

# **TOWN OF CARMANVILLE MUNICIPAL PLAN**

**IMPORTANT: To see if there were any changes to  
this plan since it came into effect, please refer to:**

**List of Municipal Plan Amendments**



**NOTICE of ADOPTION**

*Resolved, pursuant to section 15 of the Urban and Rural Planning Act, that the Council of the Town of Carmanville adopt the Municipal Plan which is attached hereto and is impressed with the Seal of the Council, signed by the Mayor, and certified by the Clerk.*

*Resolved further, pursuant to section 17 of the Urban and Rural Planning Act, that the Council apply to the Minister of Municipal and Provincial Affairs for the setting of the time and place of a Public Hearing to consider objections or representations to the Municipal Plan.*

Proposed by: Cyril E. Goodyear

Seconded by: Calvin Lefevre

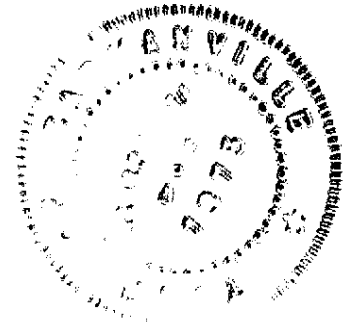


**SEAL and SIGNATURE**

*Signed and sealed pursuant to section 15 of the Urban and Rural Planning Act this  
22nd day of January, 1996.*

*Scott Hicks*  
\_\_\_\_\_  
Mayor

SEAL



**CLERK'S CERTIFICATE**

*Certified that the attached Municipal Plan is a correct copy of the Municipal Plan  
adopted by the Town of Carmanville on the 22nd day of January, 1996.*

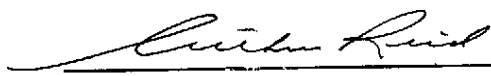
*Mary Sheppard*  
\_\_\_\_\_  
Clerk



**NOTICE of APPROVAL**

*I, Arthur D. Reid, Minister of Municipal and Provincial Affairs, under and by virtue of the power conferred by the Urban and Rural Planning Act, RSN 1990 Chapter U-7 hereby approve the Carmanville Municipal Plan, adopted by the Town Council of Carmanville on the 22<sup>nd</sup> day of JANUARY, 1996.*

*Dated at St. John's this 3<sup>rd</sup> day of MAY, 1996.*

  
Arthur D. Reid, M.H.A  
Carbonear District  
Minister of Municipal and Provincial Affairs





## TABLE OF CONTENTS

|   | <i>Page</i> |
|---|-------------|
| <b>1 INTRODUCTION</b>   |             |
| 1.1 Foreword . . . . .  | 1           |
| 1.2 Municipal Planning in Newfoundland and Labrador . . . . . | 1           |
| 1.3 Interpretation . . . . .                                  | 4           |
| 1.4 Municipal Planning Area . . . . .                         | 5           |
| <b>2 BACKGROUND FINDINGS</b>                                  |             |
| 2.1 Existing Land Uses . . . . .                              | 7           |
| 2.2 Future Development . . . . .                              | 8           |
| <b>3 MUNICIPAL PLAN</b>                                       |             |
| 3.1 Municipal Plan Goals and Objectives . . . . .             | 11          |
| 3.2 General Development . . . . .                             | 12          |
| 3.3 Urban Development . . . . .                               | 15          |
| 3.4 Rural Development . . . . .                               | 18          |
| <b>4 ADMINISTRATION . . . . .</b>                             | <b>23</b>   |
| 4.1 Development Regulations . . . . .                         | 23          |
| 4.2 Development Control . . . . .                             | 24          |
| 4.3 Capital Works Program . . . . .                           | 24          |
| 4.4 Amendment and Review of Plan . . . . .                    | 25          |
| <b>MAP</b>  |             |
| Carmanville Municipal Planning Area . . . . .                 | 6           |



## **1 INTRODUCTION**

### **1.1 Foreword**

The Carmanville Municipal Plan contains policy statements and maps intended to guide community growth and development for the next 10 years. The policies promote common well-being by encouraging the efficient use of land, municipal services and financial resources, and respect for the natural environment. The future land use maps identify land intended for specific types of development.

The Carmanville Municipal Plan, adopted by Council and approved by the Minister of Municipal and Provincial Affairs in accordance with the procedures laid out in *the Urban and Rural Planning Act*, is legally binding. All development in the Carmanville Municipal Planning Area must conform with the policies laid out in the Municipal Plan.

