

**Municipal Plan for 2012-2022, Town of Grand Bank**  
As approved 10 December 2012

# **Town of Grand Bank**

## **MUNICIPAL PLAN**

**2012-2022**



photo credit: Town of Grand Bank web site

**As approved by Council**  
**10 December 2012**

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**1.0 ADOPTION AND APPROVAL**

**1.1 COUNCIL RESOLUTION TO ADOPT; CLERK'S CERTIFICATE.**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Council of the Town of Grand Bank adopts the Municipal Plan for 2012 to 2022.

Resolved by the Council of the Town of Grand Bank on the 23th day of October, 2012.

Signed and sealed this 13 day of March, 2013.

Mayor: 

(Council Seal)

Clerk: 

**Clerk's Certificate:**

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan for 2012 to 2022, adopted by the Council of the Town of Grand Bank, on the 23rd day of October, 2012.

Clerk 

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Municipal Plan/Amendment	
<b>REGISTERED</b>	
Number	<u>1970-2013-003</u>
Date	<u>July 26, 2013</u>
Signature	<u>[Handwritten Signature]</u>

**1.2 COUNCIL RESOLUTION TO APPROVE; CLERK'S CERTIFICATE**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Council of the Town of Grand Bank approves the Municipal Plan for 2012 to 2022.

Resolved by the Council of the Town of Grand Bank on the 10th day of December, 2012.

Signed and sealed this 13 day of March, 2013.

Mayor: [Handwritten Signature]

(Council Seal)

Clerk: Cathy Fellet

**Clerk's Certificate:**

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan for 2012 to 2022, approved by the Council of the Town of Grand Bank, on the 10<sup>th</sup> day of December, 2012.

Clerk Cathy Fellet

**1.3 PLANNER'S SEAL AND SIGNATURE**

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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

Member of the Canadian Institute of Planners

[Handwritten Signature]

**Jens Jensen, P. Eng., MCIP**

Date: 22 February 2013

seal





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## **2.0 FOREWORD: APPROVAL PROCEDURE AND ADMINISTRATION**

### **2.1 The Municipal Plan**

This document and the maps contained with it, form the Municipal Plan for the Town of Grand Bank. It has been prepared in accordance with the *Urban and Rural Planning Act, 2000*. Upon completion of the required steps to bring it into legal effect, it repeals and replaces the community's Municipal Plan which came into effect in 1985, including all amendments thereto.

The document presents statements regarding the Town's intentions with respect to the location and manner in which development within its community shall take place. The maps show the Grand Bank Planning Area divided into various land use designations. Within each designation 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 Grand Bank Planning Area Boundary. All development must conform with the applicable policies of the Municipal Plan after the date upon which it comes into effect.

This Municipal Plan has been prepared following the preparation of a special purpose document, an Integrated Community Sustainability Plan (ICSP). The ICSP is a document prepared in accordance with a requirement that municipalities prepare an Integrated Community Sustainability Plan in order to qualify for revenue from the Gasoline Gas Tax Fund, pursuant to the Gas Tax Agreement signed between the Province and Local Governments.

The research and public consultation processes involved in preparing the ICSP were very useful in revising the former Municipal Plan, as many topics and interests are common to both. The process of preparing the ICSP has enhanced the depth of the Municipal Plan as it touches on matters not directly related to land use, such as social conditions, cultural matters and governance. However, the Integrated Community Sustainability Plan is not part of this Municipal Plan, nor is it subject to the statutory status and procedures affecting Municipal Plans.

### **2.2 Ministerial Approval**

For the Municipal Plan to gain full legal effect, the following procedure must be undertaken, pursuant to Sections 15 through 23 of the *Act*.

In brief, the process begins with the preparation of a draft Municipal Plan under the direction of Council. When a draft is prepared to the satisfaction of Council, it is submitted to the Department of Municipal Affairs for review. When the Department has reviewed the draft



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document and is satisfied that it is acceptable in light of provincial and other government agencies' interests, the Department officially releases it pursuant to Section 15 of the *Act*. Council then, by resolution, is able to adopt the document pursuant to Section 16 of the *Act*.

Council must then advertise and provide for a public hearing at which objections or representations to the adopted document are to be heard. The notice must appear twice in a newspaper circulating in the community's area, in which Council states its intention to seek the approval of the Municipal Plan. The first notice must appear at least fourteen days before the hearing date. The notice must state where and when the Municipal Plan can be inspected and clearly give the time and place for the Public Hearing.

