

TOWN OF CHARLOTTETOWN MUNICIPAL PLAN

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

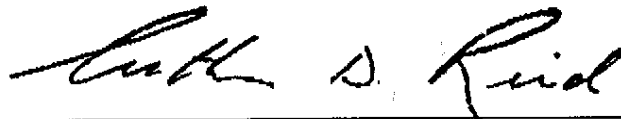
List of Municipal Plan Amendments

URBAN AND RURAL PLANNING ACT
TOWN OF CHARLOTTETOWN MUNICIPAL PLAN

NOTICE OF APPROVAL

I, Arthur D. Reid, Minister of Municipal and Provincial Affairs, under and by virtue of the powers conferred by the *Urban and Rural Planning Act*, hereby approve the *Charlottetown Municipal Plan*, adopted by the Town Council of Charlottetown on the *12th day of May, 1997*.

Dated at St. John's this *4th* day of *SEPTEMBER*, 1997.



ARTHUR D. REID, M.H.A.
Carbonear-Harbour Grace District
Minister of Municipal & Provincial Affairs

COUNCIL RESOLUTION TO ADOPT

Resolved, pursuant to Section 15 of the *Urban and Rural Planning Act*, that the Council of the Town of Charlottetown adopt the Municipal Plan entitled "*Charlottetown Municipal Plan, 1997-2007*".

Resolved further, pursuant to Section 17 of the *Urban and Rural Planning Act*, that the Council of Charlottetown 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: Donald Kosciuszko
SECONDED BY: Sherwin Saunders.

Certified as a correct copy of a Resolution passed at a meeting of Council held at the Town of Charlottetown on the 12th day of May, 1997.

Melita Paul
Clerk

SEAL AND SIGNATURE

Signed and sealed pursuant to Section 15(3) of the *Urban and Rural Planning Act* this 12th day of May, 1997.

(SEAL)

Carl V. Br...
Mayor

CLERK'S CERTIFICATE

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan adopted by the Council of the Town of Charlottetown on the _____ day of _____, 1997.

Melita Paul
Clerk

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INTRODUCTION

FOREWORD

This document and the maps contained within it form the Municipal Plan for the Community of Charlottetown. The document presents statements regarding the Community's intentions with respect to the location and manner in which development within its Municipal Planning Area shall take place. The maps show the Municipal Planning Area divided into various land use designations. Within each one only specified kinds of development may take place. The Municipal Plan is a legal document, binding upon Council and any person or group using or proposing to use land anywhere within the Municipal Planning Area. All development must conform with the applicable policies of the Municipal Plan after the date upon which it legally comes into effect.

Purpose of Municipal Planning

A Municipal Plan guides growth and development within a Municipal Planning Area. It provides a means of preventing problems that could occur if conflicting land uses are developed too close to each other. It directs future growth so that it occurs in a manner whereby municipal services and land resources are used most efficiently, thus preventing unnecessary increases in servicing costs that can result from development becoming needlessly spread out. It also ensures that aspects of land development like safety, aesthetics and environmental protection are given proper consideration.

Municipal Plan Preparation

This Municipal Plan has been prepared in accordance with Section 14(1) of the **Urban and Rural Planning Act**. The process begins when Council resolves to have a Municipal Plan

prepared and makes a formal request to the Minister of Municipal and Provincial Affairs in this regard. The Minister then defines the Municipal Planning Area and the Lieutenant-Governor in Council authorizes Council to exercise development control within it through an Interim Development Order. A Municipal Plan is then prepared by a qualified planner following background studies of land uses, population trends, the local economy, municipal and social services and any other relevant factors. When the Municipal Plan has been completed and meets with Council's approval, it is then formally adopted by a resolution of Council, in accordance with Section 15(1) of the Act.

For the Municipal Plan to gain full legal effect, the following procedure must be undertaken. Council must sign and seal two copies and have a notice published in the Newfoundland Gazette and a newspaper circulating in the Municipal Planning Area, in which Council states its intention to seek the approval of the Municipal Plan. The notice must state where and when the Municipal Plan can be inspected and give the time and place for a Public Hearing of any objections or representations. The Hearing is then conducted by a Commissioner appointed by the Minister. Following the Hearing, the Commissioner submits a written report to the Minister together with copies of all the evidence taken at the Hearing.

After the Commissioner's report has been submitted or after it has been determined that a Public Hearing has not been found to be necessary, Council must then apply to the Minister for approval of the Municipal Plan. For this, the Minister requires two copies of the Municipal Plan which have been certified by the Clerk as having been adopted by Council, a copy of the adopting resolution, and all written objections and representations that may have been submitted at the Hearing. After reviewing this material, the Minister may approve the Plan with or without modification or may order that a new one be prepared.

If the Minister approves the Municipal Plan he will endorse a copy and return it to Council. Within ten days of receipt of Ministerial approval, a notice to this effect will be published

in the Newfoundland Gazette and a local newspaper. Once this notice has been published, the Municipal Plan is legally binding on Council and any person or party proposing to use or develop land anywhere within the Municipal Planning Area.

Municipal Plan Review and Amendment

Every five years from the date on which it came into effect, Council must initiate a review of the Municipal Plan. Where necessary, changes will be made to account for any new policies or land use requirements for the next ten years. The Municipal Plan may be amended at any other time, in whole or in part, for legitimate planning reasons that may have been unforeseeable at the time it had initially been drafted. Any such amendment will be read together with and become part of the Municipal Plan and so must not conflict with the general intent of the Plan.

BACKGROUND REPORT

MUNICIPAL PLANNING AREA

The Municipal Planning Area of Charlottetown (Future Land Use Map 1) encompasses an area of approximately 32 square kilometres. Charlottetown is located on the south shore of White Bear Arm on St. Michael's Bay more than 20 km from the open waters of the Labrador Sea. It is approximately 240 kilometres southeast of Goose Bay and approximately 145 km northwest of St. Anthony. The Community is centred around an inlet bisected by a river valley and occupies a narrow strip of coastal land.

