

# **MUNICIPAL PLAN**

## **TOWN OF CAPE ST. GEORGE**

In Effect: February 21, 2013

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# URBAN AND RURAL PLANNING ACT

## URBAN AND RURAL PLANNING ACT RESOLUTION TO ADOPT TOWN OF CAPE ST. GEORGE MUNICIPAL PLAN 2012

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of Cape St. George adopts the Town of Cape St. George Municipal Plan 2012.

Adopted by the Town Council of Town of Cape St. George on the 1<sup>st</sup> day of November, 2013.

Signed and sealed this 26<sup>th</sup> day of December, 2013.

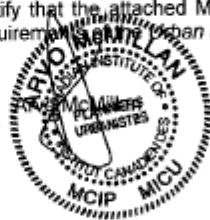
Mayor:   
Peter Fenwick

Clerk:   
Ina Renouf

### 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*.

MCIP:



## **1. INTRODUCTION**

### **1.1 The Plan**

The Cape St. George Municipal Plan is designed to give the Town control over land use and to ensure that development occurs in an orderly and transparent fashion in a manner that reflects the wishes of the Town and its residents. However, the plan and regulations must also comply with provincial and federal policies and not conflict with matters of provincial interest.

Prepared pursuant to the Urban and Rural Planning Act 2000, the Cape St. George Municipal Plan contains policy statements and maps approved by Council and registered by the Minister of Municipal Affairs to guide community growth and development for the next ten years within the Cape St. George Municipal Planning Area ('Planning Area'), the area set out under the Urban and Rural Planning Act 2000 for planning and regulatory purposes.

The Municipal Plan is binding upon the Town and upon all other persons, corporations and organizations within the Planning Area. The Plan must be reviewed by the Town every five years and, if necessary, revised to take account of development that cannot be foreseen during the next ten-year period.

When a Municipal Plan comes into effect, Council is required to develop regulations for the control of the use of land, in strict conformity with the Municipal Plan, in the form of Land Use Zoning, Subdivision and Advertisement Regulations – 'Development Regulations'. These are prepared at the same time as the Municipal Plan, and like the Plan, may be amended at any time to include new land uses and specific regulations. The Development Regulations shall deal with matters relating to development and buildings as defined under the Urban and Rural Planning Act 2000, which include in addition to permitted and discretionary land uses, matters such as non-conforming uses, advertisements, subdivisions and permitting requirements.

Development Regulations must comply with the requirements of the Urban and Rural Planning Act 2000, regulations under the Urban and Rural Planning Act 2000 and any other pertinent rules and regulations enacted by the Province, including, the Municipalities Act, and as well, legislation relating to environment, health and safety, agriculture, mines and mineral workings, highways, and forestry.

Development schemes (amendment to the Municipal Plan), design concepts, comprehensive plans, subdivision agreements and concept plans, further implement the Municipal Plan and Development Regulations with more detailed designs, design strategies and policies for roads and other facilities and development.

The Town may reserve land for future acquisition as the site of any public roadway, service or building, or for a school, park or other open space, and may make such agreement with owners of the land as well permit its acquisition and use of these purposes. The Town may also specify the manner in which any particular area of land is to be used subdivided or developed, and may regulate the construction of buildings which would interfere with the carrying out of any development project.

## 1.2 Cape St. George and the Municipal Planning Area

Located on the historic Port au Port Peninsula, the Town of Cape St. George and its municipal planning area extends west some 15 kilometres along St. George's Bay and north approximately 9 kilometres along the Gulf of St. Lawrence.

The predominant physical features of this area are the exposed limestone barrens and the steep cliffs along the shoreline west of De Grau.

Mainland to the north of Cape St. George, Lourdes and other communities around the Port au Port Pensinsula are accessed by Highway 463.

The municipal planning area takes in approximately 55 square kilometres, while the town alone takes approximately 35 square kilometres.