Council may amend the Municipal Plan in response to changing circumstances. Furthermore, the Municipal Plan must be reviewed every five years. This mandatory review ensures that the policies and future land use maps reflect current development trends.

### **1.2 Municipal Planning in Newfoundland and Labrador**

The following is a brief summary of municipal planning legislation and procedures. It is intended to assist Council in understanding and using its Municipal Plan. Details are contained in *the Urban and Rural Planning Act*.

## **Municipal Plan**

This Municipal Plan has been prepared in accordance with the requirements of section 14 of *the Urban and Rural Planning Act*, following surveys and studies of land use, population growth, the local economy, present and future transportation needs, public services, social services and other relevant factors.

The Carmanville Municipal Plan contains goals, objectives and policies of Council regarding development in the Municipal Planning Area for the next ten years. Its aim is to coordinate Council policies and undertakings in order to promote the well-being of the entire community and to efficiently utilize financial and material resources, especially land. The Carmanville Municipal Plan consists of written text in which the goals, objectives and policies are set out, and future land use maps indicating the allocation of land into various land use categories.

## **Ministerial Approval**

When the Municipal Plan is formally adopted by resolution of Council under section 15 (1) of *the Urban and Rural Planning Act*, two copies must be impressed with the Seal of Council and signed by the Mayor. Council must then give notice of a public hearing on the Municipal Plan, and its intention to seek approval of the Minister of Municipal and Provincial Affairs by publishing a notice to that effect in the Newfoundland Gazette, and in a newspaper circulating in the community. At a public hearing, the Commissioner appointed by the Minister will hear objections and representations, and subsequently forward to the Minister a written report together with copies of all the evidence taken at the hearing.

After the Commissioner's Report has been submitted, Council must apply to the Minister for approval of the Municipal Plan. On receipt of two copies of the Municipal Plan, a copy of

the adopting resolution and all written objections and representations considered at the public hearing, the Minister may approve the Municipal Plan, with or without modification, or may withhold approval and order that a new Municipal Plan be prepared. Upon approval, the Minister will endorse a copy of the Plan and return it to Council. Council must publish a notice of approval in the Newfoundland Gazette and in a local newspaper.

### **The Effect and Variation of the Municipal Plan**

When the Municipal Plan comes into effect it is binding upon Council and upon all other persons, corporations and organizations. The Plan must be reviewed by Council every five years and, if necessary, revised to take account of development which can be foreseen during the next ten-year period.

### **Municipal Plan Implementation**

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. These are also known as the Development Regulations. Normally, 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.

Development Regulations must comply with the requirements of *the Urban and Rural Planning Act* and a standardized format that has been established for all towns and communities in the Province.

The day-to-day administration of the Municipal Plan, and implementing regulations, is in the hands of staff members authorized by Council. Council staff have the duty of issuing all necessary permits approved by Council, making recommendations to Council in accordance with

Municipal Plan policies, and implementing regulations regarding all development in the Municipal Planning Area. The Urban and Rural Planning Division of the Department of Municipal and Provincial Affairs may be consulted on any development matter.

### **Other Plans for Development**

At any time after the adoption of the Municipal Plan, Council can prepare and adopt Development Schemes under section 30 of *the Urban and Rural Planning Act* for the purpose of carrying out specific proposals of the Municipal Plan.

Council may also prepare a Development Scheme for the acquisition, assembly, consolidation, subdivision, and sale or lease by the municipality, of land and buildings which are necessary to carry out provisions of the Plan.

Council 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 the owners of the land as will permit its acquisition and use for these purposes. Council 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.

## **1.3 Interpretation**

The Municipal Plan contains proposals for the general development of the Carmanville Municipal Planning Area and in compliance with legislation includes a proposed network of streets and the division of land into areas of permitted land use classes, as well as public infrastructure proposals, a public works program showing associated expenses and the method of financing, and a development program.

The following sections and future land use maps constitute the legally effective parts of the Carmanville Municipal Plan.

The general terms referred to hereinafter are defined as follows:

- ▶ ***Council*** shall mean the Council of the Town of Carmanville.
- ▶ ***Development Regulations*** shall mean the Carmanville Land Use Zoning, Subdivision and Advertisement Regulations.
- ▶ ***Municipal Planning Area*** shall mean the Carmanville Municipal Planning Area.
- ▶ ***Town*** shall mean the Town of Carmanville.