MUNICIPAL PLANNING BACKGROUND

The Community of Charlottetown was incorporated in 1988 and the Community's Municipal Planning Area was established in 1991. A Municipal Plan for Charlottetown was completed in 1980 by ARCO Company Limited in association with Terpstra Engineering Limited of Goose Bay. However, the Plan was never adopted and has since become obsolete.

ECONOMY

The economic mainstay of Charlottetown has been the local fishing industry. The major sources of employment in the community are fishing and the supply of local services. The fishery provides approximately 30 full time and 15 part-time jobs which are all seasonal and are dependent on supplies of the natural resource.

Employment prospects in the greater Labrador region are limited. In Charlottetown employment opportunities are limited to the resource base sector. Future employment development will be in the areas of tourism development and diversification in the fishery with development of alternative species such as crab and scallops to boost the local employment. With the diversification in the local fishery the possibility of a multi-species

processing plant would provided greater opportunity for employment among the local labour force and extend operating periods. Other areas of possible employment include logging, which in recent years has shown signs of continued growth as a source of employment on the Labrador south coast.

POPULATION

The population of Charlottetown was 292 in 1991, an increase of 2.1 percent from the 1986 population of 286. The population increased an annual rate of 0.42 percent from 1986-1991.

CHARLOTTETOWN POPULATION GROWTH		
YEAR	POPULATION	AVERAGE ANNUAL % CHANGE
1981	270	---
1986	286	1.1
1991	292	0.4

YEAR	POPULATION PROJECTION ANNUAL % CHANGE		
	Low 0.5 %	Med 1 %	High 1.5 %
1995	298	304	310
2000	305	319	333
2005	313	335	358

It is predicted the community's population will show slow steady growth over the ten year planning period. Over the past ten years the population for Charlottetown has increased. This is partly due to improved local economic conditions in the community. With improvements in the local economy and increased employment opportunities the population can be expected to increase to around 335 by the year 2005. Depending on the progress of major development projects elsewhere in Labrador, out-migration may offset this increase

temporarily and seasonally. In-migration will continue to have little effect on the population as it is expected the numbers of jobs in the community will remain stable. Development of regional and local tourism infrastructure during the planning period may be expected to result in increasingly pronounced seasonal population fluctuations.

HOUSING

In the 1981-1991 period the number of households in Charlottetown increased from 43 to 75, an increase of 74 percent. When compared with the rate of population growth of only 7.5 percent for the same period, it is obvious the number of persons per household is decreasing as shown in the table below. Using this trend of decreasing household size, an estimate of the number of dwelling units that will be required in Charlottetown for the ten year period of this plan can be established.

CHARLOTTETOWN HOUSING			
YEAR	POPULATION	NUMBER DWELLINGS	PERSON PER HOUSE
1981	270	42	6.4
1986	280	--	---
1991	292	75	3.9
YEAR	PROJECTED	PROJECTED	PROJECTED
1995	304	87	3.5
2000	319	91	3.5
2007	335	96	3.5

It is projected that the 1991 number of 3.9 persons per household will drop off to about 3.5 persons per household over the ten year planning period. However, the population growth rate over the next ten years will increase at a rate of about 1.0 percent. The Community of Charlottetown will require approximately 4 additional building lots by 1999, and 5 building lots between 2000 and 2007. An additional 15 new homes will be needed over the

next ten years to replace existing substandard homes in the community. Some of the new homes can be located in existing residential areas, after the removal of any substandard housing. This will reduce costs of expanding community services into new areas for new residential development.

EXISTING LAND USE

The original settlement of Charlottetown was established around 1950 by Benjamin Powell and Clarence Perry. Development in the community has been predominantly residential with several commercial uses around the centre of the community. Over the last twenty years the community has grown substantially. New development has occurred inland from the shoreline of the harbour towards the airstrip. Public and community services are dispersed throughout the community. There is no industrial development as such in the community except for the public wharf and hydro generating plant. Roads are limited to about 4 km of gravel surfaced roads.

Residential

The majority of development in Charlottetown is single family residential dwellings. The majority of the residential development is located on the south side of the harbour. Over the last five years new residential development has occurred along the access road to the airstrip and surrounding lands. The general condition of the houses in the community is good. About half of the houses are less than 25 years old.

Commercial

Charlottetown has a small commercial base which supplies the needs of the local residents. The local businesses are located around the south side of the community. Located within a five minute walking distance are; Charlottetown Inn, Powell's Store, Powell's Supermarket, Powell's sportscenter, Powell's Building Supplies, Violet Store, Mary's Store, and Selma's Take-out. Located at the airstrip, is Labrador Travel Air which is a charter airline that

operates out of Charlottetown. Also Powell's Outfitters Ltd operates out of the community and has several remote camps that caters to tourists and hunters.

Public and Community Services

Located in the centre of the main townsite is the William Gillett Pentecostal Academy (grades K-12), Calvary Pentecostal Temple, and the Gospel Hall. Located on the western side of the community are; the IGA Health Clinic and the Community Council Office. Located in the Community Council building are the Fire Hall, Labrador College, Labrador White Bear Development Association, Labrador White Bear Outreach Program and TAGS, and Department of Fisheries and Oceans Office. The Community is serviced by the Department of Social Services and RCMP detachment from Mary's Harbour. Services provided by Enterprise Newfoundland and Labrador, the Dept. of Natural Resources, and local Wildlife Officer are out of offices located in Cartwright and Port Hope Simpson.

