

# TOWN OF CARBONEAR MUNICIPAL PLAN

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**Amendments:** To see if there were any amendments to this document since it came into effect, please refer to:

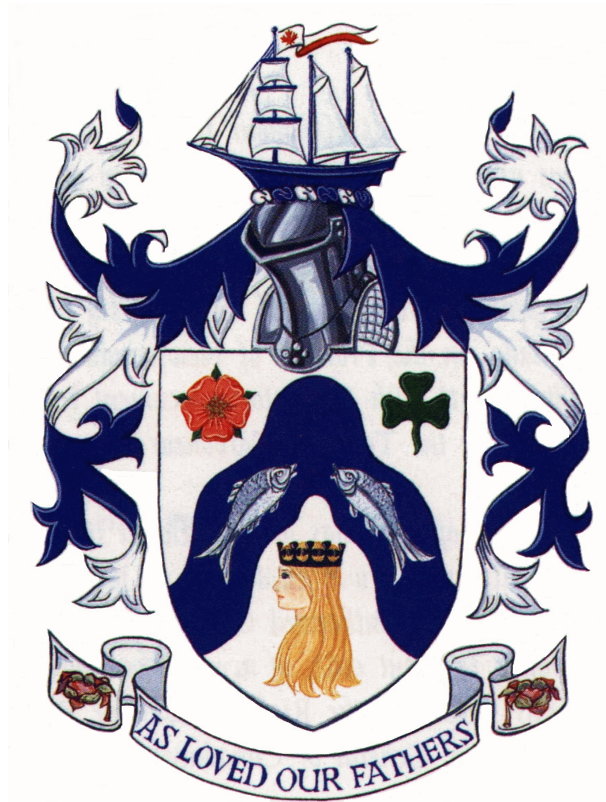
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# The Town of Carbonear

Municipal Plan 2004–2014

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PLAN-TECH



ENVIRONMENT

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## **1.0 INTRODUCTION**

### **1.1 MUNICIPAL PLAN PREPARATION**

This Municipal Plan has been prepared in accordance with the requirements of Section 15 of the Urban and Rural Planning Act, following surveys and studies of land use, population growth, the local economy, present and future transportation and communication needs, public services and other relevant factors.

The Plan outlines the goals, objectives and policies of Council regarding the development of the Municipal Planning Area over the next ten years. This Municipal Plan, consisting of a written text in which the goals, objectives and policies are set out, also includes Land Use Maps indicating the proposed allocation of land into various Land Use categories.

### **1.2 PLAN APPROVAL**

For the Plan to gain full legal effect, Council must hold public consultation with area residents and concerned groups and individuals to allow for public input into the planning process. This consultation consists of a public advertisement that the Plan is under review and requesting that the general public be offered the opportunity to view the existing Plan and provide comments for the draft Plan. This format is through public meetings, briefing sessions, or with groups and individuals. After this consultation, Council must formally adopt the draft Plan by resolution of the council under Section 16(1) of the Act, and allow for further input from the general public.

Council shall appoint a qualified Commissioner to conduct a formal hearing to consider objections and representations from the public either opposing or in favour of the Municipal Plan. The Commissioner will formally report his findings to Council as a result of the public hearing. Council may adopt the report in whole, in part or reject the report in its entirety. Council can then formally approve the Municipal Plan and apply to the Urban and Rural Planning Division, Department of Municipal and Provincial Affairs for registration. A notice will then appear in the Newfoundland Gazette and a local newspaper advising the public of Council's intent. Once this notice has been published in the Newfoundland Gazette, the Plan is legally binding on Council and any person or party proposing to develop, or to change the use of land, anywhere within the Planning Area.

### **1.3 PLAN REVIEW AND AMENDMENT**

When the Municipal Plan comes into effect, it is binding upon the Council and upon all other persons, corporations and organizations. Every five years from the date on which the Municipal Plan first comes into effect, Council is required to initiate a review of the Plan. Where necessary, changes may then be made to account for any new policies or land use requirements for the next ten years. The Plan may otherwise be amended at any other time, in whole or in part. Any such amendment will be read together with, and become part of, the Municipal Plan and so must not conflict with any other of its policies. If circumstances do not permit a Plan review to be undertaken within the prescribed time, the current Municipal Plan, and any amendments that had been made to it, will remain in effect until a Plan review is completed and fully approved.

## **1.4 MUNICIPAL PLANNING BOUNDARY**

With the adoption of the Municipal Plan, the Town of Carbonear requests that the Minister of Municipal and Provincial Affairs approve an amendment to the Carbonear Municipal Planning Boundary. The Carbonear Town Council has recommended a change to its Municipal Planning Boundary to exclude the community of Freshwater, a Local Service District established under *The Municipalities Act*. At present, this community does not rely on the Town of Carbonear for services. Snow clearing is provided by the provincial Department of Transportation and Works. Water is provided by community wells where available, or through on site well and septic systems. Garbage collection is provided by a private contractor. The Town of Carbonear may still provide fire protection services through its volunteer fire brigade.

The revised Municipal Planning Boundary will coincide with the Freshwater Local Service District boundary which has been gazetted. The Town of Carbonear has advised the Freshwater Local Service District, and has proposed this boundary amendment as part of the Public Consultation process as defined by section 14 of *The Urban and Rural Planning Act, 2000*.

## **1.5 MUNICIPAL PLAN ADMINISTRATION**

When a Municipal Plan comes into effect, Council is required to develop a scheme for the control of the use of land in strict conformity with the Municipal Plan in the form of land use zoning, subdivision, and any other regulations necessary. After adoption by Council, these regulations will form part of the Municipal Plan.