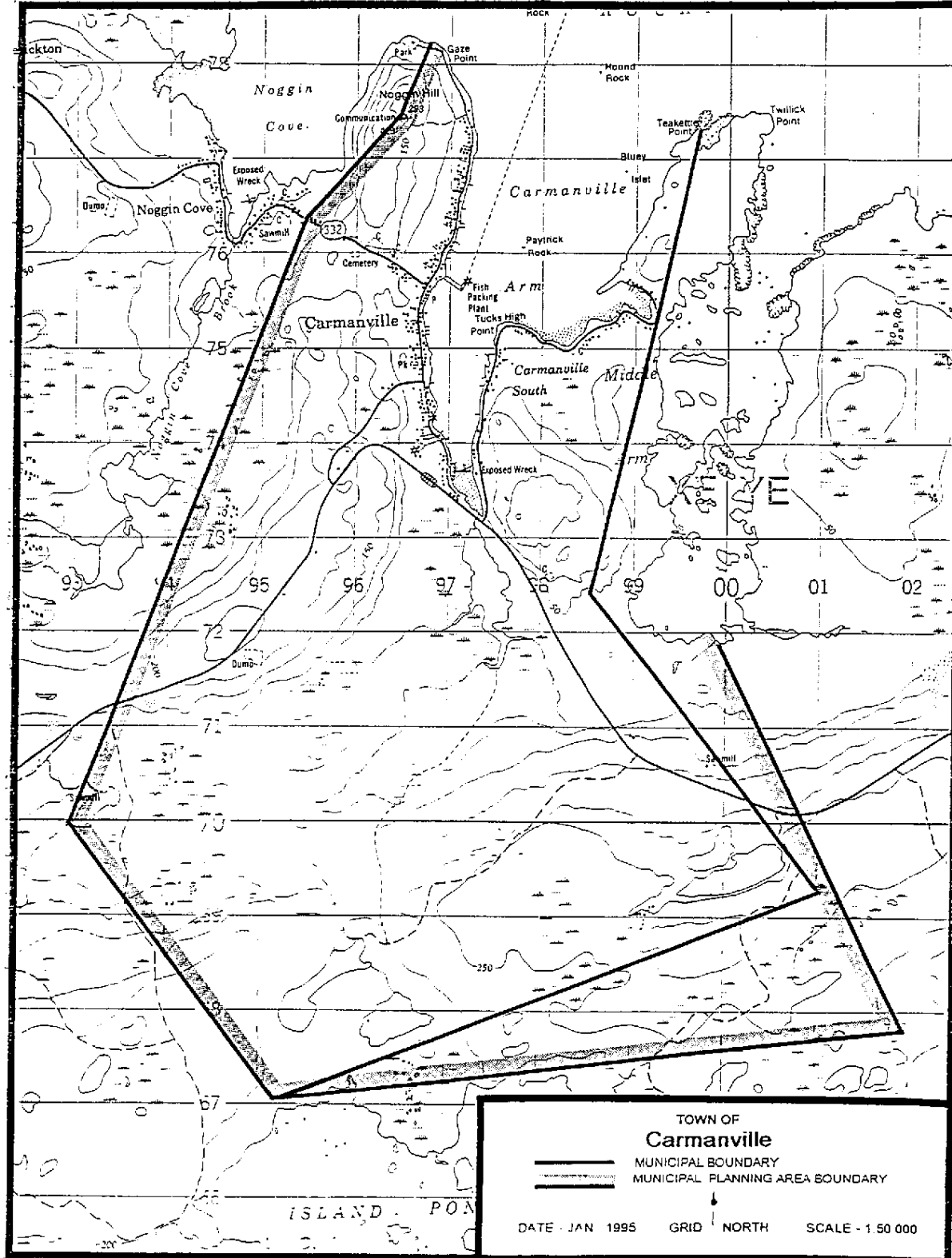
The boundaries between the different land use designations in the Municipal Plan are meant to be general, except in the case of roads or other prominent physical features, where they are intended to define exact limits of each category.

Nothing in this Municipal Plan shall affect the continuance of land uses which are lawfully established on the date that the Plan comes into effect. Where a building or use exists which does not comply with the intent of the Plan and land use designation, expansion shall be limited. Council may approve extensions provided there will be no adverse effects on surrounding properties or the environment.

#### **1.4 Municipal Planning Area**

The Carmanville Municipal Planning Area has been approved by the Minister of Municipal and Provincial Affairs.