Transportation

The Community has a gravel airstrip which is located 1.2 km south of the community. Access to the airstrip is by gravel road. There is a small building at the airstrip which contains a piece of heavy equipment for maintaining the runway and a small terminal for passengers. Labrador Travel Air also has a small terminal building at the airstrip. Air service to the community is provided by Air Labrador, Inter-Provincial Airlines and by private charters. The government wharf provides docking facilities for the CN coastal boat service and other cargo ships that visit the community. The harbour is ice free from mid May to about late November. The Community's road network is very inadequate and consists of dirt roads which are maintained by the community council. In winter months the community is accessible by snowmobile on groomed trails that connect almost all communities on the south coast of Labrador.

Utility

Newfoundland and Labrador Hydro has a power generating station located on the southeastern shoreline of the main townsite. The site contains several bulk fuel storage

tanks and a main generating building which has three diesel generators. Telephone service is provided by Newfoundland Telephone and the local cable service is provided by Cable Labrador out of Happy Valley-Goose Bay.

Rural Lands

The rural areas that surround Charlottetown are used extensively by the local residents for cutting firewood, hunting and fishing, and skidooring for recreation and as a means of winter transportation. Commercial wood cutting, sawmilling, and big game hunting are carried on farther away from the community outside the municipal planning area. There is an aggregate resource area near the community dump used by private contractors and the Municipal Council for construction and road repairs. This site has good reserves and should supply the needs of the community into the future.

There are several major land use activities in the rural area near the community. The largest is the community's municipal water supply area which comes from a pond located about 1.5 km west of the community. The pond's watershed has not been designated a protected watershed by the Dept. of Natural Resources. The government airstrip is located 1.5 km south of the community. The municipal landfill is located about 400 metres southeast of the community.

MUNICIPAL SERVICES

The Community has a municipal water and sewer system with about 35 % of the community connected to the system. Sewage from the piped sewer system is dumped into the harbour. Water supply comes from several ponds located south west of the community. The present system is a gravity feed system.

Solid waste is collected and disposed of at a landfill site located about 400 m southeast of the community. The community Council lacks the resources to adequately maintain the existing roads in the community. Presently there are a number of houses in the community that do not have road access.

CHARLOTTETOWN MUNICIPAL PLAN

Introduction

The Municipal Plan presents goals, objectives and policies to guide development in the Charlottetown Municipal Planning Area from 1997 - 2007. Goals represent the broad long-term targets the Council has set for itself. Objectives are the more specific directions to be followed in order that the Council will achieve its goals. Policies are specific actions towards development that facilitate the accomplishment of the Municipal Plan's objectives and goals.

The intent of this Municipal Plan is to encourage orderly, economic and attractive development. To this end, the Municipal Plan divides the Municipal Planning Area into land use designations where specified land uses are permitted. These land use designations are shown on Future Land Use Maps 1 and 2. These maps are as important as the plan text and should be read along with it.

The Municipal Plan intends to keep conflicting land uses apart. It has also been designed considering the need for commercial and industrial areas to be located so as to benefit from local transportation connections and ready access to local resources, and the need to protect special natural and cultural features. Major public works such as a road must similarly be designed to provide both safe and efficient movement of goods and people through the community.

The Municipal Plan provide for the continuation of a use which was legally established before the Municipal Plan was approved by the Minister of Municipal and Provincial Affairs. Any building or use which exists and does not comply with the intent of the Municipal Plan and the designated land use, will not be substantially expanded. However, minor extensions or alterations may be allowed provided there will be no adverse effects on surrounding properties or the environment, and the use does not change unless the change in use conforms to the intent of the Municipal Plan.

A. GOALS, OBJECTIVES AND POLICIES

The following goals and objectives describe the intent of the Municipal Plan and provide a rationale which will guide the development of the community over the ten year planning period. The specific land use policies will direct development within the Municipal Planning Area of Charlottetown. The land use designations correspond with those on Future Land Use Maps 1 and 2 (at the back of the document).

COMMUNITY STRUCTURE

The community structure in Charlottetown is of a compact nature with a mixed development pattern. The community development is mostly residential with only a small commercial sector. This Plan encourages the continuation of high density, compact structure of the residential development in Charlottetown. Future development in the community, in particular new residential subdivision development should be compact and efficiently designed to minimize the costs of servicing and to reduce cost of maintaining these services. Future commercial or industrial development will be encouraged to be located in the main core of the community.

Goals:

To provide for orderly growth and development within the Municipal Planning Area, safeguarding the social, physical and economic well-being of its residents.

To maintain and improve upon the present land use pattern of the community in order to enable servicing on an economic basis.

Objectives:

1. Council will undertake to use this Municipal Plan to guide its exercise of powers and responsibilities for the provision of services, the allocation of land uses, and the general development of the Community.

2. Land uses will be allocated recognizing natural constraints and limitations in order to protect life and property, and to minimize negative effects on the natural environment.
3. Compact development of the community will be promoted.

Policies:

1. The following land use designations are established in the Municipal Plan and on Future Land Use Maps 1, and 2.

Residential
Mixed Development
Recreation
Environmental Protection
Transportation
Rural

2. New community development shall abut existing development.
3. Extensions of municipal services to new subdivisions will be provided at the expense of the developer.

RESIDENTIAL

Residential development in Charlottetown is restricted by the local topography and availability of developable lands. In the older residential areas of the community the land use is mixed with commercial and community services interspersed with residential development. The existing housing stock of the Community is largely single family dwellings. New residential subdivision development located on the south side of the community will continue to be developed, while new planned development will occur on the northern side of the harbour near the slipway and gravel pit.

Goal:

To provide for the long-term housing needs of the community.

Objectives:

1. Housing shall be designed, sited and constructed to meet the particular local conditions and needs of residents of the Community and to facilitate the greatest development of available land resources.
2. New areas of vacant lands will be designated for future residential development and older housing areas will continue to be upgraded.
3. Compact development of the community will be promoted with the intent to concentrate on controlled infilling of suitable vacant sites and development of planned residential subdivisions.
4. Development will follow a pattern that allows for efficient communications and economy in servicing.
5. Council will give priority to developing the vacant land in the Mixed Areas before proceeding with development in the Residential Area in the northern end of the community.