Regulations must comply with the requirements of the Urban and Rural Planning Act 2000. As part of the Municipal Plan, Councils are also to adopt Ministerial Development Regulations as defined under Section 36 of the Act. These Regulations may be incorporated into the Town's Development Regulations or may be attached as a Schedule or Appendix to the planning document. These regulations will form part of and be read along with the Municipal Plan.

## **1.6 SUMMARY OF BACKGROUND REPORT**

### **1.6.1 LOCATION AND REGIONAL CONTEXT**

The Town of Carbonear, located on the Avalon Peninsula, is midway along the eastern shore of the Bay de Verde Peninsula. The Towns of Victoria and Salmon Cove are immediately neighbouring to the north. The Town of Harbour Grace including the settlement of Bristol's Hope are to the south.

Carbonear is developing as the regional centre for commercial and social services and is a centre for the Bay de Verde Peninsula, serving a regional population.

### **1.6.2 ROAD TRANSPORTATION**

Carbonear is connected by road by Route 70, extending 43 kilometres from the Trans Canada Highway. A new by-pass road, Route 75, has been recently constructed running from the Trans Canada Highway to Carbonear. The final phase of this highway was completed in the fall of 2003.



Carbonear is also connected by road to the Trinity Bay side of the Bay de Verde Peninsula by Route 74 to Heart's Content, where it joins Route 80. All highways are paved and in reasonably good condition.

### **1.6.3 PHYSICAL FEATURES**

The older section of Carbonear is located on the lower slopes of the hill rising from the north side of the harbour. Subsequent development has progressed westwards within the broad valley basin formed by Island Pond Brook and Powell's Brook.

The Department of Natural Resources has defined a number of aggregate resource locations to be preserved for future quarrying use. Main sites are on the north side of Line Road at the Municipal Boundary; south of London Pond; and at the summit of Saddle Hill.

The Island Pond Brook river system supports a variety of species of freshwater fish. The beach in Crocker's Cove is recommended for preservation as an open space area. This cove and the waters on the south side of Carbonear Bay are also environmentally sensitive as lobster fishing areas and as spawning areas for caplin.

The water supply catchment area supports substantial areas of productive forest, much of which has been designated for domestic cutting use. Very little commercial wood harvesting is conducted within the planning area.

#### **1.6.4 RESIDENTIAL GROWTH**

The existing Municipal Plan for Carbonear assumed that the population of the Town would grow at an annual rate of 1.7%. This would have resulted in a 2001 population of 6100 for the Town. The 2001 census population of Carbonear is 4759. This figure reflects a negative growth rate considerably less than the rate on which the current plan was based. The Town and the Province as a whole, has experienced an out migration of population.

Carbonear experienced a -7.4% decline in population growth during the 1996-2001 period. However, this decrease is not seen to be significant in all instances when compared with the provincial population decrease of -7.0 % during the same period.

Land is still available for residential in-filling and backland development throughout the Town. Development patterns suggest that new residential construction has been on an ad hoc basis. Very few planned subdivisions have been approved by the Town. New residential development is presently being experienced in the area of London Road West and Forest Road area. Residential lots are being developed on an individual basis.

#### **1.6.5 COMMERCE AND INDUSTRY**

Carbonear has two main shopping areas. Water Street West is the traditional "Main Street" commercial area characterized by a variety of uses extending along both sides of the main thoroughfare. This area has experienced a downturn in attracting new businesses to the area. This Plan will look at reactivating the downtown area as a heritage commercial area. Small scale individual speciality shops are suggested for this area.

Trinity-Conception Square, fronting onto Highway 70, is a modern shopping mall with room for 30 commercial premises. This area has experienced new commercial growth with the addition of strip malls and individual commercial buildings.

The Powell Brook industrial area has approached full utilization. The need for designation of additional land for industrial use is indicated. Areas south of Fox Farm Road are being considered.

#### **1.6.6 PUBLIC BUILDINGS AND OPEN SPACE AREAS**

The new Arts Centre is located in the new Town Hall. This location hosts many community plays, functions and events. The site acts as a regional centre for arts and culture.

Public building land uses are located primarily off Route 70, on the Line Road. Carbonear Collegiate, the Town's recreation complex, including an indoor swimming pool, 2 softball fields, track and field facilities, soccer field, 4 tennis courts and an outdoor concert venue, are located in this area.

#### **1.6.7 SOCIAL SERVICES**

School enrollment is declining with a declining birth rate. The initial effect of this is experienced by the elementary schools. In recent years, the Town experienced the closure of Murray Elementary, and the demolition St. Clare's High School.

The College of the North Atlantic, Carbonear Campus is located at the head of the Bay on the east side of Cross Roads.

Public Health facilities include the Carbonear General Hospital and Harbour Lodge Senior Citizens Home, located in Carbonear South Side, near Saddle Hill. Legion Manor Senior Citizens home is located on the site of the former Saunders and Howell lumber manufacturing site off Pike's Lane. Carbonear Interfaith Seniors Home, the former Carbonear hospital, is located in Crocker's Cove. All facilities are operating at full capacity.

### **1.6.8 MUNICIPAL SERVICES**

The Protected Water Supply, Little Island Pond, is located west of the Town off the Line Road. A number of summer cabins still exist in this area, prior to the designation of the protected water supply.

Developed areas of the town are supplied by the municipal water and sewer system except where development is located above the 80 m elevation level. Water supply is pumped to some higher elevations through pipes of narrow diameter. Available water volume and pressure are therefore lower than acceptable in these locations.

The Town offers garbage collection and costs have increased with the recent closure of the regional incineration site south of the town. Garbage and solid waste is now trucked to Robin Hood Bay. The Provincial Government has established a Regional Waste Management Committee to study and select a site to serve all communities of the Avalon Peninsula.