Map 1.4 shows the Carmanville Municipal Planning Area.





## **2 BACKGROUND FINDINGS**

### **2.1 Existing Land Uses**

#### **Urban Development**

Carmanville is a compact town spread along both shores of Carmanville Arm. While Carmanville North is more densely developed than Carmanville South, there is little development outside the built-up portion of the town.

Single detached dwellings are the predominant form of development. In Carmanville North, dwellings are located along the main street, on short local roads, or on share private driveways. Many dwellings are located behind other dwellings and lack frontage on a public road. In Carmanville South, most dwellings front onto the public road.

Most commercial buildings, such as stores and service stations, are scattered along the main road in Carmanville North as are institutional and community buildings such as the town hall, fire hall, school and senior citizens centre. A roofing contractor and funeral home are located on Noggin Cove Road. In addition, two churches and the RCMP detachment front onto Noggin Cove Road.

A lounge, service station, take-out, and a building containing the development association offices and credit union are located on Route 330.

A gift shop is the only non-residential use in Carmanville South.

There is little land available for new building lots. In Carmanville North, the concentrated development pattern has left few opportunities for infill development. In addition,

poor soil conditions may restrict future development because of difficulty installing on-site septic systems. In Carmanville South, large areas of wetland limit development opportunities. Soil conditions also make it difficult to install private services.

### **Rural Development**

A variety of land uses exist in the rural portion of Carmanville. These include the Grandfather's Pond Protected Water Supply, a portion of the Saltwater Pond Brook Protected Water Supply for Main Brook-Davidsville, a waste disposal site, gravel pits, exploration for dimension stone, domestic cutting areas, silviculture projects and cottages at Whitewater Pond.

Several sites in the rural portion of Carmanville have been designated as Sensitive Wildlife Areas. In these areas, waterfowl productivity will be enhanced by manipulating water levels in existing beaver ponds.

Middle Arm has been designated as a Wildlife Reserve. Land uses in this provincial designation are restricted.

Council entered into a stewardship agreement with Eastern Habitat Joint Venture to protect and enhance wetlands for the maintenance of waterfowl populations. In areas identified in the agreement, such as Middle Arm, Carmanville Pond, Whitewater Pond and Cynthia Pond, Council agreed to only permit those activities that will have no adverse impact upon wetland habitats.

## **2.2 Future Development**

Carmanville experienced a steady increase in population between 1971 and 1986. Population has declined since 1986. Projections show that Carmanville's population could increase slightly or moderately decrease by 2006.

Despite the decreasing population, the number of dwellings have increased since 1986. Fewer people occupy each dwelling. Demand for new dwellings will depend upon population growth and changing household size. Projections show that a maximum of 39 new dwellings may be required by 2006. A declining population may result in the abandonment of dwellings.

Infill development is one method of meeting the demand for new building lots. The installation of municipal water and sewer in Carmanville South may overcome some site limitations creating greater development opportunities. The continuation of the development pattern of a number of dwellings along a shared private driveway is another method of providing land for new residential construction.

Several areas in Carmanville North are suitable for development as residential subdivisions. These areas lie to the south of Radio Tower Road on Noggin Hill. In order to develop these areas, Council must obtain permission from Terra Nova Tel to use and maintain the road; the cooperation of Crown Lands to acquire and subdivide the land; and engineering analysis of the area to confirm its suitability for subdivision development. Road construction and other costs must be recovered from the sale of the building lots.

Further commercial and institutional development should be directed along the main road in Carmanville North. Creating a concentration of businesses and community facilities will minimize land use conflict while increasing community amenity. Smaller businesses providing convenience services should be permitted throughout Carmanville.

In keeping with the wide variety of home businesses existing in Carmanville, small businesses accessory to residential uses should be recognized as an asset to the economic base. Such businesses contribute to the local economy as well as providing valuable services.

Commercial sites are available on Route 330. These sites should be reserved for businesses serving the travelling public, such as motels, service stations and restaurants and industrial uses requiring access to the highway.

### **3 MUNICIPAL PLAN**

#### **3.1 Municipal Plan Goals and Objectives**

Council states its intentions for the long-term development of Carmanville through Municipal Plan goals. In broad terms, these goals express Council's aims for the future growth and development of the Municipal Planning Area. Council will pursue these goals over the ten-year planning period.

Objectives indicate what Council intends to do in the short and medium term to achieve its Municipal Plan goals. Objectives are specific steps toward accomplishing Council's aims for the development of Carmanville.