Policies:

1. The Residential designations are established as indicated on Future Land Use Map 1.

2. Land designated Residential shall be developed primarily for residential uses. Other uses may be permitted on a residential lot such as a convenience store, an office for a professional person, and small scale business uses either as part of a residence or as free standing operation. Council will consider the impact of the bulk and scale of proposed uses in the residential designation to ensure that the development does not adversely affect the residential character and amenity of the area; provision of adequate space for on site parking, loading, and buffering is provided; and the primary use of the lot remains residential. A compatible use will occupy only a minor part of the floor area of the dwelling.
3. Residential uses shall be low density. Higher density types may be permitted provided the scale does not affect the amenity of the existing low density residential uses. Special housing for seniors and group homes may also be permitted.
4. Residential growth shall be accommodated in approved comprehensive subdivisions and through the orderly infilling of existing areas in the Community to ensure the efficient use of available lands. Subdivisions will be located adjacent to existing built up areas where municipal servicing can be easily and economically provided in the future.
5. Redevelopment within the older residential areas will be required to facilitate future municipal servicing.
6. All new development and all new lots being subdivided shall have direct frontage onto a publicly-maintained road or in the case of a new subdivision shall have frontage on a road being constructed under the terms of a development permit issued by Council. The costs of providing services to any new subdivision development shall be the responsibility of the developer.
7. A buffer adequate to screen and separate commercial or industrial uses from adjacent residential designations will be required.
8. Recreational open space uses such as playgrounds may be permitted. The amenity and privacy of nearby dwellings will be protected.
9. Development permits will only be granted by Council when it has been established by the Department of Health and/or the Department of Natural Resources to Council's satisfaction that soil and drainage conditions are suitable to permit the installation of an adequate means of sewage disposal unless connection to municipal services are proposed.

MIXED DEVELOPMENT

The Community has a mixture of commercial, public and residential development. This mixture of land uses has not created any significant problems and it is intended to permit this to continue while ensuring amenity and safety between the different uses.

Goals:

To maintain and improve upon the present land use pattern of the community.

To provide a sufficient range and level of community services and facilities to meet the recreational, social, religious, and educational needs of the community.

To encourage commercial and industrial development that will meet the community's employment needs.

Objectives:

1. Major commercial facilities will continue to be centrally located.
2. To allocate sufficient lands for commercial and industrial activity that will provide new employment opportunities and diversify the town's economy.
3. Commercial expansion will be consolidated around existing enterprises with adequate space to be reserved for expansion.

Policies:

1. The Mixed Development designation is established as indicated on the Future Land Use Map 1.
2. Development of these lands will be primarily for residential, small business, public uses, and open space. Other uses of land for commercial, light industrial uses may also be permitted provided public safety and amenity are protected.

3. The full range of residential uses will be permitted. Higher density residential type uses may be required to fit in with the scale of the existing low density residential uses. Specialized housing for seniors and group homes may also be permitted.
4. Commercial uses including retail uses, service uses and offices shall be permitted. These uses will be small in floor area in order to fit into the residential character of the area. Commercial uses will be limited to those that will not be a hazard or nuisance to residences and will be separated an adequate distance from residences.
5. Small scale light industrial uses including indoor storage, repair and manufacturing uses may be permitted. Limited outdoor activity may be permitted provided it is adequately screened from sight. These uses will be separated from and not be a hazard or nuisance to other uses.
6. Public uses shall be permitted in the community provided they respect residential amenity, safety and privacy. Public uses include religious, educational and those uses from which a public service is provided.
7. Open space uses such as public parks, and playgrounds shall be permitted. The amenity and privacy of nearby dwellings will be taken into consideration.
8. Small scale business uses occupying a minor part of a residence may be permitted as part of a dwelling. Business uses are limited to convenience retail uses, minor service uses, small office uses and home occupations.
9. Owners or operators of commercial enterprises may be permitted in residences attached to or above commercial uses.
10. Fishery related industrial activity will continue to be located around the public wharf. Other Industrial activities will be sited so that the development is adequately buffered from residential areas.

COMMERCIAL

A site in the southern end of the community near the airstrip is selected for new commercial development. The site is located on the southern side of the forest access road, which will also be the access link to the Trans Labrador Highway.

Objectives:

1. To provide suitable land to accommodate new commercial development
2. To attract new commercial development to the Town.
3. To protect proposed commercial development from encroachment by non-compatible uses.

Policies:

1. This policy shall apply to the Commercial Area shown on Future Land Map I.
2. All new development shall front on a public road.
3. Adequate off-street parking shall be provided for all commercial uses in order to prevent parking and traffic problems.
4. Permitted uses shall be those of a commercial and light industrial nature.

RECREATION

The community is in need of some type of multipurpose recreational building. With the destruction of the recreation centre by fire the community has no facility for recreation activities in the community. The following policies will guide the growth and development of the Recreation areas.

Goals:

To establish, preserve and improve natural spaces and recreational areas to meet local needs.

To provide assistance in establishing a multipurpose recreational facility to meet the recreational needs of the community.

Objectives:

1. To develop a recreation program for the community.
2. To designate an area of land in the community for future site of a recreation facility.
3. To seek funding for the construction and development of a recreation facility for the community.

Policies:

1. The Recreation designation is established as indicated on Future Land Use Map 1.
2. Land designated Recreation shall be developed primarily for recreational uses. Permitted land uses may include sports stadium, park, playground, rink and non profit recreational uses. The lands shall be kept substantially free of buildings and structures except for those which are necessary to facilitate the development of the recreational areas of the community.
3. Council shall encourage the development of a ball field and playground in the community.
4. Council shall pursue the feasibility of establishing a ball field or playground or a similar type of recreation facility for the Community.