The Public Hearing is conducted by a Commissioner appointed by the Council. A deadline date for the submission of any written objections or representations is specified in the Act (two days before the hearing). If no objections are received by the deadline, Council may cancel the hearing and proceed directly to approve the Plan. If the hearing proceeds, the Commissioner conducts the meeting and subsequently prepares a report including recommendations. Council then considers the report and either approves the Plan (with or without changes) or withdraws the proposed Plan. Council's approval is made pursuant to Section 23 of the *Act*.

An approved Plan then is submitted to the Minister for review and registration, pursuant to Section 24 of the *Act*. For this, the Minister requires two copies of the Municipal Plan which have been certified by the Clerk as having been adopted and approved by Council, the Commissioner's report, and all written objections and representations that may have been submitted at the Hearing. After reviewing the document and determining that it is not contrary to law or a policy of the government of the Province, the Minister will register the Plan in the Minister's planning registry and Council will publish a notice to that effect in the *Newfoundland and Labrador Gazette* and in a newspaper circulating in the community's area. The date of the publication of the notice in the *Newfoundland and Labrador Gazette* is the date upon which the Plan comes into effect.

If the Minister chooses to not register the Plan, the document is returned to the Council with information as to the reason for its unacceptability, and Council may then make changes and resubmit the Plan in the same manner.

It is important to recognize that a new Plan does not come into legal effect until the notice of the Minister's registration appears in the *Newfoundland and Labrador Gazette* and the newspaper ad has appeared. Once in effect, the Municipal Plan is legally binding on Council and any person or party proposing to use or develop land anywhere within the Planning Area Boundary.

A concurrent and parallel process is involved in the preparation, review, adoption, approval, and coming into effect of Development Regulations.



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### **2.3 The Effect and Amendment of the Municipal Plan**

The Municipal Plan is a legal document, binding upon Council and any person or group using or proposing to use land anywhere within the Planning Area, unless specifically exempted by superior legislation. All development must conform with the applicable policies of the Municipal Plan after the date upon which it comes into effect.

The *Act* at Section 28 requires that a Municipal Plan be reviewed not later than every five years from the date it has come into effect. The general intention is that Council may revise the Plan with a view to the developments which can be foreseen for the next ten years. Consequently, the time frame for this Plan is the ten year period of 2012 through 2022.

The Municipal Plan may be amended at any other time, in whole or in part, for legitimate reasons that may have been unforeseeable at the time it had initially been drafted. Any such amendment must be consistent with the Municipal Plan as the amendment will be read together with and become part of the Municipal Plan.

### **2.4 Municipal Plan Administration; Role of Development Regulations**

When a Municipal Plan comes into effect, the Council is required to provide for its administration in conjunction with the Development Regulations. The Development Regulations are written in conformity with the Municipal Plan in the form of land use zoning, subdivision, and advertisement regulations. After adoption by the Council, these regulations must be submitted to the Minister for approval in like manner to the process for Municipal Plans.

Development Regulations must comply with the requirements of the *Urban and Rural Planning Act*, 2000, and standard Provincial Regulations have been developed to form the basis of these regulations. The standard regulations currently are Newfoundland Regulation 3/01 made by the Minister of Provincial and Municipal Affairs and which came into force on January 1, 2001. Councils are also advised, if they have not already done so, to adopt the National Building Code of Canada as its building regulation; the Town of Grand Bank did so in 1985. Builders must comply with the Code.

The day-to-day administration of the Municipal Plan, and subsequent Development Regulations, is in the hands of staff members authorized by the Council. Staff have the duty of issuing all necessary permits approved by Council and making recommendations to the Council in accordance with the Municipal Plan policies and implementing regulations regarding all development in the Municipal Planning Area.

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### **3.0 INTRODUCTION**

#### **3.1 Title and Components**

This Municipal Plan, when brought properly into effect, shall be known as the *Municipal Plan of the Town of Grand Bank, 2012 - 2022*. The following text and Future Land Use Maps 1 and 2 contained herein constitute the Municipal Plan for the Grand Bank Planning Area.

#### **3.2 Review and Amendments**

As indicated in the Foreword, the policies and land use designations described in this Municipal Plan are not intended to remain static but are subject to continuous review and alteration as required in the light of changing economic, social, and technological developments, as well as at the required five year reviews.

