of signs at various points along the boundary of the Protected Water Supply Area.



6 Municipal Services and Infrastructure

The provision of municipal infrastructure such as streets, sidewalks, water treatment and distribution systems, sewers and sewage treatment facilities, and waste collection and disposal are the primary responsibilities of municipal government. This infrastructure supports growth and development of the community and contributes to community safety, health and well-being.

Objectives

1. To maintain a safe and efficient movement of traffic on local roads and highways throughout the planning area. In the Historic Area, maintain the traditional appearance and pattern of roads. To ensure adequate parking lots that do not negatively affect the appearance of the area
2. To ensure continued safety, supply and distribution of potable water in the community

Municipal Services Infrastructure Policies (Transportation)

Policy MS-1 Local road standards and function

It is Council's intention to ensure the safety of vehicles, pedestrians and cyclists through regular maintenance and upgrading of Town streets as part of the municipal capital works programming.

Policy MS-2 Streets in the Historic Area

All roads in the Historic Area land use designation and Station and Irishtown Roads (within and beyond the Historic Area) shall not be realigned, increased in size, or otherwise altered except where no other measures are available to protect public safety. Straightening or widening these roads would have a detrimental impact on the historic townscape.

Policy MS-3 Street right of ways

All development, including but not limited to buildings, fences, sheds, and parking lots, shall be set back from the right-of-way of a road far enough to provide an adequate level of public safety and space for snow clearing and maintenance. Specific consideration is given to development in the Historic Area to allow smaller setbacks consistent with the historic development pattern. Building setback requirements shall be set out in the Development Regulations.

Policy MS-4 Pedestrian pathways

It shall be a policy of Council, working with the Heritage Committee and residents, to identify and map traditional footpaths and public rights of way throughout the community and to develop policies to ensure that such routes are retained for public use.



Municipal Services Infrastructure Policies (Drinking Water)

Policy MS-5 Drinking water distribution system

Council will monitor the capacity and supply of water in the Protected Water Supply Area of Brigus Long Pond and evaluate proposals for new development to ensure that the system has sufficient capacity and water pressures to service the development.

Policy MS-6 Water Pressures and fire flows

Council shall ensure that areas where it has been determined that water pressure cannot be sustained at high enough levels to provide adequate firefighting capability, or which are not located close enough to a water supply source suitable for firefighting purposes, shall be excluded from development.

Municipal Services Infrastructure Policies (Wastewater and Stormwater)

Policy MS-7 Wastewater system policies

Council shall ensure that the Town's wastewater treatment facilities process wastewater in accordance with Provincial Department of Environment and Conservation standards;

Policy MS-8 Stormwater management

In considering proposals for new development Council shall consider the impact of development on the Town's natural drainage system. Development shall not be approved where there is insufficient capacity in the storm water system to accommodate it.

Municipal Services Infrastructure Policies (Solid Waste)

Policy MS-9 Waste reduction measures

The Town will continue to participate in provincial waste management strategies. To minimize costs of transporting and disposing garbage at Robin Hood Bay, Council will undertake initiatives to reduce household garbage by encouraging residents and businesses to compost and recycle.

Policy MS-10 Municipal information management

The most current base mapping for the Town is outdated and is not available in a useful digital format. Council recognizes the importance of having updated and improved digital base mapping for the Town to assist in the review of applications for development and planning. The Town will contact the Surveys and Mapping Division, Department of Environment and Conservation to partner with them to acquire current digital mapping for the Town.



7 Implementation

The Brigus Municipal Plan serves as the blueprint for the community's future development.

The Town's role in implementation is to help guide and shape growth through private investment and in effect, implement the Municipal Plan in a cooperative framework with the private sector. Municipal services, regulations and expenditures are a means to encourage or discourage the extent and form of new development.

Successful implementation of the Plan involves:

- effective administration of the Plan;
- adoption of Development Regulations;
- adoption of annual municipal capital works budgets;
- preparing and implementing recommended studies;
- a consistent procedure for considering amendments to the Plan; and
- working in partnership with citizens, groups and organizations to achieve the collective goals of the Community.