The policies in the Carmanville Municipal Plan are based on these goals and objectives, and will guide Council's decisions on land use and development within the Carmanville Municipal Planning Area.

##### **Municipal Plan Goals**

- ▶ **To ensure development in Carmanville occurs in an orderly, environmentally safe, and economic manner.**
- ▶ **To provide for the long-term development needs of Carmanville.**
- ▶ **To identify and preserve environmentally sensitive areas.**
- ▶ **To create a safe and adequate road network.**
- ▶ **To establish a framework to guide Council's decisions regarding the location of land uses, the provision of municipal services and other matters relating to the growth and development of Carmanville in the next ten years.**

### **Municipal Plan Objectives**

- ▶ **To promote a development pattern that will minimize future servicing costs.**
- ▶ **To protect existing development from non-compatible uses and to minimize future land use conflict.**
- ▶ **To ensure that sufficient land is designated for the long-term development needs of Carmanville.**
- ▶ **To promote the full utilization of existing and proposed municipal infrastructure.**
- ▶ **To upgrade the road network.**
- ▶ **To protect areas that are environmentally sensitive or hazardous to development.**
- ▶ **To direct commercial and industrial development to suitable locations.**
- ▶ **To prevent the spread of urban development into rural areas.**
- ▶ **To protect areas with resource potential.**
- ▶ **To maintain the water quality and quantity of Grandfather's Pond protected water supply area.**
- ▶ **To protect and enhance waterfowl habitats.**

### **3.2 General Development**

This Municipal Plan divides the Carmanville Municipal Planning Area into future land use designations. These designations reflect, for the most part, existing development patterns. Land has also been designated for future use and to preserve it from development.

The urban portion of Carmanville is divided into three future land use designations: *Residential*, *Infill Residential* and *Mixed Development*. Two areas on Route 330 are designated *Highway Commercial* to allow for the development of commercial uses servicing the needs of the travelling public and industrial uses not suited to urban locations. Land near Whitewater Pond is designated *Seasonal Residential* in order to permit cottage development in an area already extensively used for recreation. Land outside the built-up portion of the community is designated *Rural*. Grandfather's Pond watershed is designated *Protected Watershed* to protect water quality and quantity. The provincial wildlife reserve at Middle Arm is also designated to protect sensitive waterfowl habitats from human disturbance.

These designations are shown on the Carmanville Future Land Use Maps. These maps form an integral part of the Carmanville Municipal Plan.

### **General Development Policies**

- 3.2.1 Land for residential, mixed, highway commercial, cottages and rural land uses and the domestic water supply watersheds shall be designated on the Carmanville Future Land Use Maps. The Middle Arm Wildlife Reserve shall also be designated.

These designations reflect existing land uses, the availability of municipal services, and Council's intentions for future development. By identifying areas for specific types of development, Council intends to minimize conflict between different types of land use.

- 3.2.2 The boundaries of land use designations shown on the Future Land Use Maps are meant to be general except where they coincide with roads, watercourses or other prominent physical features, in which they define exact limits.
- 3.2.3 Nothing in this Municipal Plan shall affect the continuance of a use which is lawfully established on the day that this Plan came into effect.

Where a building or use exists which does not comply with the intent of the Plan and land use designation, expansion shall be limited. Council may approve minor

extensions provided there will be no adverse effects on surrounding properties or the environment.

- 3.2.4 Where available, development must be connected to municipal water and/or sewer services.
- 3.2.5 Where on-site septic systems and/or wells are proposed, the Government Service Centre of the Department of Municipal and Provincial Affairs must be satisfied that the site has the capacity to bear such services over the long term.
- 3.2.6 Council shall ensure that new development will not create undue demands or costs for municipal services.
- 3.2.7 Council shall reserve land along existing roadways for access to backland intended for residential development.
- 3.2.8 All streets shall be constructed to the required right-of-way width, length, turning circle radius and other minimum standards stipulated in the implementing regulations.
- 3.2.9 A protective buffer of undisturbed soil and vegetation shall be retained along the shoreline of all waterbodies. The buffer shall be sufficient to prevent erosion, retain natural drainage features, preserve public access and protect fish habitat.
- 3.2.10 Archaeological sites and discoveries are protected under the *Historic Resources Act, 1985*. If such a site is discovered, development shall stop and the Historic Resources Division of the Department of Tourism, Culture and Recreation consulted.
- 3.2.11 Any development proposed within 1.6 kilometres of the waste disposal site shall be referred to the Government Service Centre of the Department of Municipal and Provincial Affairs so that potential conflicts can be identified and mitigated.
- 3.2.12 Any development within sensitive wildlife areas (designated by the Department of Natural Resources or identified as waterfowl management units in the stewardship agreement with Eastern Habitat Joint Venture) shall be referred to the Wildlife Division of the Department of Natural Resources.
- 3.2.13 Before approving development in silviculture areas, Council shall consult with the Forestry Branch of the Department of Natural Resources.