5. Recreational uses of community service buildings will be permitted provided they are primarily of a public service nature.

ENVIRONMENTAL PROTECTION

The Environmental Protection area includes lands that contain poorly drained soils, areas prone to flooding, sensitive shorelines and scenic areas. Also included is the water supply catchment area for the proposed municipal water supply. Development in the watershed area may affect the water quality or quantity and therefore it must be protected from negative impacts of development.

Goal:

To protect and enhance the environment and natural resources of the Municipal Planning Area.

Objectives:

1. To limit development and use of lands outside of the community's built-up area to those of a rural nature and those which cannot be reasonably carried on within the built-up area.
2. To provide a safe and sustained drinking water supply by restricting development in the watershed.
3. To control development in order to minimize its detrimental effect on the environment and to preserve the natural resources of the Municipal Planning Area.

Policies:

1. The Environmental Protection Area is established as indicated on Future Land Use Map 1 & 2.
2. Land designated Environmental Protection shall be preserved for passive outdoor recreation, conservation uses and preservation of the natural environment.

3. Public utilities may be permitted provided that they do not cause any adverse affect on the water quality or quantity of the water supply catchment area.
4. The watershed area shall be protected from existing development uses and any future development that could adversely affect water quality or quantity
5. The only permitted uses in the watershed shall be passive recreational activities such as hiking, canoeing and conservation uses. Council shall not permit the use of motorized boats and other recreational vehicles on the pond and shall limit access to the Watershed area where possible.
6. No development shall be permitted within 15 metres of the dam or intake area unless its purpose is the municipal supply of water.
7. Forestry uses may be permitted provided that forest harvesting operations are restricted to those which will not adversely affect the quantity and quality of water within the municipal water supply catchment area. All forestry uses shall be approved by the Dept. of Natural Resources and the Water Resources Division of the Dept. of Environment.

TRANSPORTATION

Charlottetown has a limited transportation system in the community. The two major methods of transportation for getting in and out of the community is by air and boat. It is important that these modes of transportation are protected and enhanced to provide the best service for the residence of the community.

Goal:

To provide a safe and efficient transportation network to move people and goods into, out of and throughout the Municipal Planning area.

Objectives:

1. To develop a list of priorities for road improvements in the Municipal Planning Area.
2. Re-align sections of existing roads and snowmobile trails to improve safety and access.

3. To establish road reservation for future development and ensure that they are protected from new development.
4. To seek funding for road improvements and new road construction.

Policies;

1. The Transportation designation is established as indicated on Future Land Use Map 1.
2. Land designated Transportation shall be developed primarily for Transportation uses including public wharf and airstrip. Other uses may be permitted provided their use is directly related to a permitted transportation use.
3. Council will ensure that any new buildings and development interferes in the least possible manner with the efficient use of the local roads.
4. Residential subdivisions shall be laid out to allow appropriate transportation links to the rest of the Community.
5. Council will apply for title to road reservations indicated on existing cadastral maps and may use the reservations to facilitate future development.

RURAL

Rural lands that surround the Community provide valuable resources and are used extensively by the local community for recreational purposes and partially for the subsistence lifestyle. The rural lands are used heavily during the winter months for snowmobile trails, which provide recreational use and also access to hunting and trapping areas. The rural lands close to the Community also provide a source of aggregate material used by the town for road construction.

Goals:

To protect and enhance the environment and natural resources of the Municipal Planning Area.

Objectives:

1. To limit development and the use of lands outside of the community's built-up area to those of a rural nature and those which cannot be reasonably carried on within the built-up area.

2. To control development in order to minimize its detrimental effect on the environment and to preserve the natural resources of the Municipal Planning area.

Policies:

1. Undeveloped lands surrounding the community and within the Municipal Planning Area shall be designated Rural as indicated on the Future Land Use Maps 1 & 2.
2. Lands designated Rural shall be developed primarily for uses utilizing the area's natural resources and land uses not compatible with the urban environment. Uses permitted shall include; conservation, hunting, fishing, trapping, gathering, forestry, and mineral workings and exploration. Council will evaluate each development proposal to determine environmental impacts and set development standards to reduce or eliminate any negative impacts and protect public safety and all amenities.
3. Council, shall not extend municipal services to any development located in areas designated Rural. However, the development may be connected to municipal services at the developer's expense.
4. Mineral extraction operations shall be conducted in a manner which will minimize the adverse effects on water quality, fish and wildlife, adjacent activities, and the scenic qualities of the shorelines and rural lands. All mineral operations will be required to complete site rehabilitation as set out in the development permit issued by the Council.
5. Council will prohibit all but very small scale mineral workings and related activities from taking place within general view of developed areas. Unless absolutely necessary, existing quarry sites are to be exhausted before new sites are developed.
6. Council when issuing a permit for any mining operation may attach such conditions as are in its opinion necessary to properly regulate the operation. Such conditions in particular may refer to the following subjects and matters:
 1. Landscaping, screening and fencing;
 2. Noise, dust and pollution control;
 3. Rehabilitation.
7. A buffer shall be maintained around the Solid waste disposal site to protect against smell, rodents and other adverse effects of such an operation. Only those rural uses not negatively impacted by the solid waste disposal site or a related use may be located within the buffer zone.

8. Forestry uses in close proximity to the built-up areas will be restricted to those which will not constitute a nuisance to existing or proposed development or affect the municipal water supply.
9. Forestry management and harvesting shall conform to the regulations and guidelines of the Department of Natural Resources and any regulations and conditions prescribed by Council.
10. Residential development shall not be permitted in the rural designation unless needed for the continual on-site supervision of a permitted and established operation, and then only at the discretion of Council.