#### **3.3 Purpose of Plan**

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. Further, it may also set out information and policies on matters affecting social conditions, cultural matters and governance.

#### **3.4 Municipal Planning Area**

The territory subject to this Municipal Plan is that which is included within the boundaries of the Grand Bank Planning Area. The Planning Area is far larger than just the area defined by the Town boundary. Indeed, it includes part of the area of the Local Service District of Grand Beach and that community's protected water supply area, as well as a small part of the protected water supply of the Town of Lawn, which is a matter of some concern in the context of governance, to be further specified in this Municipal Plan.

#### **3.5 History**

It is appropriate to first provide an overview of the history of the community. It is not intended to be more than a brief sketch, to establish an appreciation of the way in which the community developed.



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Grand Bank was inhabited by French fishermen as early as 1640 and started as a fishing settlement with about seven families. It was given the name "Grand Banc" because of the high bank that extends from Admiral's Cove to the water's edge on the west side of the harbour. The French census taken in 1687, showed the population of Grand Bank to be 45 individuals. The first community had one church, three houses and 18 muskets. Some of the prominent names included Bourney, Commer, Chevallier and Grandin.

The Town of Grand Bank can attribute much of its past and present growth and prosperity to its proximity to the fishing grounds and its ice-free harbour. Original settlers thrived on trade with the French and a vigorous inshore fishing industry. Grand Bank became the nucleus of the bank fishing industry for Newfoundland and a service center for Fortune Bay. With the decline of the salt fish industry the town's emphasis quickly shifted to fresh fish production. Enterprising businessmen and town planners prepared the way for a fresh fish plant (present day Grand Bank Seafoods Inc.) and a fleet of trawlers.

Today's fishery is unlike its predecessors: different species, different markets, and different technology. The new opportunities in harvesting and processing surf clams appears to have brought a unique stability and optimism to Grand Bank, unlike many other coastal communities where the opposite is found.

The focus of the settlement was naturally the harbour and the fishery infrastructure that grew up on the waterfront. Immediately inland was the principal commercial street along which retail and service establishments were located, together with the primary public services such as the post office, municipal building, and churches. Residential development clustered in a network of compactly developed streets adjacent to the harbour and commercial centre.

For many years, this pattern was fairly static, until newer residential development began to spread on new streets, in a less densely settled fashion, abutting the older core of the town. New services and industries developed in a scattered fashion in that area, and when the "bypass highway" was built, larger institutional and commercial uses such as new medical facilities, the courthouse, and a major grocery store, located along it.

As time has gone by, new land uses have developed in the established street network, including substantial industries, new school, and a variety of small entrepreneurial endeavours. These have been developed both by redevelopment of existing structures to new uses, and by new construction.

### **3.6 Public Consultation**

This document, the 5 February, 2012, draft, is the first draft of the Municipal Plan to be considered. It is to be reviewed by Council and staff to endeavor to identify revisions needed to

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make the document reflect Council's initial thoughts on the new Municipal Plan. It is specifically intended to be revised as little or a lot to do so, as Council may desire.

In the first step in the planning process, the Town's consulting planner came to the community in the fall of 2011. He carried out much of the basic background information gathering and consultation with staff and local public agency representatives as well, to build the initial information needed for the assignment.

In addition, the usual step of contacting the Department of Municipal Affairs to arrange for the circulation of a letter to all affected government departments and agencies, requesting that they identify any plans or policies which would have a bearing on the review, was followed. This is a routine procedure which the Department organizes to assist municipalities when planning revisions to these documents. As those results came in, they have been considered in the work on the Municipal Plan.

On the conclusion of the first steps above, a Planning Background Report was prepared, and is to be made available to all concerned as a resource document. It is not a part of the Municipal Plan, but provides information of interest related to it.

Once a satisfactory draft for discussion was prepared, the next step was an opportunity for consultation in which residents were invited to meet with Town officials and the consultant for an advertised public meeting which was held in early April, 2012. Following that, revisions were made as needed, and Council has proceeded to adoption and appointed a commissioner to conduct a public hearing at the earliest opportunity.



## **4.0 KEY FACTORS AND APPROACHES AFFECTING DEVELOPMENT**

The key points arising from the information and consultative processes described above are as follows, organized under the useful Sustainability Pillar headings used in the ICSP:

### **4.1 Governance**

The Town's municipal government appears to be well informed and proactive in dealing with the many services and administrative tasks required of municipalities in this province. It is extremely important to the sustainability of the community that the elected and staff officials and the resources and management structure be maintained at a level capable of effectively providing the services needed by the community, since there is practically no other local entity which can effectively try to provide for any shortfalls in the community's need for essential services.