### 3.3 Urban Development

The Town of Carmanville provides an attractive, low density residential environment. This character will be maintained over the planning period.

Three urban designations are created through these policies. Most existing development in Carmanville North is designated *Mixed Development*. This designation reflects the traditional mixture of dwellings, public buildings and businesses existing in the area. Areas with the potential for new residential development along existing roads or in new subdivisions are designated *Residential*. The area recently serviced with water and sewer in Carmanville South is designated *Residential* while the remainder of Carmanville South is designated *Residential Infill*. The *Residential Infill* designation is also applied to the unserviced portions of Noggin's Cove Road and Howell's Avenue.

In areas designated *Mixed Development*, residential development shall be permitted. Dwellings may be built fronting on shared, private driveways provided their development does not impede development of adjacent land. Commercial and light industrial uses, and community facilities, such as churches and halls, will be permitted at the discretion of Council. Such uses must front onto a public road.

In areas designated *Residential*, new houses will be built as infill development along existing roads or in new subdivisions developed to Council standards. In the *Residential Infill* designation, new residential development is restricted to lots with frontage on existing public roads.

#### Mixed Development Designation

- 3.3.1 The most densely developed portion Carmanville North is designated Mixed Development on the Carmanville Future Land Use Map. This area contains a mixture of dwellings, community buildings, and businesses.

### Mixed Development Policies

- 3.3.2 In the Mixed Development designation, most development shall be residential. Open space recreational uses shall also be permitted. Fishing and marine uses shall be permitted along the shoreline of Carmanville Arm.
- 3.3.3 A wide range of home businesses may be permitted at the discretion of Council provided nuisance factors are minimum and the residential use of the property is maintained.
- 3.3.4 A wide range of commercial and community uses, such as shops, restaurants, offices, light industrial uses, warehousing and public buildings, may be permitted at the discretion of Council provided:
- a) the impact on neighbouring residences is minimized through adequate screening and appropriate site layout;
  - b) the proposal fronts onto an existing public road;
  - c) adequate on-site parking is available for customers and employees, and for vehicles and equipment used in the operation.
- 3.3.5 In the Mixed Development designation, most dwellings will be encouraged to front onto a public road. However, to make the best use of the limited land base, lots without public road frontage may be allowed when their development does not pose a hazard or nuisance to adjacent dwellings or impede development of adjacent land. Development of backlots may occur provided:
- a) only a single detached dwelling is proposed;
  - b) permanent access to a public road is provided and that the property owners are entirely responsible for its construction and maintenance;
  - c) dwellings are connected to municipal water and, where available, sewer services; and
  - e) Council is satisfied that the use of the lot will not block access to backland areas with development potential.

- 3.3.6 Where there is potential for subdivision development, Council shall require a road reservation be maintained. In such cases, Council will satisfy itself that the backlot and the road reservation are situated to allow for future development.

### **Residential Designation**

- 3.3.7 Residential land, as designated on the Carmanville Future Land Use Map, is located behind areas designated Mixed Development in Carmanville North; along the main road in Carmanville North between Howell's Avenue and Route 330; and in areas with municipal services in Carmanville South.

### **Residential Policies**

- 3.3.8 Council intends new development in the Residential designation to occur with frontage on existing public roads or in new residential subdivisions constructed to Council standard.
- 3.3.9 Council expects new residential subdivisions to be connected to the municipal water system and to be serviced with sewer lines.
- 3.3.10 Permitted uses shall be a range of residential uses as well as playgrounds. Home businesses complementary to residential neighbourhoods may be permitted at the discretion of Council.

### **Residential Infill Designation**

- 3.3.11 Land without municipal water and sewer services is designated Residential Infill on the Carmanville Future Land Use Map. This designation applies to most of Carmanville South as well as Noggin's Cove Road and Howell's Avenue.