The Town has a well organized and equipped volunteer fire brigade. Additional fire-fighting support is available on request from Harbour Grace and Victoria.

## **1.7 POLICY ASSUMPTIONS**

In evaluating the probable course of future growth and its effect as to the timing and relative importance of works to be undertaken to accommodate it, a number of assumptions have been made as follows:

- While the population has declined, housing demands still exists. Trends are towards smaller single family dwellings and with an increasing proportion of senior population. It is assumed that this will result in a demand for approximately 100 new dwelling units by 2014.
- Commercial and social services will continue to grow in line with past trends as Carbonear further develops its role as the regional centre for the area.
- No new large-scale industrial development is anticipated during the planning period. Existing industries will continue to operate at present or slightly increased levels.
- Extensive improvement and expansion of municipal services are unlikely to be financially possible without federal-provincial infrastructure assistance.

## **2.0 THE PLAN**

### **2.1 INTERPRETATION**

The following sections of this document and Future Land Use Maps 1 and 2, constitute the legally effective parts of this Plan.

The general terms referred to hereinafter are defined as follows:

- “Council” shall mean the Council of the Town of Carbonear.
- “Town” shall mean the Town of Carbonear.
- “Planning Area” shall mean the Carbonear Municipal Planning area.

### **2.2 LAND USE POLICIES**

#### **2.2.1 GENERAL DEVELOPMENT POLICIES**

The Town will encourage development in areas which are serviced or capable of servicing with municipal piped water and sewer systems. Development of a compact community will be encouraged in order to:

- keep down the capital cost of providing municipal services such as piped water and sewer, road pavement and upgrading, and street lighting;
- keep down the cost of running the community, especially those services where cost is related to road mileage, such as garbage collection, snow clearing and road maintenance;
- keep down the cost of living in the community and make the community convenient--homes, schools, and shops near to one another;
- preserve the open countryside and natural scenic resources for recreation and resource development.

**Policies:****Backlot Development**

Where vacant parcels of land exist which are of sufficient size for a building lot, but which do not have the required frontage on a publicly maintained street, they may be developed provided:

- the site is located in an area designated for medium density residential development in the Carbonear Development Regulations,
- the site can be serviced with municipal water and sewer;
- the dwelling is set back from the public street to which it has access at a distance that does not exceed the Town's capability to provide emergency services such as fire protection;
- the development of the lot does not prejudice the use of adjoining backlands. Where there is potential for additional development in the area, the lot and access shall be developed in a manner which will accommodate future development. In such cases, access to the public street must be of sufficient width to accommodate future public use;
- where there is no potential for additional development, the access shall be treated as a private driveway.

**Residential Infilling**

Development shall be consolidated in the existing and planned serviced areas through infilling and properly designed residential subdivisions.

**Transportation and Roads**

New development shall meet site design standards and requirements set out in the Town's Development Regulations, in order to safeguard and improve the road system of the community, and to provide easy access for fire protection and municipal services. New development, shall, wherever possible, contribute to shorten or reduce existing dead-end roads.

In order to preserve the integrity of the Conception Bay North bypass road, the Department of Transportation and Works will not approve any new individual access to Route 70/75 south of Powell Drive. Access to development in this area must be off a service road with a single point of access.

### **Nonconforming Uses**

Nothing in the Plan shall effect the continuation of a use which was legally established on the day that this Plan was approved and came into effect. Where a building or use exists which does not comply with the intent of the Plan and the designated use, then it shall not be substantially expanded. Minor extensions may be approved provided there will be no adverse affects on surrounding properties or the environment. A discontinued non-conforming use of land shall not exceed 12 months after that discontinuance.

### **Municipal & Public Utility Works**

Notwithstanding the specified permitted uses in the land use designations, municipal and public utility works such as telephone, water treatment, pollution control, and electric transmission and utility facilities are permitted uses in all use designations, provided no adverse effect on adjacent land uses or the environment is created. In this regard, the size and appearance of such works should be in keeping with adjacent uses and provision shall be made for buffering in the form of a suitably landscaped area between any such works and adjacent uses.

### **Environmental Preservation and Enhancement**

Priority shall be given to environmental preservation and enhancement given its importance to residents and to Council's intention of developing a tourism industry. This policy shall be applied to both the natural and built environments.

#### **Natural Environment**

The policy of preserving the natural environment will be extended to all natural systems including natural drainage systems, wildlife, plant and fish habitats.



The preservation of watercourses and shoreline areas will be a priority, including the Atlantic Ocean coastline within the Planning Area, Powell's Brook, Island Pond Brook and the series of ponds which drain into them.

Initiatives leading to environmental rehabilitation will be important, including development standards applicable to resource extraction operations, indiscriminate dumping and general environmental cleanup.

### **Built Environment**

Partnerships shall be encouraged with service clubs, business and the general public to carry out initiatives aimed at changing environmental attitudes, awareness and promoting projects which will result in a cleaner and improved built environment. Examples will include the following:

- The preservation of trees in the Town, particularly on sites for new development (ie, to discourage the traditional practise of clearing development sites of all trees).
- Development of a linear park throughout the Town, including walking trails around features such as scenic viewing areas and ponds. The purpose of this system will be to promote interest in the natural environment, physical fitness and enhance the Town's tourism development program.
- Reduction/recycling of solid waste.