The reasons why the municipal planning area extends well beyond the municipal boundary are:

- Rouze's Brook Protected Public Water Supply – to ensure that the Town can adequately protect its water supply;
- Protection of the Rare Plants and MacKenzie's Sweet Vetch – Plant Species at Risk that have been identified on the limestone barrens by the provincial government – Biodiversity and Endangered Species, Wildlife Division, Department of Environment and Conservation. The Town is committed to helping protect these unique endangered plant sites – and it is one of the reasons that the Town had decided to proceed with the preparation of a municipal plan;

- The area and surrounding waters is subject to intensive oil exploration (PDI Production Inc. Production Lease 2002-01 and Exploration License EL 1070) which takes in a large portion of the Port au Port Peninsula and the nearby Gulf of St. Lawrence and Port au Port Bay. Data on this is available in the Project Registration document under the Environmental Protection Act for the Garden Hill Seismic Exploration Program dated June 8, 2007. Also this registration document contains much general useful information about the Cape St. George planning area and the Peninsula.

The Town takes in the settlements of Loretto, Marche's Point, De Grau, Red Brook and Cape St. George. The cape of Cape St. George, site of a memorial to the Acadian settlers at Boutte de Cap Park, lies approximately 40 kilometres from Stephenville.

Following a traditional pattern, settlement primarily occurs next to and within 150 metres of Highway 460 with small holding agricultural and forest lands back of the homes and businesses. Much of the agricultural lands lay between the highway and St. George's Bay. Steep slopes and shallow soils have limited development and farming north of the highway.

Loretto was a small farming community established in the 1930's, but then as people moved away in the 50's, people of this community were resettled to Marche's Point. Accessed by a town road, Loretto is slowly being re-occupied by persons with cottages, and ultimately, year-round residences.

Public facilities, namely the two schools, town office/fire hall and recreational grounds are located near the centre of the community at De Grau.

Because they are accessible and relatively level, the unused agricultural lands on either side of the highway are slowly being converted for residential and tourism-related purposes.

Once the turn north on the Highway 463 is made at the Cape, there is no development. The focus is on cultural heritage, such as the Boutte de Cap, associated trails and protected rare and species at risk plant sites.

People on the whole rely on outside sources of employment – the offshore, Fort MacMurray Alberta, Stephenville, and so forth for their livelihoods. There is very little reliance on the local resource base, agriculture, forestry, fishery and tourism for income.

However, tourism is an emerging industry with three bed and breakfast operations. The Town and the region are heavily promoting tourism.

Exploration for oil is ramping up on the Port au Port Peninsula and this is likely to have a significant effect on the economy of the Town and region.

The two K-8 schools, Notre Dame du Cap and Our Lady of the Cape, are also important employment sources.

Upon graduating from Notre Dame du Cap, students go to Ecole Ste. Anne in Mainland, and students from Our Lady of the Cape proceed to Piccadilly High School.

Cape St. George is Newfoundland and Labrador's only officially bilingual community.

In 2006 there were 893 persons living in 408 private dwellings (Statistics Canada – 2006 Community Profiles). This represented a 3.6% decline from the 2001 population of 926. However, the 2011 Census indicated a population of 949 – a significant increase of 6.3% in that five-year period. The number of private dwellings rose from 408 in 2006 to 409 in 2011.

There are no persons residing in the municipal planning area outside the Town boundary. However, there are a number of remote cottages in the planning area. New home construction has been very modest over the past five years.

About ninety percent of the Town is supplied by a municipal water system out of the Rouze's brook Protected Public Water Supply. Domestic waste is handled through private septic tank systems. Garbage is trucked to the St. George's Regional Landfill.

Fire protection, street lighting, recreation and other services are provided at high level by the Town.

#### Port au Port Peninsula By-Pass Road

Contingent upon oil production the provincial government is proposing to construct a highway to service oil production transportation that will by-pass Highway 460 on the Port au Port Peninsula.

#### Climate Change

For most of the community, given that development has occurred well away from the shoreline, and on solid and reasonably level land, not susceptible to land slides or flooding, the near-term effects of more frequent extreme weather events does not appear to be significant.

Within the planning area the Port au Port Peninsula Highway is well set back from St. George's Bay and Gulf of St. Lawrence. However, Highway 460 is

Susceptible to rock falls east of the town's boundary in several places where it cuts into a cliff.

#### Integrated Community Sustainability Plan

In 2010 an Integrated Community Sustainability Plan was completed for the Port au Port Region, which comprised the municipalities of Port au Port East, Port au Port West, Aguathuna, Felix Cove and Cape St. George. And out of this experience came the following Vision Statement:

#### **Port au Port Region Vision Statement**

*“All of the incorporated Municipalities in the Port au Port Region will strive to work together to protect the natural environment and provide for the long term economic, social and cultural needs of all the region's residents.”*

This is important because it represented a significant regional initiative that is reflected in the Town of Cape St. George's own planning process.