7.1 Administration of the Municipal Plan

The Municipal 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 boundaries between land use designations on the Future Land Use Map coincide where possible with roads, fences, property lines or other prominent physical features. Where a property proposed for development straddles more than one land use designation, minor adjustments to the boundaries between the land use designations may be made without amendment, to accommodate the development.

All proposed development within the Planning Area must conform to the policies of the Plan and Development Regulations, and be approved by Council. Council will ensure that development proposals are given a comprehensive review, including circulation to appropriate public departments and agencies.

Council may refuse or approve applications, with or without conditions. Decisions of Council made according to the provisions of this Plan and the accompanying Development Regulations may be appealed to the appropriate Appeal Board established under Part VI of the *Urban and Rural Planning Act, 2000*.

7.2 Development Regulations

To implement the goals, objectives and policies of the Municipal Plan, Council will prepare and adopt Development Regulations pursuant to Section 35 of the *Urban and Rural Planning Act*.



All land within the municipal planning area will be covered by land use zones which provide detailed requirements such as lot size, frontage, building setbacks and parking standards.

Considerations for Rezoning

In order for consideration of any proposals for an amendment to the Development Regulations (i.e., a rezoning), Council shall require a clear proposal to be submitted. Such a proposal must clearly show:

- The location of the subject property, to scale, showing lot dimensions, area, street frontages;
- The means by which the site is/will be serviced;
- The proposed location of all driveways and parking areas;
- Areas that are to be landscaped or left in a natural state to provide necessary buffers;
- The proposed location of all buildings on the site; and
- Existing land uses, including natural hazards or sensitive natural areas both on-site and on adjoining properties that may be affected by the development.

Criteria to be Considered

In its review of proposals for amendments to the Development Regulations, Council shall consider all appropriate policies set out in this Plan and have regard for the following:

- The financial ability of the Town to absorb any costs relating to the development;
- The adequacy of municipal water and sewer services, or where on-site services are proposed, the adequacy of the physical site conditions to accommodate it;
- The adequacy and proximity of schools, recreation and community facilities;
- The adequacy of the road network in, adjacent to, or leading to the development;
- The potential for the contamination or sedimentation of watercourses or for erosion;
- Environmental impacts such as air, water and soil pollution and noise impacts;
- Previous uses of the site which may have caused soil or groundwater contamination;
- Suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps, or bogs;
- Compatibility of the development in terms of height, scale, lot coverage and bulk with adjacent properties; and
- That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town by-laws and regulations.

7.3 Public Consultation

Council is committed to consultation with citizens ^{and} will seek input from the public on planning and development matters that:

- Require an exercise of Council discretion in arriving at a decision on a development application;
- Involve significant development proposals that are of interest to the community at large;



- Would require a change of Town policy, amendment to the Plan or Development Regulations; and
- Would result in significant expenditures of town resources for implementation.

Council shall follow the procedures and processes for public consultation as set out in the Development Regulations consistent with the requirements of the *Urban and Rural Planning Act, 2000*.

7.4 Amending and Reviewing the Municipal Plan

Since conditions in the Town may change during the planning period, amendments to the Municipal Plan may be adopted by Council from time to time. Council may consider amendments to the Municipal Plan when:

- There is an apparent need to change policy due to changing circumstances;
- Studies have been undertaken which contain recommendations or policies which should be incorporated into the Municipal Plan;
- A Provincial Land Use Policy has been released that requires a change in policy by the Town; and
- There is a development proposal which provides sufficient information and rationale to support a change in the Municipal Plan.

After five years from the date on which this Plan comes into effect, Council shall review the Plan and revise it if necessary. Revisions will take account of development which can be foreseen during the following 10 years. Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.

In accordance with Section 27 of the *Urban and Rural Planning Act, 2000*, Council will charge a proportion of the cost of carrying out an amendment to the person or association of persons, who request an amendment. The proportion to be charged will be set by Council as part of its annual budget process in setting its Schedule of Rates and Fees. The costs may include, but are not limited to research and preparation of amendments, public notices and consultation, administrative processing costs and the costs associated with a Public Hearing.