### **Designated Flood Plain**

Island Pond Brook and Powell's Brook have been "designated floodway" (1:20 year flood zone), as an area subject to the most frequent flooding. A "designated floodway fringe" (1:100 year flood zone) constitutes the remainder of the flood risk area. This area generally receives less damage from flooding. These designations are established to identify flood risk areas to reduce the risk of future damages as result of flooding. The following policies shall apply to Flood Plain:

### **Designated Floodway**

- Development in the designated floodway shall be limited to non-building uses that will not be damaged by flooding. Projected maximum 1:20 year flood levels, ice action and current action shall be taken into account when determining the suitability of a proposed development on a particular site.
- The development of public works and public uses may be permitted provided the development takes account of the flood risk. Minor buildings which are necessary for the successful operation of the public work or public use to which they relate, may be permitted at Council's discretion.
- The infilling of land and water for the purposes of development, flood protection, water redirection or to redirect or reduce flood waters shall not be permitted.
- Applications for new development shall be referred to the Water Resources Division of the Department of Environment and Conservation for its recommendation before Council approves an application.

### **Designated Floodway Fringe**

- Development in the floodway fringe shall meet the flood proofing standards, intended to reduce damage to building type development and minimize to the building occupants and public resulting from the predicted infrequent flooding.
- The development of public works and public uses may be permitted provided the development takes account of the flood risk.
- The filling of land and water for the purposes of development, flood protection, water redirection or to redirect or reduce flood waters shall not be permitted except when the work has been approved by the Water Resources Division of the Department of Environment and Conservation and the Council and is a public work.
- Applications to develop shall be referred to the Water Resources Division of the Department of Environment and Conservation for its recommendation before Council approves an application

### **Cottages (Residential Seasonal)**

Cottages shall only be permitted within the Residential Seasonal land use designation as found in Schedule "C" of the Carbonear Development Regulations.

### **Plan Designations**

The boundaries between types of land use portrayed on the Future Land Use Maps are general only and, except in the case of roads or other physical or clearly defined features, are not intended to define exact limits. Therefore, minor adjustments may be made to these boundaries for the purpose of implementing the Plan.

## **2.2.2 SPECIFIC LAND USE POLICIES**

The land resources of the Carbonear Planning Area shall be managed in accordance with the proposed land uses shown on the Future Land Use Map and the land use policies of this Municipal Plan.

The Future Land Use Map divides the Planning Area into the following land use designations:

- Residential
- Commercial
- Industrial
- Public Buildings
- Recreation
- Conservation
- Downtown Heritage Area
- Mineral Working
- Rural
- Watershed

### **2.2.3 RESIDENTIAL**

Residential development has developed near the limits of servicing in the north and south extremities of the Town. Substantial areas of land, capable of development, is still available within the serviced area. Infilling of serviced residential areas has proceeded sporadically. Improvement in the water pumping system at Longs Hill has enabled improved service to Hillview Avenue and Hoyles Road and Lily Pond Road thereby allowing more residential development.

Forest Road is particularly well suited to development for high quality, low density residential use capable of preserving and benefitting from the natural amenities of the area, while placing the minimum demand on downstream sewer capacity.

#### **Objectives:**

- To promote a safe and serviced residential environment by controlling the classes of land use and characteristics of development permitted within residential areas.
- To designate land for residential use and promote its further development in a manner designed to make efficient use of municipal services.
- To ensure that residential development takes place in a manner that does not prejudice access to and appropriate development of neighbouring land.

#### **Policies:**

- Single and double dwellings and recreational open space may be permitted within areas designated for residential land use as shown on the Future Land Use Maps.
- Row dwellings, apartment buildings, churches, schools, convenience stores or small business offices may be permitted within serviced residential land use areas at the discretion of Council.

- Development may be permitted only on sites which are directly accessible to a public street.
- Boarding House Residential may be permitted within all residential land use areas at the discretion of council.
- Special care institutional may only be permitted as a discretionary use within the Residential Rural land Use Zone.

## **2.2.4 RESIDENTIAL DENSITY**

### **Policies:**

- Low Density and Large Lot residential development is mainly on larger lots while being able to be serviced with the Town's water and sewer services. This type of development is mainly contained in the Forest Road area.
- Medium density residential development shall be permitted in serviced residential land use areas. Row or apartment dwellings shall only be permitted at Council's discretion.
- Rural Residential density will be maintained in unserviced or partially serviced areas such as the upper levels of Chapel Hill and Bunker's Hill, Line Road and the upper levels of Saddle Hill. Development in these areas may be permitted on building lots of a size which are capable of accommodating private water supply and/or sewage disposal systems. Development in these areas shall have the approval of the Government Service Centre for onsite well and septic systems.
- Residential Seasonal density (cottages) shall only be permitted within the Residential Seasonal land use designation as found in Schedule "C" of the Town's Development Regulations. Development in these areas shall have the approval of the Government Service Centre for onsite well and septic systems.

## 2.2.5 COMMERCIAL

This Plan establishes ~~two~~ **three** land use designations to accommodate present and future commercial activity:

- a) General Commercial
- b) Highway Commercial
- c) **Tourism Commercial**

**Amendment No.13, 2010**

The Powell Drive Intersection, with Route 70, is the mainstay of commercial activity for the Town. This area continues to expand with further commercial activity. Council is presently investigating lands south of Fox Farm Road as a future expansion of commercial and industrial lands.

Council is further promoting the Water Street area as a Heritage Area with specialized shops and boutiques by combining tourism development, waterfront industries, commercial and residential uses.

**The Commercial Tourism designated areas shall accommodate uses that provide services for tourist and the traveling public. Land on the north side of Wexford Road shall be designated as Tourism Commercial.**

**Amendment No.13, 2010**

### **Objectives:**

- To provide for the continued development of Carbonear as a major regional centre.
- To promote revitalization of the Water Street West Area as an attractive Downtown Heritage Area.
- To provide for the ease and safety of traffic movement to and within commercial areas.
- To enable the development of minor convenience stores and commercial uses within residential areas.