COMMUNITY SERVICES AND UTILITIES

The community is only partially serviced by the municipal water and sewer system. Any new development should be designed to take advantage of any existing or proposed services. The Council will encourage infilling of vacant lots in serviced areas before promoting new development in unserved areas of the community. Future residential subdivision development shall be designed with proper lot layout and road designations to provide for efficient servicing of these areas.

The community council is preparing to relocate the existing landfill site to a location farther away from the community to protect residence from adverse effects of the landfill site. The site of the existing dump should be rehabilitate so that it maybe developed in the future.

Goals:

To provide a sufficient range and level of community services and facilities to meet the recreational, social, religious, and educational needs of the Community's residents.

To provide Charlottetown with utilities which meet local needs in the least disruptive manner possible.

Objectives:

1. To locate future educational facilities with related community services such as recreation and daycare.

2. To ensure the safe passage of children throughout the Municipal Planning Area and to carefully assess all new developments for their impacts on youth play areas and access.
3. To ensure that existing community facilities are protected from adverse development by regularly assessing the effects of neighbouring uses on their safety and convenience.
4. To encourage the location of community utilities in areas that do not conflict with other form of development.
5. To require the construction of buffers between existing development and new utility installations.

Policies:

1. New development will be discouraged in areas that cannot be expected to receive municipal services.
2. Council will encourage the relocation of utilities to more appropriate location in the community where adverse effects of utility operations are less.

MUNICIPAL FINANCE

The Community Council has been successful in containing recent operating expenditures. The Council is limited in its sources of revenues mainly due to the limited business development and the amount collected from residential taxes. The cost of providing municipal services to a small community puts enormous pressure on the Council and its abilities to expand services. Council must be fair and practical in its decision to extend municipal water and sewer services. With out a larger tax base to recover operating costs the probability of servicing all the community is very low. Also other services such as recreation programs and funding for a new recreation facility maybe outside of Council's financial capabilities.

Goal:

To effectively manage the financial resources and commitments of the Community.

Objectives:

1. To implement municipal improvements which match both the policies and priorities of the Municipal Plan and the financial capabilities of the Community.
2. To improve the cost effectiveness of municipal servicing by implementing compact, carefully planned development.

Policies:

1. Council will seek government approval to borrow funding for capital works.
2. Capital works projects shall be within the financial capabilities of the municipal revenue structure with expenditures balanced against revenues.
3. Council shall encourage the expansion of the commercial and residential tax bases to strengthen the financial position of the Community.

B. GENERAL LAND USE POLICIES

Unless otherwise stated, the following policies apply throughout the entire Community of Charlottetown Municipal Planning Area.

1. Surface Conditions

Any proposal for erection of a structure on a site having a slope in excess of 15 percent, or which is potentially subject to flooding or any other hazard, must be certified by an engineer to ensure that development of the site can take place without danger to health, safety or the structure. Otherwise, the development will not be permitted.

2. Municipal Services

Some of the costs of running a municipality are proportional to the overall length of publicly maintained roads that must be upgraded, maintained, provided with street lights, water and sewer services, and electric utilities. Generally, the more spread out a municipality becomes, the more these costs increase. Council intends to keep these costs from increasing through implementation of the following policies:

- 2.1 Vacant land and sites made suitable for infilling due to installation of municipal water and sewer servicing are intended to be fully utilized before these services may be extended to new areas.
- 2.2 All new roads must connect to another road or terminate with adequate space provide for vehicles to turn around.
- 2.3 An industrial, agricultural or non-building use presently located in predominantly residential areas or along serviced roads that does not require municipal services shall be encouraged to relocate to areas that are not serviced so that land that is, or will be serviced can be used for more appropriate urban development.
- 2.4 Extensions to the water, sewer and road system which are not part of the Community's capital works program shall be the developer's financial responsibility.

3. Servicing Requirements

- 3.1 All buildings that have or are required to have plumbing systems will connect to the municipal water and sewer system. This requirement does not apply, at Council's discretion, to buildings in the Rural designation. This requirement also does not apply to lots that are not serviced by the municipal water and sewer system unless Council determines the development should not be permitted unless it connects to the municipal water and sewer system.
- 3.2 With the exception of land uses associated with agriculture, forestry, sawmilling, mineral workings or other resource or industrial type of uses for which street frontage would be unnecessary or undesirable, all lots shall have the appropriate frontage on a publicly owned and maintained road, unless other policies and requirements of this Plan specify otherwise.

4. Streets

4.1 Local Streets

Local streets will be designed to maximize the safety and efficiency of vehicular and pedestrian traffic.

4.2 Street Maintenance

After installation of water and sewer services it is intended that all residential streets will be upgraded.

5. Property Maintenance

- 5.1 All development shall be landscaped where possible. The exteriors of all buildings, particularly commercial properties, restaurants, shops and stores, or any business catering to the general public, shall be properly finished and maintained to the satisfaction of Council. Owners of dilapidated structures shall be required to repair or remove them if they present a safety hazard.
- 5.2 Council will ensure that buildings and property owned by the Council are well maintained and landscaped as a general example to the community.
- 5.3 Wrecked or inoperable vehicles, machinery or equipment of any kind shall not be stored or abandoned where it may be in general public view

6. Visual Effects of Development

Where a proposed development is of a size or nature that could in any way have negative effects beyond the boundaries of the site upon which it is located (such as the creation of noise, smoke, dust, fumes or unsightliness) Council may hold a public meeting or otherwise consult with surrounding residents to ensure they are aware of the potential effects of the proposal and that their concerns are taken into consideration before any decision is made. Screening through such means as retention of original trees and other plant growth or erection of fences or any other measures to render off-site effects acceptable may be required.

7. Development Near Waterbodies

Development will not be permitted within 15 metres of the shore or any permanent or semi-permanent watercourse or waterbody within the Planning Area except for the following and then only with the approval from the Water Resources Division, Department of Natural Resources and Federal Government Dept. of Fisheries and Oceans.