7.5 Municipal Land Assembly

Municipalities are empowered by the Municipalities Act to acquire lands for municipal works or economic development purposes. Such projects generally entail the Town acquiring parcels of land from private landowners or other levels of government for a variety of reasons including:

- To facilitate new growth and development in an area which is actively being revitalized or redeveloped where such land assemblies cannot by virtue of time or money be assembled privately;
- To facilitate the development of municipal parks, recreation and conservation areas;
- To facilitate development of municipal parking lots;



- To encourage or make available lands which by virtue of ownership are not available for development but which are necessary for logical and contiguous growth of the community; and
- To facilitate redevelopment of a major non-conforming use where the redevelopment is either a conforming use or is consistent with the Municipal Plan.

During the planning period, Council may undertake land assembly project and transactions which are consistent with the objectives of this Plan.

7.6 Professional Advice

Council may obtain professional advice in regard to any proposed amendment to the Municipal Plan or Development Regulations or in regards to the evaluation of proposals for development within the community, where, in the opinion of Council, such advice is warranted.

7.7 Municipal Budget and Capital Works Program

Council shall continue to invest in municipal water and sewer services including upgrade and maintaining the watersupply, treatment and distribution system and sewer services throughout the town. An annual program of capital works shall be undertaken with the following investments scheduled for 2011 and 2012.

Summary of Municipal Capital Works, 2011

Conception Bay Highway Water Main Loops	\$ 133,309.84
Riverhead Water Main Loops	\$ 130,871.61
Farm Road Water & Sewer Services	\$ 1,424
Gullies Road Sewer Services	\$ 620,639.09
Conception Bay Hwy Part A Sewer Services	\$ 1,033,584.42
<i>Subtotal</i>	<i>\$ 1,919,828.96</i>

Summary of Municipal Capital Works, 2012

Ridge Road Water & Sewer Services	\$ 940,919.70
Path End Water & Sewer Services	\$ 325,733.27
Conception Bay Hwy Part B Sewer Services	\$ 308,941.84
The Old Road Water & Sewer Services	\$ 106,951.83
<i>Subtotal</i>	<i>\$ 1,682,546.64</i>

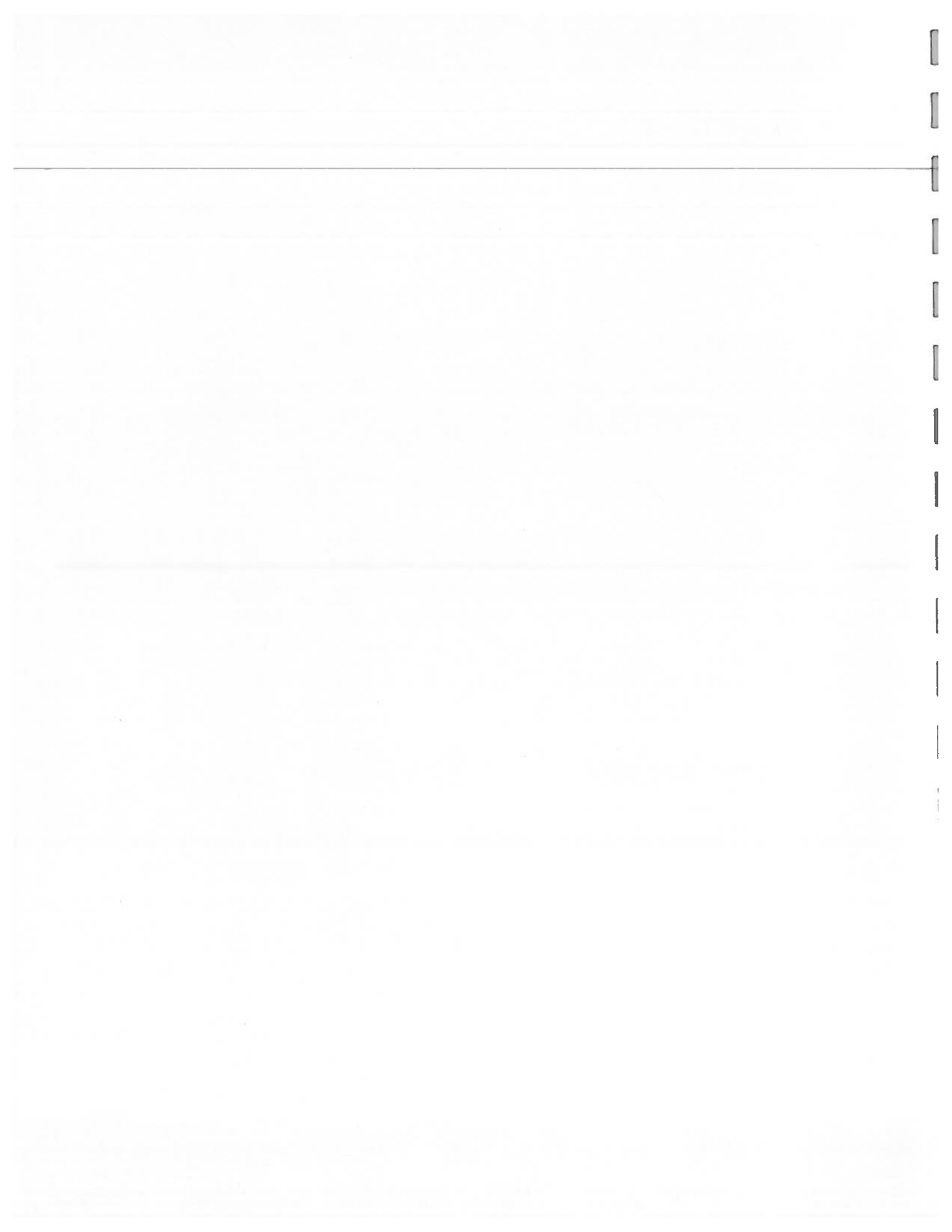
Total (2011 & 2012)	\$ 3,602,375.60
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8 Appendices