**Policies:**

- Commercial development may be permitted in commercial land use areas only on sites to which municipal water and sewer services are available.
- Council shall ensure adequate traffic access and off-street parking to ensure safe unimpeded movement of traffic along public streets.
- Council will promote tree planting and other landscaping measures around major commercial establishments.
- Areas designated for commercial shall have standards as defined in the Town's Development Regulations, differentiating among commercial use zone as follows:

**GENERAL COMMERCIAL**

Intended for the location of a wide variety of retail, commercial, business, office and public entertainment uses of varying scale with adequate car parking, safely accessible from the public thoroughfare. Potential uses of unusual scale such as a shopping centre, light industrial, general industrial uses or supplementary residential use, may be permitted at council discretion. This may include such sites as:

- The Trinity-Conception Square Area and land fronting the south side of the south access to this site.
- The area east of the Trinity-Conception Square Mall off highway 70 and between Powell Drive and London Road.
- The Carbonear Mall Site at the junction of Adelaide and Water Streets.
- The movie theatre site on Powell Drive.
- Land on the north and south sides of Fox Farm Road at its junction with Highway 70.

### **HIGHWAY COMMERCIAL**

Land safely and directly accessible from a highway and intended for development of commercial uses supportive of the traveling public. These uses may include such things as a restaurant, motel, service station, convenience store and bus pick-up station. Other uses such as a takeout food service, Laundromats, recreation uses, or automotive showrooms, may be permitted at council's discretion. This may include such sites as:

- Land on the east side of Highway 70, South of Powell Drive.
- Highway frontage off the London Road Subdivision Area.

### **TOURISM COMMERCIAL**

The purpose of the Tourism Commercial designation is to accommodate commercial uses that cater to the traveling public/tourists and uses that are directly related to providing services to tourists and traveling public such as campgrounds, restaurant, gift and craft shops. A commercial tourism business usually requires land that either provides a good visual exposure to tourist/travelers and/or is close to major tourist attractions.

- Tourism and commercial recreational activities (in association with an RV camping park) shall include convenience store, camping/trailer parks, recreational facilities, gift shops and open space.
- Before new development is permitted, a development and site plan shall be submitted to Council for consideration. This development plan shall consist of dimensional layouts indicating location, scale, and design of proposed facilities and landscaping. In assessing proposals, Council shall be primarily concerned with aesthetic factors, conformity with the desired character for the area, and compatibility with other land uses in the designation.
- Assembly uses shall be for exhibition and market uses associated with a tourist related use.
- Catering shall be for a restaurant or coffee shop in association with an RV camping park. Lounges or bars shall not be permitted within the Commercial Tourism designation.

Amendment No.13, 2010



## **2.2.6 DOWNTOWN HERITAGE AREA**

No development shall take place within the Downtown Heritage area which will alter the general appearance of the Area, or individual buildings within it, in a manner that would be inconsistent with their appearance at the time they were initially constructed. New buildings to be constructed within the Downtown Heritage Area must not have an appearance which would be visually incompatible with, or which would diminish the overall historic quality of the Downtown Heritage Area. Council may require building plans and architectural renderings of any building to be built in the area to be submitted before approving development.

All development within the Downtown Heritage Area shall conform with Schedule C of the Town's Development Regulations.

In promoting revitalization of the Water Street West Area, it is Council's intention to designate the land encompassing the Carbonear Downtown as a Downtown Heritage Area with the intention of preserving the community character. This is to be achieved through the preservation of older buildings and features of careful management of new development.

A mix of uses are meant to be accommodated within this designation, including commercial/industrial, residential, public, and open space uses. Commercial and industrial uses will be of an appropriate scale and fit within the intent of this Plan.

### **Objective:**

- Preserve and enhance the vitality and viability of the downtown as the economic, historic, social and cultural centre of Carbonear and maximize its economic potential as a tourism resource.

### **Policies:**

- Council will ensure that a good mix of commercial uses and appropriate development standards are incorporated into the zoning and standards for the area in the Development Regulations prepared to implement this Plan.

- Council will encourage the establishment of cafes, restaurants, bed and breakfasts and other facilities that cater to tourists in the downtown.
- Council will encourage the maintenance and reuse of any dilapidated buildings and structures that contribute to the historical legacy, visual appearance or character of Carbonear.
- Public Building uses may be permitted in the Downtown Heritage Area.

### **2.2.7 INDUSTRIAL**

Carbonear has historically maintained a significant role in the fishing industry. Council continues to promote the industrial base by incorporating some industrial development into the area known as the Industrial Park. Further expansion of commercial and industrial development is intended for the area west of Highway 70 and south of Fox Farm Road.

Waterfront industrial uses along Water Street west have steep access and limited parking accommodation.

#### **Objectives:**

- To reserve sufficient land in appropriate locations to accommodate industrial growth and relocation during the planning period.
- To reserve useful shoreline frontage for ocean-related industrial use.
- To control and direct industrial development in a manner designed to protect other land uses and the natural environment from adverse effects of industrial operation.

#### **Policies:**

Areas designated for industrial use are as shown on Map No. 2. Standards for these areas are defined in the Town's Development Regulations, differentiating among industrial use zones as follows:

#### ***LIGHT INDUSTRY:***

Warehousing, workshops and other industrial uses contained primarily within buildings wherein the scale and type of storage or work activity will not be intrusive or otherwise objectionable to neighbouring residential areas.

Hazardous industrial uses may be permitted at Council's discretion and with conditions outlined in Industrial - Light Land Use Zone found in Schedule C of the Development Regulations.

Sites intended for light industrial use include:

- The industrial land use area lying between Adelaide Street and the College of the North Atlantic.
- Industrial land on the north side of Industrial Crescent, backing on residential properties.
- The southeast corner of the High Road North-Hoyles Road junction.