- i) wharves, slipways, processing plant and sheds along the coast to allow for traditional small scale marine operations;
- ii) public works and utilities.

8. Environmental Protection

8.1 A proposed development shall not pollute any part of the Municipal Planning Area. Permission to develop may be conditional upon measures to prevent pollution.

8.2 Garbage, refuse, abandoned vehicles and any other discarded materials of any kind shall be disposed of only at a waste disposal site approved by the Department of Environment. Such material shall not under any circumstances be used as fill for buildings and lots.

9. Cemeteries

Existing Cemeteries in the developed areas of the Community shall not be expanded. Any future Cemeteries will be located in Rural areas away from lands suitable for other uses. All Cemeteries are to be kept neat and tidy in appearance by the organization responsible for them.

10. Public Utilities

Municipal and public utility works (including associated structures) for such purposes as provision of telephone, water treatment, pollution control may be permitted at any location throughout the Municipal Planning Area provided due consideration is given to danger, nuisance and aesthetics, and reasonable alternatives and then subject to such conditions as Council sees fit to secure an acceptable development.

11. Heritage Structures

Houses and other buildings and structures which were built in a traditional or distinctive architectural style or otherwise are deemed to have historic or aesthetic value by Council shall be considered heritage structures. It is Council's policy to protect heritage structures for aesthetic and historic reasons and for their economic value as tourist attractions. Council may enact regulations for such purposes.

12. Advertisements

All signs and advertisements are to be tastefully presented (in terms of lettering and overall design), properly situated and well maintained in order to prevent unwanted visual effects.

13. Fuel Storage Tanks

All commercial fuel storage tanks located within the Municipal Planning Area shall be required to provide adequate containment and dyking. Council shall require that all fuel storage tanks are first approved by the Department of Environment. Council shall also encourage the siting of all commercial fuel storage tanks in the Rural land use designation in appropriate tank farms.

14. Non-conforming Uses

Existing development which does not conform with the requirements of the Municipal Plan and Development Regulations may be continued as a non conforming use. Restrictions shall be designed to limit its potential for replacement and expansion (to be specified in the Development Regulations). Where a Non-Conforming Use is causing a nuisance or otherwise infringing on or preventing allowable development Council will encourage its relocation or discontinuance.

MUNICIPAL PLAN IMPLEMENTATION

Introduction

In order to enforce and implement the policies of the Municipal Plan, **Land Use Zoning, Subdivision and Advertisement Regulations** (referred to as Development Regulations) and a capital works program are required. The **Regulations** and capital works program must conform to Municipal Plan policies.

Development Regulations

Development Regulations ensure that development takes place in accordance with the goals and objectives and the framework of the land use policies of the Municipal Plan. The manner in which the Regulations are drafted and the form in which they appear must comply with the requirements of the **Urban and Rural Planning Act**. Like the Municipal Plan, these Regulations are binding upon the Council and all other persons and organizations. The Development Regulations consist of five parts: General Regulations, General Development Standards, Advertisement Regulations, Subdivision of Land Regulations and Land Use Zones. The first four will be similar for all towns and communities in the province. However, the Land Use Zone section (Schedule C), is tailored to conform to the respective Municipal Plan of each municipality.

I. General Regulations

Among other things, the General Regulations govern matters relating to the power and authority of a municipality to regulate development within its Municipal Planning Area and establish conditions relating to the issuing of permits.

II. General Development Standards

The General Development Standards relate to such matters as the siting of buildings on building lots, building height, setback from the street, buffers between certain types of development, parking and access requirements, non-conforming uses and other related matters.

III. Advertisement Regulations

Advertisement regulations control the size, shape, location, siting, illumination and material construction of advertisements for the protection of the safety and convenience of the general public and neighbouring properties and the general aesthetics of the Municipal Planning Area.

IV. Subdivision of Land Regulations

Subdivision regulations govern the development and division of larger parcels of land into two or more lots for the purpose of development. They include standards for street improvements, lot sizes and lot layouts, procedures for dedicating land for public purposes and other necessary requirements as prescribed.

V. Land Uses Zones

Zoning is a means of ensuring that development conforms with the Municipal Plan, and that it is properly situated and does not conflict with or adversely affect neighbouring uses. It can ensure that new growth is concentrated within or adjacent to developed areas, promoting a compact form to make the most efficient use of public services and utilities. Land Use Zone tables are presented in Schedule C of the Development Regulations. For each land use zone a list of Permitted and Discretionary uses are presented as well as standards to which development must conform before it may take place.

Development Control

The Municipal Plan is a legal document which is binding upon all persons, groups, or organizations, including the municipal council. Before any land development can take place, an application must first be made to Council for permission. Development may take place

only after Council has reviewed the application and granted approval. Anyone who fails to follow the required application process or who otherwise violates the Municipal Plan or Regulations can be prosecuted and may be ordered to remove any illegal structure and restore the site and buildings on it to their original state.

Day-to-day administration of both the Municipal Plan and Development Regulations are the responsibility of Council and its authorized staff members. It is the duty of authorized staff members to implement the Municipal Plan through the Development Regulations, refer development applications to outside agencies and to issue all required permits when approval is granted.

An application to develop must be made on the proper application form prescribed by Council. All applications must show as accurately as possible the location of the site of proposed development and include a plot plan showing the location of existing and proposed buildings and structures on the proposed site.

Council will consider the application to determine whether or not it conforms with the requirements of the Development Regulations and the policies of the Municipal Plan. If it conforms Council will approve the application and inform the applicant and state any conditions that may apply. If the proposed development does not conform to the Municipal Plan or Regulations, the application must be refused. Any one applicant who is dissatisfied with the decision of Council may appeal to an Appeal Board. The Appeal Board shall either confirm the decision or require that Council's decision be varied or reversed.