Appendix A – Future Land Use Map





Appendix B - Municipal Plan Background Report

History

Settlement in Brigus began around 1610, in close proximity to the newly established Cupids colony. The population grew slowly from a few inhabitants to only 34 by 1675 (65 years later). By the late 17th century, Brigus became known as a prosperous fishing community with a total of five fishing rooms and where residents were also raising cattle and pigs. Despite being attacked by the French on two separate occasions, Brigus persevered and developed a successful cod fishery.

A combination of geographic factors produced ice-free conditions along the Brigus Harbour, which made the area an ideal location for a principal sealing base. The population of Brigus grew, peaking in the 1860s and 1870s. Some of the new settlers included rich landowners, high ranking political figures and sea conquering heroes. It soon became known as a wealthy Captain's town and the historic area as it stands today reflects this legacy. During this time, fishing and sealing vessels lined the Brigus harbour and it was said that one could walk across the harbour by stepping from schooner to schooner. Since available harbour space was hard to come by, the Bartlett family contracted a miner to blast a tunnel through solid rock to allow greater access to the harbour. The tunnel is one of the few reminders of the seal industry that remains today.

Compared to other coastal communities in Newfoundland that were developing in the late 19th century, the houses in Brigus were large, faced the street and were located in prime locations. Architectural features of these houses included narrow wooden siding with wide corner trim, double hung windows, chimneys, dormers and two storey massing. There were decorative touches on the houses, including cornices, dentils, lattices, railings and brackets. The "Brigus Porch" is a decorative feature which is unique to Brigus. It is characterized by a distinctive rounded roof and glazed doors and sides. The stone walls along the river canals of North Brook and Lambs Brook, uniform picket fences, cast iron gates and decorative landscaping are indicative of the community's history of prosperity.

The influence of the English population is displayed in the architecture within the community, particularly the gable-roofed houses. There are a few Victorian houses with flat roofs within the community- a design imported from warmer areas not accustomed to the amount of snow Newfoundland receives. One of the most notable examples of English architecture is Hawthorne Cottage, home of the famous sealer and explorer, Captain Robert A. Bartlett. The house was built in 1830 and was designed as part of the picturesque movement that aimed to create harmony between landscape design and architecture. One of the most notable features of the residence is a trellised veranda. The trees surrounding Hawthorne Cottage, such as maple, oak, pine, beech, ash and weeping willows were imported from England and Scotland.