#### ***GENERAL INDUSTRY:***

A wide variety of type and scale of industrial uses, including light industry, transportation, open storage and operations requiring the limited use of hazardous substances, but excluding the bulk storage or extensive use of hazardous substances.

Sites intended for general industrial use include commercial land use sites in the Industrial Park - Powell Drive Area; the Garland properties north of Pond Side

#### ***OCEAN-RELATED INDUSTRY:***

All types of industrial and transportation uses requiring ocean frontage for their operation, including the storage of boats and fishing equipment.

Sites intended for ocean-related industrial uses include:

- The fish meal plant site in south side Carbonear.
- The beach area of Crocker's Cove, and the beach area off South Side Lower Road west of the fish meal.

Council will ensure that adequate provision is made for safe vehicular access and parking accommodation in relation to all industrial uses.

Industrial uses involving hazardous substances may be permitted in the Light Industry zoning designation subject to the following conditions:

- The use does not cause or promote fires or other hazards and does not emit noxious, offensive or dangerous fumes, smoke, gases, radiation, smells, ash, dust or grit, excessive noise or vibration;
- an appropriate separation distance between adjacent residential development and the type and scale of industrial use be determined prior to any hazardous use being approved;
- the use receives the approval of the relevant federal and provincial authorities having jurisdiction over such uses from an environmental and occupational health and safety point of view; and
- hazardous uses which abut residential areas shall be subject to additional requirements which will be set out in the Development Regulations.

### **2.2.8 PUBLIC BUILDINGS**

There are a number of schools, churches, health care facilities, municipal buildings and recreational facilities in the Town which are necessary to the continued social and economic functioning of the community. It is important to protect and encourage development of these uses within the community.

Land in the vicinity of Carbonear Integrated Collegiate, the recreation complex and Lions Club, is designated as Public Buildings. Other Public Building Uses include the Carbonear Hospital, the Harbour Lodge, Interfaith and Legion Manor senior citizens homes.

**Objectives:**

- To provide for the further development of public buildings and services in conveniently central locations having ease and safety of access and adequate parking accommodation.
- To promote the downtown area, utilizing public buildings and sites of historic or cultural significance as a focus of local activity and tourist interest.

**Policies:**

- Uses permitted in public building land use areas are those of a governmental, religious, educational, civic or cultural nature. Catering, business, professional and personal service uses may be located within public buildings at council discretion.
- Public buildings of a regional service nature, such as federal and provincial government offices; special care institutions; social, cultural or administrative centres be permitted. Public Building uses may also be permitted in the Downtown Heritage Area.

**2.2.9 RECREATION**

Land is designated Recreation to provide for the active and passive recreational needs of Carbonear residents and visitors. Permitted uses include the swimming pool, bowling alley, ballfields, sports fields and playgrounds. Linear trail systems and pathways serving pedestrians, bicyclists and hikers are also permitted.

The development of passive recreation facilities such as walking or nature trails, and associated interpretation programs may be permitted provided they will not have an adverse impact on the natural environment.

Council has established recreational areas for the Town. It is therefore Council's intention to promote local and regional use of these recreation facilities.

**Objectives:**

- To promote recreational and spectator sports activities attractive to a variety of age groups, in locations conveniently accessible to the public.
- To ensure that park and outdoor recreational spaces are safely and conveniently accessible to residents within the various residential areas of the Town.

**Policies:**

- Council will maintain existing recreational parks for the safety and enjoyment of residents and will require the provision of additional playgrounds in residential areas in accordance with Town's Development Regulations.

**2.2.10 CONSERVATION**

Substantial areas of land exist where conservation measures are required. These areas include natural drainage routes, areas of precipitous terrain, wetlands and exposed bedrock, historic sites, cemeteries, spawning beaches and shoreline frontage unsuited to fisheries related uses. Council intends to protect and preserve these areas from development in the interest of public enjoyment, safety and to enable continued public access to ponds and watercourses.

**Objectives:**

- To prevent development into unsuitable locations and areas incapable of being serviced.
- To preserve access to and protect the environmental quality of ponds and watercourses.
- To ensure that cemeteries, historic sites and archaeological finds are preserved and maintained.

**Policies:**

- Development shall not be permitted within areas designated for conservation other than those identified in the Town's Development Regulations.
- Council will promote the identification and appropriate rehabilitation of historic sites, such as the Harbour Rock Battery Site.

**2.2.11 WATERSHED**

The municipal watershed is a distinctive conservation land use where more stringent measures are required for protection of public health and preservation of the natural resource.

**Objectives:**

- To protect and preserve the quality of water in Little Island Pond as a municipal water supply.
- To ensure the continuous supply of an adequate volume of water to serve the town.

**Policies:**

- Within the watershed, forestry, agriculture and recreational open space uses may be permitted on a discretionary basis, subject to approval and compliance with the Department of Environment and Conservation.
- Council will monitor the capacity of the catchment to ensure a safe and adequate water supply for the Town.

## **2.2.12 RURAL**

The remaining lands within the Planning Area are designated Rural. No development will be permitted on land within this designation except those associated with agriculture, forestry, municipal water storage, outdoor recreation, resource conservation, or other uses as may be outlined in this Municipal Plan.

Uses that may be allowed at the discretion of Council include industrial activity associated with the resource base. This will apply particularly to uses that need to be located close to raw material supplies or for some other reason cannot be located close to the built up Town. Such activities include mineral exploration and aggregate resource extraction. Regulated aggregate resource extraction may be permitted at the discretion of Council.

Activity concerning electric power transmission, other public utilities or road construction and maintenance, consistent with the objective of retaining the qualities of the rural environment, may also be permitted.