## **2. LAND USE PLANNING FRAMEWORK, GOAL AND DEVELOPMENT POLICIES**

### **LAND USE PLANNING FRAMEWORK**

The Town of Cape St. George intends to maintain its traditional settlement pattern with infilling and some expansion into suitable areas, such as Loretto. The municipal plan and the development regulations are designed to sustain this pattern and accommodate traditional lifestyles and land use patterns as much as possible.

### **GOAL**

The goal of the Municipal Plan is to accommodate and encourage constructive change in a traditional community setting that will foster the community and region's economic and social development while adhering to basic principles of sustainable, economically sound and environmentally appropriate urban and rural development within the town and planning area.

### **DEVELOPMENT POLICIES**

All development within the Town of Cape St. George Planning Area shall be managed in accordance with the general land use policies and designations set out in the ensuing sections. These designations are shown on the Future Land Use Maps.

#### **2.1 Future Land Use Designations and Policies**

Future Land Use Maps designations are:

Town  
Rural Residential  
Rural  
Environmental Protection  
Protected Public Water Supply  
Highway Reserve

Use Classes and Groups referred to in the designations of Section 3 are the use classes and use groups set out in Schedule B of the Development Regulations.

The boundaries between the land use designations set out on the Future Land Use maps are general only and, except in the case of roads or other physical barriers, are not intended to define exact limits.

Therefore, minor adjustments may be made to these boundaries for the purpose of implementing the Plan.

## 2.2 General Development Policies

- (1) In addition to any other considerations under this Municipal Plan, the Town may refuse permission for a development where in its opinion services are inadequate or it is uneconomical to provide and maintain these services.
- (2) In order to ensure that development occurs in an orderly manner and that appropriate development opportunities are maximized, subdivisions and other major developments shall be co-ordinated with other existing and proposed developments and the Planning Area's road system and services. These developments may be required to provide for public access to adjacent undeveloped lands. Furthermore, the Town may require that a comprehensive plan of development be prepared and adopted before any development is allowed in a given area.
- (3) When reviewing a development proposal, the Town shall consider the suitability of a site in terms of steepness of grades, soils and geology, location of waterways and wetlands and shall, when considering approval, ensure that the development has minimal or no negative effects on other properties and bodies of water.
- (4) If in its opinion, the development of the site having certain characteristics, such as steep or unstable slopes, poor drainage, high water table and so forth, could create problems for the development of the site or nearby properties, the Town can require the submission of a review of the development proposal by a certified engineer, landscape architect or similar professional.

Among other matters, the review shall evaluate the adequacy of site grading, drainage and landscaping and the potential of the development to cause erosion onto and pollution of adjacent properties and bodies of water.

## 2.3 Conditions – All Development

### (1) Services and Access

Services and access must be appropriate to the type and scale of development.

The Town shall ensure that new development makes efficient use of existing roads and infrastructure. The Town shall further ensure that new development will not create unreasonable servicing demands or costs.

Development lacking municipal water and/or municipal sewer services shall be approved by the Department of Government Services before a permit is issued by the Town.

### (2) Uses Allowed In All Designations

Accessory buildings and uses, conservation, public services and public utilities, recreational open space, roads and trails can be allowed in all designations subject to the other provisions of this municipal plan.

### (3) Compatibility of Uses, Buffers and Screening, Property Upkeep

The Town shall ensure as much as possible that existing and new development will not negatively affect existing and proposed land uses by creating a hazard or nuisance such as noise, dust, odour or unsightly appearance. The Town may require a developer to provide appropriate screening and to undertake other measures to minimize negative effects and to ensure a clean and tidy town.

### (4) Non Conforming Uses

In accordance with the Urban and Rural Planning Act 2000, a use of land that legally existed at the time of the registration of this Municipal Plan will be allowed to continue irrespective of its conformity to the Plan or Development Regulations. Specific provisions concerning legal non-conforming uses shall be set out in the Development Regulations.

## 2.4 Agriculture

Higher intensity livestock and related agricultural uses shall be separated by an adequate buffer between existing and proposed residential developments. These agricultural uses shall conform to Provincial Government policies and guidelines

with respect to such operations.

In general, all agricultural operations shall be approved by the Department of Natural Resources.