As the seal hunt began to decline during the 1880s and into the 1890s, so did the population of Brigus. Nevertheless, many mariners continued to sail from Brigus and the community began to rely more on the inshore fishery. In 1894, the Hiscock family established J.W. Hiscock Sons Ltd and opened two fish processing plants. There were attempts to provide alternate industries in the Town, but many were unsuccessful. A knitting mill opened in 1953, but was closed shortly after in 1956. The cod moratorium in 1992 hit Brigus hard, and resulted in the closure of one fish processing plant in 1993. To this day community members of Brigus are still connected with the fishery, whether directly or indirectly. Many are employed by the Independent Fish Harvesters (IFH) who took over operations from J.W. Hiscock Sons Limited in 2004. Currently, IFH is still managed by a member of the Hiscock family. Brigus' deep roots in the fishing and sealing industries are reflected in the cultural and built heritage of the community today, with its centre clustered in the coves near the rocky shoreline and looking out to sea.³

In recent years the community has taken advantage of its rich history through the tourism industry. Brigus is one of the few places on the Avalon Peninsula that preserved its historic buildings and community character. As tourism continues to grow, it is of utmost importance that the Town continue to preserve this historical legacy, in particular the history of Brigus harbour and surrounding area.

Steps have been taken by the Town to protect buildings and neighbourhood character in this area by designating a Historic Zone with specific Historic Town Design Regulations and registering houses as Historic Structures. Registered historic houses include:

- Bartlett/Burke House,
- Landfall/Kent Cottage,
- Stone Barn,
- Fowler House,
- Joseph Bartlett House,
- St. George's Anglican Church and
- Hawthorne Cottage, which is also a National Historic Site.

Social and Cultural

According to the most recent census, the population of Brigus was 820 (NL Community Accounts, 2006). At a rate similar to the overall provincial trend, the population of Brigus decreased by 1.8% since the last census in 2001, and by 20% in the last twenty years. The decline in population size speaks to the closure of the cod fishery and decline in the processing industries within Brigus and the province as a whole; a period when many Newfoundlanders sought employment in larger urban centres, like St. John's and outside of the province.

³ Thorough historical accounts of Brigus' settlement pattern and architecture can be found in the *Townscape Conservation and Community Development Study* (1986), *Ten Historic Towns* (1978) and the *Encyclopedia of Newfoundland* (1981-94).



In 2006, Brigus' median age was higher at 45 than the province as a whole at 42. 17.1% of the population are seniors (age 65 and over) and 43.9% of the population are 50 or older. 83% of the houses in Brigus were owned by people of the age 55 and over, which was a much greater percentage than in the province as a whole (68%). Brigus also had a low proportion of residents between the ages of 20 and 39 years, particularly males due to out-migration. These statistics indicate that the population of Brigus is aging overall, with a large number of retired homeowners. The population of Brigus' surrounding region is expected to decline by 3% in the next fifteen years; however, the seniors population is expected to grow by 65% (NL Economics and Statistics Branch, 2010).

Even though population decreased, new houses have been built as increasingly Brigus becomes a popular location for vacation and retirement homes (NL Community Accounts, 2006). The Plan sets out clear policies to guide new future development.

The Town will likely continue to attract retirees and seasonal residents. Some younger families may be attracted to live in Brigus for the benefits of a small, friendly community in a picturesque setting and be willing to commute to St. John's. This would be most possible for people with flexible work schedules, or who can work or "telecommute" at least partially from home. Development of economic opportunities within the region will also help the community retain the younger working population of the community.

There are particular sustainability concerns with an aging population, such as increased need for certain health services, recreation facilities and programs, aging volunteers, low income seniors, lack of seniors housing and care facilities, and accessibility issues for people in wheelchairs or walkers. Seniors also hold a lot of wisdom, knowledge and experience that can benefit the whole community. The nearest independent living facility for seniors is located in Clarke's Beach, approximately 7 km away from Brigus. There may be the need and market for seniors housing with various levels of independence and care in Brigus in the coming years. This Plan recognizes the needs associated with changing demographics, enables the development of seniors housing and addresses accessibility issues in the built form of the community.