### **Residential Infill Policies**

- 3.3.12 In the Residential Infill designation, single and double dwellings shall be permitted. Home businesses complementary to the surrounding area may be permitted at the discretion of Council.

- 3.3.13 All development shall front onto an existing public road. No new roads shall be constructed in the Residential Infill designation.
- 3.3.14 If sewer and water services are installed, development shall conform with the Residential policies.

### **3.4 Rural Development**

A wide variety of land uses exist in the rural portion of the Carmanville Municipal Planning Area. These include several commercial establishments along Route 330, a cottage area, and the waste disposal site. Land is also used for a variety of resource purposes including aggregate extraction, dimension stone exploration, and silviculture. Several areas have also been identified as waterfowl habitats.

Land fronting on Route 330, west of Carmanville, is designated *Highway Commercial* to permit businesses catering to the needs of the travelling public as well as industrial uses not suited to urban locations or requiring highway access. The cottage area near Whitewater Pond is designated *Seasonal Residential* to allow for additional cottage development. Plan policy allows for a range of resource and related activities in the *Rural* designation. The Middle Arm Wildlife Reserve is designated and policy includes measures to protect waterfowl habitat.

#### **Highway Commercial Designation**

- 3.4.1 Land on both sides of Route 330, west of the Howell's Avenue interchange, is designated Highway Commercial on the Carmanville Future Land Use Map. This designation encompasses the lounge, service station and take-out, and the development association building. Vacant land on the west side of the highway is also designated Highway Commercial.

#### **Highway Commercial Policies**

- 3.4.2 In the Highway Commercial designation, uses serving the travelling public and light industrial uses shall be permitted.

- 3.4.3 Council may also permit industrial uses that cannot feasibly locate within the built-up portion of Carmanville because of potentially adverse affects on surrounding urban land uses. These uses may involve hazardous substances, require large areas of land, or involve extensive outdoor activities. Council may permit these uses provided:
- a) the proposed use is screened from the view of the travelling public;
  - b) it is compatible with and will not prejudice the existence of adjacent land uses; and
  - c) there are no on- or off-site environmental effects.
- 3.4.4 Council will ensure that any development within the Highway Commercial designation will not create a demand for municipal water and sewer services.
- 3.4.5 Accesses to Route 330 shall be controlled so to reduce potential hazards and expedite the free flow of traffic.
- 3.4.6 Council shall refer applications for development in the Highway Commercial designation to the Government Service Centre of the Department of Municipal and Provincial Affairs for approval.

### **Seasonal Residential Designation**

- 3.4.7 The cottage area at Whitewater Pond is designated Seasonal Residential on the Carmanville Future Land Use Map.

### **Seasonal Residential Policies**

- 3.4.8 Cottages and cabins not intended for year-round occupation shall be permitted in areas designated Seasonal Residential.
- 3.4.9 Aggregate extraction and silviculture may be permitted in the Seasonal Residential designation at the discretion of Council provided these uses not prejudice the existence of existing or future cottage development.

- 3.4.10 A separation between seasonal residences and aggregate extraction sites will be enforced to minimize conflict and to reserve the natural resource for future utilization.
- 3.4.11 Council will not provide any municipal services to development in the Seasonal Residential designation.

### **Rural Designation**

- 3.4.12 The rural portion of the Municipal Planning Area shall be designated Rural on the Carmanville Future Land Use Map.

### **Rural Policy**

- 3.4.13 The Rural designation shall accommodate development such as agriculture, forestry, aggregate and dimension stone extraction, recreation, and waste disposal sites. At Council's discretion, rural industrial uses may be permitted. Single dwellings may also be permitted provided it is accessory to and necessary for the operation of an approved use.
- 3.4.14 A separation will be enforced between aggregate and dimension stone extraction operations, and waste disposal sites where permitted, and other rural land uses to prevent conflict. Any development within an extraction buffer shall be referred to the Department of Natural Resources (Mines Branch). Any applications within a waste disposal site buffer shall be referred to the Environmental Investigations Division of the Department of the Environment.
- 3.4.15 Rural industry or industrial uses are not suited to an urban location because of nuisance or other characteristics may be permitted on the condition the use:
- a) will not create a need for municipal servicing;
  - b) will not prejudice rural resource development;
  - c) will not damage the environment; and
  - d) may be required to provide adequate screening.

- 3.4.16 Development applications within 100 metres of the centre line of Route 330 shall be referred to the Government Service Centre of the Department of Municipal and Provincial Affairs for approval.