## 2.5 Archaeological and Heritage Resources

Archaeological sites and discoveries are protected under the *Historic Resources Act, 1985*. If such a site is discovered, development shall stop and the Provincial Archaeology Office of the Department of Tourism, Culture and Recreation consulted. Also, if any major development is proposed, the Provincial Archaeology Office shall be advised before an approval is granted by the Town. This is to ensure that the necessary research is carried out before construction begins.

The Town may from time to time designate heritage sites and areas under the Municipalities Act.

## 2.6 Coastline and Harbour Areas, Streams

In order to protect lives and property and the natural environment, the Town shall review development proposals for sites adjacent or near streams and the marine coast line and harbours shall be reviewed to ensure that unless it is a use requiring direct access to the body of water:

- a) it is not likely to be damaged by a storm;
- b) it is not a vulnerable or critical use, that is, a multi-unit residential use, a use catering to persons with disabilities or other special needs, and/or a use related to emergency services (example – a fire station or emergency command centre, emergency shelter or other facility) – uses which if damaged or destroyed, could cause injury or loss of life and/or make it more difficult to respond to an emergency

With the exclusions noted above, along the marine coastline except for marine related activities and temporary or minor structures, new development may not be permitted at or below the 4 metre elevation, unless it can be demonstrated to the satisfaction of the Town and other relevant authorities that the risk is low and/or that the development can withstand the damage that could be incurred by a flood or storm event. However existing conforming uses can be allowed to expand.

The Town in its discretion may refuse to issue a permit for a development that could be affected by a storm event based upon previous events, local knowledge and/or research carried out in respect of climate change.

## 2.7 Mineral Exploration

- (1) Subject to the other provisions of this Municipal Plan, mineral exploration which is not classed as development by virtue of drilling, appreciable ground disturbance, construction of access roads, noise, odour and appearance can be permitted anywhere in the Planning Area, provided that adequate notification is provided to the Town.
- (2) Mineral exploration which is classed as development shall or may be permitted in appropriate designations provided that adequate provision is made for buffering and/or other mitigations of impacts of existing or future urban residential, commercial, industrial, institutional and recreational areas and provided that all necessary approvals are obtained.
  - (a) Buffering may take the form of a buffer between such mineral exploration and areas set aside for urban purposes within which higher impact mineral exploration is either prohibited outright, or is treated as a discretionary use.
  - (b) Higher impact mineral exploration shall be subject to conditions that control noise, appearance, duration of the drilling or excavating program and the control of other impacts that may arise. The precise nature of these controls will depend upon the location of the mineral exploration in respect to built-up areas and uses sensitive to noise and ground disturbance.
  - (c) Where there is ground disturbance, the developer shall provide a site restoration surety and/or other satisfactory guarantees of site landscaping to the Town.

## 2.8 Mineral Workings

The Town may provide for mineral workings in areas where there are known aggregate supplies and where there is less likely to be conflict between mineral workings and other uses subject to controls that will minimize environmental damage and conflict with other land uses.

## 2.9 Mining

The mining class of uses, which includes the production of oil and natural gas (see Schedule B of the Development Regulations), is subject to the approval of the Town along with the Provincial Government.

## **2.10 Protected Water Body**

Protected Water Bodies – The ocean, including streams, ponds and wetlands which appear on Future Land Use Map 1 (derived from 50,000 base mapping) and Future Land Use Map 2 (derived from 2,500 base mapping) when derived from the 50,000 base mapping are shown as Protected Water Body on the future land use maps. Any development activities, including fording, within 15 metres of the high water mark of these water bodies must be approved under Section 48 of the Water Resources Act by the Department of Environment and Conservation. See also Section 2.14 – Waterways and Wetlands.

## **2.11 Subdivisions – Groundwater Supply Assessment**

The approval of new unserviced subdivisions containing five or more lots or the addition of unserviced lots to existing unserviced subdivisions require that a groundwater assessment be done to determine with high probability that acceptable quality and quantity drinking water will be available to homeowners for both the short and long term. This shall be done in accordance with the Provincial Land Use Policy – ‘Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells’ as from time to time amended and administered by the Department of Environment and Conservation, Water Resources Management Division.

This policy provides the administrative and technical guidance to developers applying for subdivision approval and to ensure that the development proposals are submitted with the required technical support.