Environment

The Town has embraced its scenic natural environment by building around the waterfront, and incorporated the rolling cliffs, rivers, ponds and natural vegetation into the built landscape. New development that respects and enhances natural environment will improve quality of life, continuing the legacy of Brigus as an attractive place to live.

This Plan recognizes the importance of preserving waterbodies and wetland areas to ensure a long term supply of potable water. Protecting blueberry marshes will ensure continued



traditional use of this cultivated natural resource. The Plan also identifies walking and hiking trails, opening up natural spaces in the community for resident and visitor enjoyment and promoting recreation and healthy lifestyles.

Brigus is not unlike other communities that are experiencing impacts from climate change. As a coastal community, there is growing concern over coastal erosion and rising sea levels. Residents will have to consider how land development practices need to be adapted within the context of climate change. For example, public and private developments should be setback far enough from the coast that residents are safe and these investments are not damaged.

Economy

The growth of the tourism industry in Brigus is reflected in the employment statistics, which indicate that traditional resource industries continue to generate economic activity, but many residents are employed in construction and manufacturing, professional services, and other services including retail trade, accommodation and food services. Brigus is well-positioned to build on the provincial tourism marketing strategy that emphasizes creativity, genuine and friendly people, cultural vibrancy and heritage, and the rugged beauty of the natural environment. The town's proximity to St. John's, an important gateway for tourists, needs to be promoted alongside regional tourism strategies. Events like the annual Blueberry Festival can continue to draw visitors from within and outside the province. The Town has also developed a niche market attracting artists as special interest visitors. The sustainability of economic prospects garnered through the tourism industry relies on the preservation of historic character, and scenic views of the harbour and rocky shoreline. The updated Plan and Development Regulations for design and construction in the Historic Area will help ensure that the heritage of Brigus is preserved and the longevity in the tourism industry is sustained.

This Plan supports a diversity of business development and employment opportunities in the community by encouraging a wide range of business development opportunities, both in identified commercial areas and as home-based businesses. The Plan recognizes that the community is likely to remain primarily residential and upholds residents' values of beauty and tranquility by putting controls in place to reduce conflicts and nuisance between residential and other land uses. In the Plan period it can be expected that Brigus' residents will continue to rely on mix of income sources: from work within the local crab processing industry and regional tourism opportunities, to working in adjacent communities and St. John's, and from seasonal/long-distance commuters to other provinces.

Having a sustainable economy also means that the Town uses tax revenues efficiently, and in ways that will provide community-wide benefits. The Town of Brigus has a low debt servicing ratio, sufficient means to borrow funds for needed capital infrastructure investment and a stable tax base. An increase in amount of seasonal home owners may create challenges in sustaining the economy of Brigus; they will provide revenue to the Town through taxes,



however, do not contribute to school enrolment or community activities in the “off season”, they require goods and services from businesses when they are not there, and can cause an increase in property values and corresponding property taxes, that year-round residents may have difficulty paying.