In a small community such as Grand Bank, the municipal government is very involved in working as a partner with volunteer groups to develop and sustain a wide variety of essential services (such as the volunteer fire department) and many amenities (such as recreation programs). This is an important element in the sustainability of certain services and activities in the community. Consequently, efforts should continue to be made by both Town officials and volunteers to foster this spirit of partnership and for all to assist in the hard work that is needed to sustain valued programs and services.

The Town is fully engaged in participation in regional committees and boards, such as the Burin Peninsula Regional Waste Management Corporation and the Burin Peninsula Joint Council, and thus the interests of the Town appear to be well advocated in those settings.

The existing Municipal Plan and Development Regulations were developed and adopted in 1985, and thus are now a quarter century old. The 1985 Plan is quite complex, which is a detriment to its effective use. This Municipal Plan has been more compactly written and deals with as many development decisions by way of standard "as of right" requirements, which enable quick approval where conditions are met, and discretionary approvals by Council for those cases requiring an opportunity for public comment in an efficient time frame. The former Municipal Plan called for many such decisions to be dealt with by the very time consuming and expensive process of rezoning, for relatively straightforward matters.

Some minor parts of the protected water supply areas of the Town of Lawn and the community of Grand Beach are within the Planning Area over which the Town of Grand Bank has planning jurisdiction. This is not a logical arrangement, as it burdens a Council with responsibilities that rightfully ought to be shouldered by the municipal entity with the primary interest. These discrepancies arose because of unintended overlaps of boundaries established for different purposes, and should be remedied. Only the Minister of Municipal Affairs can alter the Planning



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Area Boundary, so the proper course of action is to request that this be done, setting out the reasons for asking.

Part of the Local Service District of Grand Beach is within the Planning Area Boundary. The Town of Grand Bank provides no direct property infrastructure or other municipal services in the area (other than what is provided under regional auspices such as solid waste management) and does not concern itself with local matters in that community. Consequently, it is not logical for the community of Grand Beach and its Local Service District to be split by a Planning Area Boundary and thus to have part of the community subject to planning controls administered by a Town Council which has no desire to govern it. As said above, the only remedy is in the hands of the Minister of Municipal Affairs, who should be requested to alter the Planning Area Boundary so as to exclude the Grand Beach LSD and its protected water supply area.

### **4.2 Economy**

As noted above, the fishery has been the historic base of the economy of the town, in common with many communities on the Burin Peninsula and beyond in the province. The forward look is reflected in the latest strategic statement by the Grand Bank Development Corporation (GBDC):

*Today, Grand Bank is the home of a shell fishing industry, a modern plant owned by Grand Bank Seafoods (a division of Clearwater Seafoods). It is also home to Dynamic Air Shelters – manufacturers of specialized, inflatable industrial shelters for the oil and gas sector, as well as structures for promotional and 'first response' uses.*

*Twenty-first Century Grand Bank boasts many innovative industries and businesses, supported by modern infrastructure, a new hospital, up to date seniors' complex, recreational facilities, and the community centre. Grand Bank is becoming synonymous with innovation, prosperity and most recently a captivating tourist attraction.*

The economic development planning process of GBDC has included an analysis of the community's strengths and weaknesses in the context of economic development. Their report represents the latest, most detailed and thoughtful analysis of this type, and is quoted more fully in the Planning Background Report.

GBDC has identified five priority sectors to focus their efforts:

- Small business, manufacturing and women in business
- Tourism
- Fisheries
- Youth entrepreneurship
- Energy



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These focal points help in defining the policies in the Municipal Plan which would affect the ability of entrepreneurial initiatives to start up or expand. Many small businesses begin in people's homes and outbuildings, and the Municipal Plan is intended to be sensitive to their needs. Conversely, fisheries assets comprise both the individual fishers' needs for storage and maintenance of their vessels and equipment and large industrial plants needed for fish processing, cold storage and marine freight forwarding. In the latter case, the Municipal Plan will not unduly restrict the ability of those enterprises to function.

Growing local employment and business strength is essential to maintaining the tax base and services in the community, as it is difficult to sustain desired services on the tax base of a community which is primarily a residential settlement. The policies and requirements set out in the Municipal Plan and Development Regulations affecting economic development are intended to be accommodating and encouraging, though not at a debilitating expense of valued amenities of interest to households. This is the essential balancing act in regulating development in the community, which is addressed in this Municipal Plan.