## **2.12 Trails**

The Town may require that any development within a specified distance of a significant well-established and clearly demarcated trail be reviewed to ensure that development does not negatively impact such trail. Where deemed necessary, the Town may require that a buffer be provided by the developer. Wherever possible, this buffer shall extend at least 15 metres from either side of the trail.

## **2.13 Unserviced and Semi-Serviced Development**

Development on individual parcels of land with onsite sewage disposal and/or onsite water supply requires the approval of the Department of Government Services under the Sanitation Regulations of the Health and Community Services

Act. In addition to the standards regarding onsite sewage disposal and water supply, the Department also sets out minimum lot area and frontage requirements for unserviced and semi-serviced development pursuant to the Sanitation Regulations. See also Section 2.11 – Subdivisions – Groundwater Supply Assessment.

## 2.14 Waterways and Wetlands

Sound environmental and engineering practice and protection of the Town's amenities make it the general policy of the Town to protect most waterways and wetlands ('water bodies') of the Town of Cape St. George Municipal Planning Area. Even minor water bodies can have a significant role to play in the management of drainage and plant and wildlife habitat.

A protective buffer of undisturbed soil and vegetation shall be preserved insofar as possible along the shoreline of the ocean and most water bodies – particularly the Protected Water Bodies (Section 2.10). The buffer shall be sufficient to prevent erosion, retain natural drainage features, prevent siltation, preserve public access and protect plant and animal habitat.

- (1) Development within and along the ocean and including streams, ponds and wetlands (defined as water body or body of water) and their buffers is subject to this Section and all relevant provincial and federal policies and statutes, including Department of Environment and Conservation Policy Directives W.R. 97-1, Development in Shorewater Zones and 97-2 and, Development in Wetlands. See also Section 3.5 – Protected Public Water Supply.
- (2) Protected Water Body – See Section 2.10.
- (3) Where there is a conflict between the Policy Directives or any other relevant provincial and federal policies and this Municipal Plan or Development Regulations, the more restrictive standards shall apply.
- (4) The minimum width of a buffer along any water body shall be 15 metres from the highwater mark, or 1 in 100 year flood zone, of the stream, river, pond or other body of water. This requirement may be modified or waived where the water body is deemed minor under Clause 12 of this Section.
- (5) If the toe of an embankment with an average slope of 30% or more lies within 15 metres of the highwater mark, or 1 in 100 year flood zone of the water body, then the buffer shall be measured from the top of the

embankment.

- (6) Subject to the approval of the Department of Environment and Conservation and the Town for a Protected Water Body, *and only the Town if it is not a Protected Water Body unless the Town chooses to refer the development application to the Department of Environment and Conservation*, the only uses that can be allowed in the buffer area of a water body are roads, driveways, public services and utilities, recreational open space and trails and uses requiring direct access to a body of water, such as wharves and docks and other marine related uses.
- (7) Any development, including placing fill or other materials, within a water body and the buffer area of a water body is subject to the approval of the Town, and where necessary, the Department of Environment and Conservation and the Government of Canada.
- (8) The Town or the Provincial Government may subject development within the buffer area of a water body to an environmental review, and may approve, approve subject to conditions, or refuse such development.
- (9) The matter of adequate and usable legal public access to the waterway shall be a consideration in the review of an application for a structure within a buffer and/or water body.
- (10) Any activity that has the potential to affect fish habitat or navigable waters shall be submitted to the relevant provincial and federal agencies for approval before it is approved by the Town.
- (11) Wetlands can only be developed in such a way as to minimize damage and impacts on the hydrology and environment of the area and will require a permit from the Department of Environment and Conservation under Section 48 of the Water Resources Act.
- (12) If a body of water is deemed to be minor, wherever possible such water bodies shall remain undeveloped and protected by a buffer. If a site is to be developed, alternatives to covering over or eliminating such water bodies shall be explored, including relocation of the water bodies and/or redesign of the development.

## **2.15 Windmills, Wind Turbines and Other Alternative Energy Sources – Utilities**

Wind mills, wind turbines and other alternative sources such as solar panels ('Utilities' under Schedule B of the Development Regulations), which are not classed as public utilities can be approved by the Town in suitable locations



provided that all necessary approvals are obtained from the Departments of Environment and Conservation and Natural Resources and other relevant agencies, and the Town is satisfied that such development will not create a hazard or nuisance to nearby land uses.