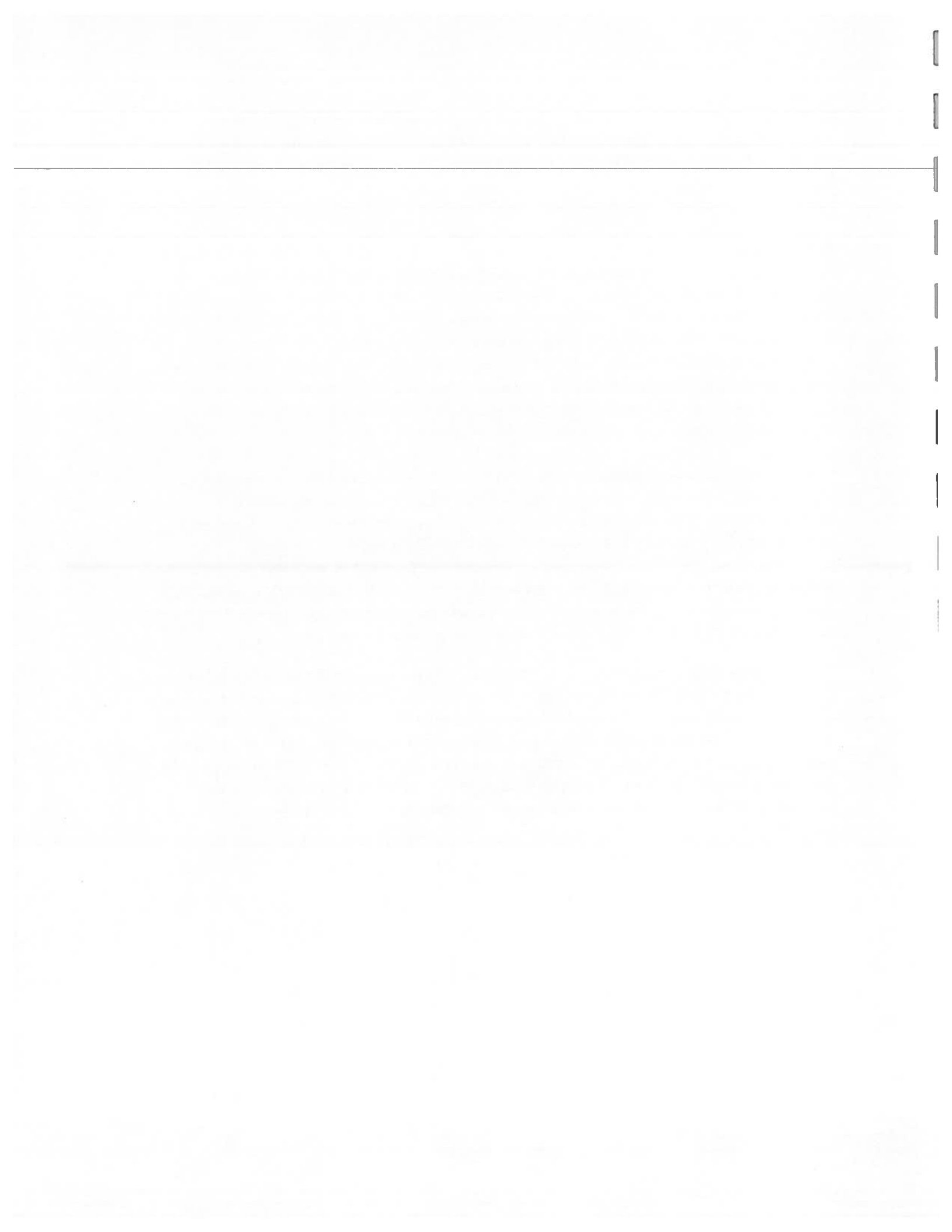
Built Form

Past studies have shown that the architecture and character of the built form in Brigus, is not only a cultural and tourism resource for the town, but for the Province as well. While the form of historic houses in Brigus varies, generally the houses have a simple form, are clad in narrow four inch wood clapboard siding, with six inch wood trim around double hung windows and doors. Sheds and other accessory buildings have historically matched the main house in using four inch wood clapboard and six inch trim boards. White was the most predominant paint colour used and became known as “the Brigus colour” (Brigus Development Study, 1990; Townscape Conservation and Community Development Study, 1986).

This Plan addresses the need for clearer policies and development regulations in the Historic Area of Brigus, which will apply to renovations of existing structures and any new developments within the area. The Town has already taken steps in preserving its heritage by implementing Historic Town Design Regulations in 1992. The 1992 regulations are incorporated into one complete and updated Development Regulations document and improve the clarity and level of detail regarding what is permitted within the area. By taking additional steps to protect the built form of the town, the Plan will ensure a sustainable Historic Area, which will provide better opportunities for the tourism industry in the community.

There is little room for new development within the Historic Townscape Area, therefore the Plan encourages adaptive reuse of existing buildings within the area and identifies land outside of the area to accommodate new development within the community. A challenge for Brigus is to encourage development which uses existing infrastructure such as road, water and sewage systems. The Plan sets out clear policies to guide new growth in a manner that is in line with the character of the town, and located close to services so that walking is encouraged. The Plan provides opportunities for different forms of housing that will accommodate the aging population.





Appendix C - References & Information Sources

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