#### **Wildlife Reserve Designation**

- 3.4.17 The western shore of Middle Arm is designated Wildlife Reserve on the Carmanville Future Land Use Map. By designating Middle Arm Wildlife Reserve, Council intends to protect a significant waterfowl habitat.

#### **Wildlife Reserve Policies**

- 3.4.18 Conservation, mineral exploration, and fishing shall be permitted in the Wildlife Reserve designation.
- 3.4.19 Aggregate extraction may be permitted subject to approval through the environmental assessment process.
- 3.4.20 Council shall refer any development proposal within the Wildlife Reserve to the Environmental Assessment Division of the Department of Environment and the Wildlife Division of the Department of Natural Resources.

#### **Protected Watershed Designation**

- 3.4.21 The Grandfather's Pond Watershed and the portion of the Saltwater Pond Brook watershed in the Planning area shall be designated Protected Watershed on the Carmanville Future Land Use Map in order to protect them from the intrusion of land use activities that could adversely affect the quality and quantity of the domestic water supply.

#### **Protected Watershed Policies**

- 3.4.22 Permitted development in the Protected Watershed designation shall be limited to passive recreation and land use activities and structures related to the provision

of municipal water. No development or activity shall be permitted in the Protected Watershed designation that may affect the quality or quantity of the domestic water supply.

- 3.4.23 Waterfowl enhancement projects shall be permitted in the Protected Watershed designation.
- 3.4.24 No land or water based activities may be permitted without the written approval of the Water Resources Division of the Department of Environment.
- 3.4.25 Council shall consult with the Main Brook-Davidsville Local Service District Committee regarding any development near Cynthia Pond.



## **4 ADMINISTRATION**

The preparation, adoption and approval of the Carmanville Municipal Plan is only one part of the planning process. Council shall implement its Municipal Plan by:

- ▶ preparing Development (Land Use Zoning, Subdivision and Advertisement) Regulations;
- ▶ controlling future development by enforcing the Development Regulations and the policies of this Plan;
- ▶ undertaking its 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
- ▶ making necessary amendments to the Municipal Plan if conditions of the community change and undertaking a review of the Plan every five years.

### **4.1 Development Regulations**

To implement its Municipal Plan, Council must adopt a scheme for development control. This scheme must strictly conform with the policies of the Carmanville Municipal Plan. This scheme includes land use zoning regulations, subdivision regulations and any other regulations Council may need to ensure the use and development of land conforms with the Municipal Plan.

These regulations allow Council to control the future use of land and development within the Carmanville Municipal Planning Area and outline land use zoning, development standards and application procedures necessary to implement this Plan.

## **4.2 Development Control**

Council shall exercise control over development within the Municipal Planning Area in accordance with the policies of this Plan and the Land Use Zoning, Subdivision and Advertisement Regulations.

The administration of the Carmanville Municipal Plan and Development Regulations rests with Council. Anyone wishing to develop or subdivide land must submit an application requesting permission from Council. Before issuing a development permit, Council must review the application and determine whether the proposal conforms with the Development Regulations. Council may approve an application; approve it with conditions; or refuse it. Any applicant who is dissatisfied with the decision of Council may appeal to the appropriate Appeal Board.

In some cases, Council is required, or may wish, to refer an application to a government agency for review and recommendation.

## **4.3 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 preparation of a "Five Year Capital Works Budget" which outlines proposed capital works to be undertaken by Council over a five year period. Table 4.3 sets out the Capital Works program proposed by Council. Cost estimates are given where available, along with a proposed schedule for implementation. Actual scheduling will depend on government funding.

|      |   |           |
|------|---|-----------|
| 1994 | First section of water transmission line in Carmanville South | \$722,000 |
| 1995 | Water and sewer for second section of Carmanville South       | \$500,000 |
| 1996 | Water and sewer for third section of Carmanville South        | \$500,000 |
| 1997 | Water and sewer for fourth section of Carmanville South       | \$500,000 |
| 1998 | Water and sewer for Howell's Avenue                           | \$500,000 |

#### **4.4 Amendment and Review of Plan**

Since the condition of the Town may change during the Plan period, plan amendments may be made by Council at any time in order to cope with the new conditions. Any such amendment shall be read together with and form part of this Plan.

Furthermore, Council shall review and, if necessary, revise this Plan every five years. The Plan review shall include all development that can be foreseen during the next 10 years.

Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.