### **3. DESIGNATIONS**

#### **3.1 Town**

The Town designation reflects the historic mix of land uses of the communities that make up Cape St. George. Permitted Uses in this designation include Uses under Section 2.3 (2) of this Municipal Plan, single dwelling residential uses, including mobile homes, and uses compatible with single dwelling residential uses including businesses carried out on residential properties.

Discretionary Uses in this designation can include non-residential uses that could have an impact on the primary residential uses of the community including but not limited to certain assembly, institutional, business and personal service, mercantile, industrial (excluding hazardous industry) and agriculture, animal, antenna, mineral exploration, mineral working and utilities (windmills, wind turbines, etc.).

##### Non Residential Uses

Non-residential uses shall be compatible with nearby residential uses, which is to say that they shall not interfere with the use and enjoyment of nearby residential properties by virtue of appearance, noise, odours, traffic or dust.

##### Municipal Services

Development in this Designation shall be connected to the Town's municipal water service where feasible.

#### **3.2 Rural Residential**

The Rural Residential designation is designed to accommodate residential development in suitable areas that lie outside the Town designation and which lack municipal water service.

Permitted Uses in this designation include Uses under Section 2.3 (2) of this Municipal Plan, single dwelling residential uses, including mobile homes, and uses compatible with single dwelling residential uses including businesses carried out on residential properties.

Discretionary Uses in this designation include agriculture, antenna, campground, forestry, mineral exploration, outdoor assembly and utilities (windmills, wind turbines, etc.).

#### Non Residential Uses

Non-residential uses shall be compatible with nearby residential uses, which is to say that they shall not interfere with the use and enjoyment of nearby residential properties by virtue of appearance, noise, odours, traffic or dust.

#### Municipal Services

Development in this Designation shall be not be connected to the Town's municipal water service.

### **3.3 Rural**

Including uses under Section 2.3 (2) of this Municipal Plan under the Rural designation the Town can allow resource based uses such as agriculture, forestry, mineral exploration, mineral working, mining, seasonal residential, transportation, utilities (windmills, wind turbines, etc.), and appropriate compatible uses as permitted or discretionary uses.

All development in this designation is subject to the approval of the Department of Natural Resources along with other appropriate agencies.

#### General Industry

General industrial uses shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry, mineral working or mining uses. Only an office may be allowed as an accessory use.

#### Seasonal Residential

Seasonal Residential in this designation is limited to 'remote cottages', that is, seasonal residential dwellings which do not have frontage on a publicly owned and maintained road, and which can only be accessed by all terrain vehicles or snow machines.

#### Municipal Services

Development in this Designation shall not be connected to the Town's municipal water service.

### 3.4 Environmental Protection

The Environmental Protection designation is applied to areas where it is desirable to protect the natural features of an area from development and also protect areas that contain rare and/or endangered plant species.

Permitted Uses and Use Classes under this Designation are:

- Uses under Section 2.3 (2) of this Municipal Plan.

Discretionary Uses and Use Classes under this Designation are:

- Forestry (Domestic Cutting Permits Only),
- Mineral exploration,
- Transportation (wharves, docks, fishing stages, marinas, boat houses);
- Utilities.

Before a permit is issued for development within the Environmental Protection designation, the Town and other appropriate agencies shall ensure that the development, including domestic cutting, will not negatively affect the rare plants sites as indicated on Future Land Use Map 1.

All development in this Designation is subject to the approval of the Department of Environment and Conservation along with the Town.

### 3.5 Protected Public Water Supply

See also the Department of Environment and Conservation Policy Directive W.R. 95-1.

Within the Protected Public Water Supply Designation development is restricted to uses and activities that will not damage the water supply.

All development applications shall be referred to the Department of Environment and Conservation for approval before a permit is issued by the Town.

Including Section 2.3 (2) uses and uses required for the operation of a water supply system, the only permitted use in this designation is Conservation.

Discretionary uses in this Designation are Antenna, Mineral Exploration, Recreational Open Space and Utilities.

### 3.6 Highway Reserve

The Highway Reserve Designation is designed to prevent any development which could negatively affect the development of the proposed Port au Port Peninsula By-Pass Road. Where it affects the Rouze's Brook Protected Public Water Supply, this designation becomes an overlay over the Protected Public Water Supply Designation.

Subject to the approval of the Department of Transportation and Works along with the Town, only Section 2.3 (2) uses and mineral exploration may be approved in this designation as discretionary uses.