### **4.3 Environment**

The Town is blessed with the beauty and amenity of its natural landscapes and the waters surrounding it. Residents, including households and those in commercial and public sector services, obviously care very much for the appearance of the community, as one from away is immediately struck by the lack of litter, good grooming of landscaped areas, and generally well kept buildings (though there are a few exceptions).

However, those are the attributes of appearance, and environmental issues concern more than what meets the eye, this said not to diminish the value of the care being taken to maintain a top quality appearance. There are particular opportunities to foster improvement and sustainability of the town's natural environment, including:

- Publicizing and recognizing the efforts made by many property owners to keep up the high level of caretaking of grounds and buildings, and taking effective action against those very few parties whose properties are unsightly or dilapidated.
- Taking an active part in the evolution of the solid waste management system now underway through the regional solid waste management authority, in which the Town and other communities are partners.
- In the community, to add to the regional public education efforts concerning solid waste management, with local initiatives in fostering recycling and minimizing use of household hazardous materials. Visible and well publicized local programs are needed to complement less visible regional improvements such as more effective collection and disposal practices.
- Encouraging owners of properties to carry out energy use evaluations of their structures and practices, to lead to greater energy efficiency.



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- For the Town and other corporate property owners and managers, systematically investigating the opportunities to improve the usage and energy efficiency in its buildings, water and sewer system mechanical equipment, street lighting and mobile equipment.
- Continuing the vigilance and development control related to water supply areas, under Protected Water Area regulations.
- Further to the matter of protection of water supply areas, pressing on with needed improvements to municipal infrastructure related to potable water and wastewater management, as well as paving of streets to minimize erosion and consequent negative impact on surface water quality.
- Reviewing recent experiences in surface water flooding, such as during Hurricane Igor. This has revealed the extent of areas in the community prone to flooding, and the opportunity to better define areas in which development of structures should be severely limited.
- Continuing with development of walkways and trails, to integrate residents with natural environments and facilitate physical fitness and well-being.

### **4.4 Social Conditions**

Social conditions in the Town are always a concern, as the wellbeing of residents and the overall quality of life are not to be taken for granted. Health, education, justice, public safety and recreation are matters which heavily influence the quality of life experienced in the community.

Key points raised during research include the following:

- This is a caring community, in that many in the public sector and volunteers do what they can to alleviate distressing conditions and promote healthy lifestyles through actions such as a food bank and staffing recreation programs.
- The Town offers top quality recreation programs and facilities, but there is a heavy reliance on volunteers to staff most organized activities. New facilities such as the planned new community park in the town centre are commendable, but recreational and social programs for seniors are equally desired, particularly for an aging population whose quality of life is greatly enhanced by positive social and physical activity.
- Discussion of the need for day care for children of workers indicates that this service is needed, both for enhancing the ability of individuals to take part in the work force and for strengthening the labour pool available to local employers.
- Alternative housing for seniors who are in unsuitable housing or require some level of assisted living make it possible for seniors to remain as independent and in their own community as is feasible, but there is a constant shortfall. With an aging population, this is a special challenge for the community. One response which can assist, and is recognized in this Municipal Plan, is that of permitting “granny flats” or “subsidiary apartments” in the terminology used in Development Regulations, in existing dwellings, by which a small self contained apartment may be developed in part of an existing house



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to initially accommodate one or two aging family members in an extended family, and later, be available to other singles or pairs.

- The Town is fortunate in having a high quality emergency response service in the form of the local volunteer fire department, an ambulance service, and police through RCMP service.
- The ability of health and social services agencies, including the hospital, to provide proper and timely care is limited by the availability of professional staff. Recruiting personnel from outside the community is influenced by the quality of life and amenities in Town. The Town needs to do all possible to enhance local conditions, including recreation programs, beautification, availability of housing, education, and a welcoming attitude toward newcomers, especially immigrant professionals who need positive support in becoming settled in unfamiliar physical and cultural conditions.