### ***Agriculture***

It is the intent of the Municipal Plan to support agricultural uses in areas designated as Rural. Animal husbandry utilizes land resources of the Carbonear Planning area to a significant extent. This is evidenced by the Swansea Agricultural Area north of Fling's Pond.

### ***Forest Management***

While the Town of Carbonear has no direct control over forest management within the Planning Area, it shall ensure that forestry activities are in accordance with good management practices.

The Rural area contains wood stands that are valuable as a long term domestic wood supply for residents of Carbonear. In particular, the Department of Natural Resources has designated lands as a Domestic Cutting Area.

### ***Mineral Workings***

Mineral workings shall be permitted as a discretionary use by Council. Mineral workings shall be subject to conditions outlined in the Rural Land Use Zone found in Schedule C.



**Objectives:**

- To preserve undeveloped lands from unwarranted encroachment by urban- type uses.
- To enable the continued use and further development of agriculture and forest uses.
- To preserve public access to ponds and watercourses within the Planning Area.

**Policies:**

- Within the designated Rural Areas, uses such as agriculture, forestry, mineral workings, recreation and activities connected with the conservation of soil or wildlife may be permitted.
- Resource industries, recreational and cemetery uses may be permitted at the discretion of Council.
- Council may require buffer distance separation between permitted or discretionary uses and ponds and watercourses to preserve water quality, natural habitat or public access.
- Council will ensure that in areas of mineral workings, a separation distance shall exist near residential areas to protect against intrusive uses such as noise, dust, etc.

**2.2.13 MINERAL WORKINGS**

Mineral aggregate deposits have been identified within the Planning Area to be preserved for future economic benefit. Some of these deposits have already been utilized to a significant extent, as in the Saddle Hill rock quarry and at the junction of Highway 70 and Freshwater Road and along the north side of Line Road.

It is Council's intention to ensure that aggregate extraction is carried out in a strictly controlled manner.

**Objectives:**

- Council will ensure that a separation distance exists near residential areas to protect against intrusive uses.
- To ensure that aggregate extraction is carried out in a safe and environmentally acceptable manner.

**Policies:**

- Quarrying and other types of mineral working may be permitted within the aggregate deposit areas.
- Industrial and commercial uses directly related to the manufacture and sale of products derived from the aggregate deposit, may be permitted at Council discretion.
- Council may require buffer distance separation between permitted or discretionary uses and ponds, watercourses and other types of development.

### **3.0. MUNICIPAL SERVICES**

It is the aim of this Plan to encourage the development of Carbonear so as to maximize the use of existing water and sewer infrastructure, and other municipal services such as garbage collection, street lighting and road maintenance and improvement.

#### **3.1 WATER SUPPLY**

It is Council's intention to monitor the extent and priority of needed improvements in the existing water and sewer infrastructure.

Council will also monitor the water supply catchment area to determine its water supply capacity and methods to maximize its productive yield.

Council shall ensure that new development must connect to existing Town services were applicable.

#### **3.2 SEWAGE DISPOSAL**

Council shall monitor the condition and capacity of existing sewer systems as the basis of determining their ability to accommodate the service needs of future development and for assigning priorities to necessary improvement or replacement. It will also provide for the sanitary and environmentally safe disposal of sewage effluent.

#### **3.3 STORM DRAINAGE**

Council will ensure that new development will have adequate means of storm drainage in conjunction with existing infrastructure.

Council will further provide and maintain a storm-water drainage system that will control surface drainage, minimize property damage and maintain the integrity of surface water quality.

### 3.4 TRANSPORTATION

In general, the existing road surface conditions tend to be good on the arterials, fair to good on the collectors and poor to fair on most local streets. However, many of the roads in each category are sub-standard with regards to width, alignment, cross-section and/or surface condition. The built up nature of the Town's arterial road prevents it from functioning as true arterial. There are also many dead-end roads which were not properly planned, for example, to form loops by linking with other roads.

In order to improve the road system of Carbonear, it is necessary to establish a hierarchy of roads according to their functions. There are three classifications of roads as follows:

- Arterial roads - the primary purpose of arterials is to provide safe, efficient traffic flow for vehicles traveling within or through the Planning Area. Individual accesses onto arterials are meant to be limited in order that their efficiency is preserved for the long term. They should be limited where possible to public road intersections. These roads include the Highway Route 70 and Route 75.
- Collector roads are streets that distribute traffic within different parts of the built-up Town and to major arterial roads. Access to abutting properties on collectors will not be restricted but will be properly planned. Collector Roads have a street reservation of 20 metres.
- The remaining roads within the Planning Area are local in function. Local roads are intended to serve abutting frontages and generally are not used by traffic except to approach the properties which front on them or adjoining local streets. The width of pavement and the provision of side walks should be related to the traffic volumes on the road. Local Roads have a street reservation of 15 metres.

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- ~~Figure 1 below, outlines a schedule of street types, reservations widths, and applicable street names.~~

**Figure 1** **SCHEDULE OF STREET RESERVATIONS**

TYPE	Reservation Width	Applicable Streets
Arterial	30 m	The Beach Water Street West (to Bond Street) Bond Street High Road North Line Road Proposed arterial from Line Road to Trinity Conception Square and Highway 70
Collective Street	20 m	Powell Drive High Road South (to Highway 70) South Side South (to railway crossing) Earle's Lane (to New Road via White's Road) Industrial Crescent London Road London Road Extension (to Line Road via Gunnors Pond Road) Fox Farm Road (to Maidens Pond) Valley Road Adelaide Street St. Clare Avenue Russell Street Crowdy Street Chapel Hill (to Chapel Place) Chapel Place LeMarchant Street Joe Taylor's Lane Water Street West (east of Bond Street) Water Street East (to Freshwater via Jackie Boy's Hill) Freshwater Road (to Highway 70 via Freshwater Pond)
Local Street	15 m	Other Streets, excepting existing streets determined by resolution of Council to be minor streets.
Minor Streets	10 m	Existing local streets where, for practical purposes, a wider street reservation cannot be provided as determined by resolution of Council.