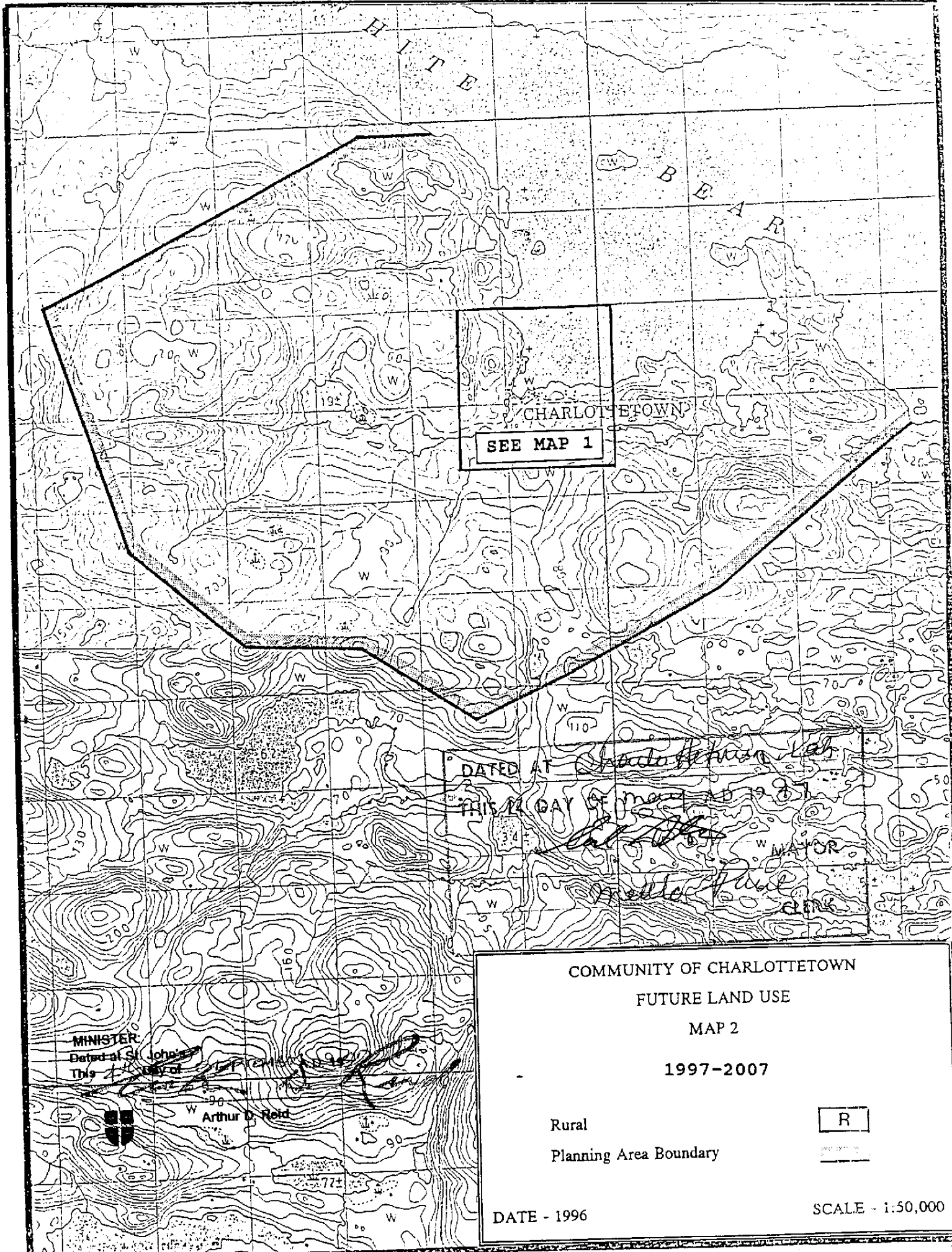
Council has discretionary authority to grant a variance to a proposed development which does not strictly comply with the development standards. However the proposed development must conform to the general intent of the Municipal Plan. A proposed development must not change the permitted land use, or negatively impact on adjoining properties.

Public Works

Essential to the implementation of the Municipal Plan is the carrying out of annual public works projects. The Community water and sewer servicing program and any future capital works programs must conform with applicable policies and land use designations of the Municipal Plan. Water and sewer projects must not contribute to sprawl, since that would conflict with the Municipal Plan's goal of promoting compact development. Council must also demonstrate its ability to cover its share of costs in any capital works requests. It should also be recognized that extensions of the water and sewerage systems required for (or as a part of) new development (including residential subdivisions) are the responsibility of developers and not the municipal or provincial governments. Upon completion of the water and sewer servicing program (or individual phases of it) improvements to local roads should be undertaken in accordance with the Community's financial capability (and in conformity with the Municipal Plan) on a prioritized basis. The development of additional recreational facilities should also be carried out on a year-to-year basis subject to the Community's financial capabilities.

Development Schemes

Sections 31-33 of the **Urban and Rural Planning Act** provide Council with the authority (upon adoption of a Municipal Plan) to prepare and adopt Development Schemes. Development Schemes are detailed localized Municipal Plans outlining the manner in which a specified part of the Municipal Planning Area is to be developed. Through a Development Scheme, land may be reserved for such things as public roadways, residential subdivisions, schools, parks or open space. Development Schemes can also provide for the acquisition, subdivision, sale or lease of land and buildings by the municipality. They are prepared and adopted in a manner similar to the process of adopting a Municipal Plan and, when approved, form part of the Municipal Plan.



SEE MAP 1

DATED AT *St. John's, Nfld.*

THIS 24 DAY OF *March* 19*87*

Arthur D. Reid
MAYOR

MINISTER
Dated at St. John's
This 1st day of *April*



Arthur D. Reid

COMMUNITY OF CHARLOTTETOWN
FUTURE LAND USE
MAP 2

1997-2007

Rural
Planning Area Boundary



DATE - 1996

SCALE - 1:50,000