Amendment No. 12, 2010

## **4.0 PLAN IMPLEMENTATION**

### **4.1 IMPLEMENTATION**

The preparation, adoption and approval of this Municipal Plan represents only a part of the planning process. In other words, the Plan is not an end in itself nor does it serve any useful purpose without being implemented. Furthermore, the Plan cannot implement itself and can be functional and effective only through Council's actions and efforts to carry it out.

In order to implement this Plan, Council must take the necessary action, as required by the Urban and Rural Planning Act 2000 outlined below:

- control future development by enforcing the Development Regulations and the policies of this Plan;
  
- undertake the capital works program on a progressive basis geared to the available resources of the community and financial assistance from the higher levels of government; and
  
- make necessary amendments to the Plan if conditions of the community change, and undertake a review of the Plan every five years.

### **4.2 DEVELOPMENT REGULATIONS**

Council shall prepare and adopt Development (Land Use Zoning, Subdivision and Advertisement) Regulations on the basis of this Plan. These regulations are intended for Council's control over future use of land and development within the Planning Area and they outline land use zoning, development standards and application procedures necessary to implement this Plan.

### **4.3 DEVELOPMENT CONTROL**

Council shall exercise proper control over development within the Planning Area in accordance with this Plan and the Development (Land Use Zoning, Subdivision and Advertisement) Regulations.

All persons wishing to develop land for any purpose within the Planning Area shall apply to Council for permission on the prescribed form(s) and shall submit detailed plot/sketch plan of the proposal indicating the location and dimensions of the land and of the development. Council shall examine the application on the basis of the Regulations, which reflect the policy of this Plan, may approve the application, approve it with conditions, or refuse it. Any applicant who is dissatisfied with the decision of Council may appeal to the Eastern Regional Appeal Board.

Development control properly exercised can ensure not only orderly and economical growth of the community in terms of land, roads, and municipal services but also safety and convenience for the residents.

Boundaries between land use designations as shown on the Future Land Use Map 1 and 2 are approximate only except where they follow streams and roads. These are to be interpreted in terms of their general intent and amendment of the Plan is not required to permit minor adjustments of this nature.

If a proposed development conforms to all requirements of the regulations pertaining to the land use zone in which it is located, it must be permitted. However, in instances where Council determines that a development proposal is premature due to the lack of adequate services (e.g. roads, water mains and sewers), the development may not be allowed unless the developer is prepared to pay the cost of providing the needed services to the standard required by Council.

Applications for development in areas under the control of Council as well as other government departments will be referred to the concerned departments for review.

#### **4.4 MUNICIPAL FINANCE**

Council will annually prepare a five-year forecast of public works required to maintain, improve and extend, if necessary, municipal services and to assign priorities to these works.

In conjunction with annual budgeting and with reference to the five-year forecast, Council will adopt a Capital Works Program to be carried out during each budget year. Council shall ensure an acceptable level of services at minimum cost to present and future residents.

#### **4.5 CAPITAL WORKS PROGRAM**

In order to properly implement the goals and objectives of the Plan, an annual public works program will be adopted and implemented by Council. This will include the annual preparation of a "5 year Capital Works Budget" which outlines proposed capital works to be undertaken by Council over a five year period, subject to the availability of government funding.

The following Table identifies the Capital Works projects identified by the Town for the three years covering 2002 - 2004.



<b>THREE YEAR MULTI-YEAR CAPITAL WORKS PROGRAM 2002-2004</b>					
<b>2002</b>	<b>Water and Sewer Projects</b>	<b>Street Upgrading &amp; Paving</b>	<b>Est. W &amp; S</b>	<b>Est. U &amp; P</b>	<b>Total Est.</b>
1	Leak Detection	Goodison Street			
2	Pike's Lane Loop	Bemister's Hill			
3	Churchill Circle	O'Driscoll's Lane			
4	Forward's Lane	Circular Road			
5	Southside Outfall Replacement				
7	Circular Road				
<b>SUB-TOTAL</b>			<b>\$764,344.00</b>		<b>\$764,344.00</b>
<b>2003</b>					
1		Water Street East			
2		Russell Street			
3		Forest Road/Blueberry Cres.			
4		Chapel Street			
5		English Hill			
6		Pond Side Road Extension			
7		Gould's Road			
8		Ocean View Heights			
9		Valley Road Extension			
10		Northwood Estates			
<b>SUB-TOTAL (2002 &amp; 2003)</b>				<b>\$1,949,003.00</b>	<b>\$1,949,003.00</b>
<b>2004</b>					
1	Screen House Upgrading	Jane's Lane/Earle's Lane	\$220,900.00	\$100,000.00	
2	Cotter's Street	Burden's Hill	\$148,000.00	\$45,330.00	
3	Jordari's Lane	Leslie Street	\$63,000.00	\$46,000.00	
4	Southside Outfall	Irish Town Road	\$60,000.00	\$39,850.00	
5	Lift Station	Drake's Hill	\$35,000.00	\$191,000.00	
6		Bennett's Hill		\$20,000.00	
<b>SUB-TOTAL</b>			<b>\$526,900.00</b>	<b>\$622,180.00</b>	<b>\$1,149,080.00</b>
<b>Other Projects</b>					
	Swimming Pool				\$556,481.00
	Salt Shed - 2004				\$36,092.00
	Estimated Interest Charges				\$45,000.00
<b>3 Year Multi-Capital Work Total</b>					<b>\$4,500,000.00</b>