### **4.5 Cultural Matters**

The community has a very strong sense of identity and history, and it is obvious that the community's leadership are determined to make the town a good place to live, work and visit. Key points noted in research in this regard include:

- The great work of volunteers gives the community many of the cultural amenities due to the work of the Heritage Society and like groups such as the Heritage Run Association. The Town can play an important role in advocating and supporting these efforts in meaningful ways, such as promoting local festivals, supporting regional tourism and cultural organizations, and public recognition of the work of people who have made such achievements possible.
- Facilities such as George C. Harris House and the Mariners' Memorial Garden continually remind residents and visitors of the origins of the community, the way in which the social and economic circumstances of the area have evolved, and the relationship of history to a better appreciation of the present. Interpretation of local events and scenes through contemporary theatre and the arts enriches the lives of those who are interested, and entices the disinterested to become more aware of community life and the natural environment. These are also powerful tourism assets, which relate to economic diversification.
- It is all too easy to let a community's history and local culture slip away and become only an artifact, but that is not happening in Grand Bank. However, the Town and residents alike need to continuously develop and improve facilities and programs related to preservation and appreciation of the history of the community. The most fragile aspect of this task is that of preserving the legacy of the Town of Grand Bank, since local historical preservation and presentation is usually seen as a matter of local initiative. The broader story of coastal Newfoundland, or the province as a whole, or Atlantic Canada, is quite likely to be carried forward by the provincial and federal governments, but keeping alive the Town's own story is the Town's responsibility.

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- The feasibility of establishing a downtown/waterfront heritage district and designation of heritage buildings is being considered. However, official designation is a weighty matter, and some time is yet required to analyse this matter. Nevertheless, the presence of the historic area along Water and Church Streets in the heart of the original commercial district should be recognized and considered as the Town deals with applications for development in close proximity to, or within, that area.



## **5.0 GOALS AND OBJECTIVES**

### **5.1 Goals, Objectives and Policies**

Goals are frequently employed as the essential foundation for any planning endeavour whether it is a personal career, a community plan, or a corporation's growth and facility strategy. The formulation of goals, toward which efforts and resources are directed, and objectives, the more precise and measurable steps needed to achieve the goals, can make the difference between wasted effort and success. Policies are the courses of action that a government takes to achieve its objectives.

By way of example in the Grand Bank case, one goal concerning the environment would be to protect and enhance the quality of the natural environment, within which an objective (amongst others) to follow from this goal is to protect and prevent contamination of the community water supply area. The obvious related policy would be to pursue the enactment of protective regulations applied to the water supply area, amongst other policies.

### **5.2 Goals for the Town of Grand Bank**

The ICSP seems to capture the spirit of the community's vision very well in the following quote:

*The Town of Grand Bank will be a safe and healthy place that will engage its citizens, making it a vibrant community both socially and economically. With a strong foundation built upon respect, mutual support and open communication, the community can achieve its goals so that positive growth can be sustained. Combining our values with our vision of Grand Bank's future promises to foster an environment where responsible citizens actively participate in the progress of their town.*

The subsequent Strategic Economic Plan produced by GBDC similarly describes that agency's vision statement as:

*To have a prosperous and vibrant Town with a diversified economic base developed through new and continued investment and strengthened partnerships. The GBDC will focus on identified growth sectors while preserving the community's heritage and scenery."*

Achievement of these visions involves much more than just the good will, imagination and hard work of Council and its staff in concert with relevant agencies. It is true that only the Town as a municipal government has the administrative capacity and the regulatory authority that can deal with infrastructure and control of development, but only the business community and senior



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levels of government can initiate major investments and interventions in commerce and institutional services. However, the citizens of the community have the major role in making the community the “vibrant” place called for in the vision statement.

Complementing the vision, this Municipal Plan endeavours to deal with development concerns following these more specific goals and objectives related to land use:

### **A) Growth and Urban Structure**

**Goal:** To provide for orderly growth and development within the community.

- Objectives:**
- a) 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.
  - b) Land uses will be allocated so as to encourage economic development and to preserve and enhance positive features reflecting the heritage and amenities of the community, while also recognizing natural constraints and limitations, in order to improve quality of life in the community and protect life and property, and to minimize effects on the natural environment.
  - d) Compact development of the community will be promoted, in order to provide municipal services to properties as efficiently as possible.

### **B) Housing**

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

- Objectives:**
- a) 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 through a wide variety of housing forms.
  - b) To provide for a small number of new building lots each year, by way of infill and in new subdivisions designed so as to

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present a pleasant appearance and an efficient arrangement of street, water and sewer services.

### **C) Employment and Economic Development**

**Goal:** To encourage institutional, commercial and industrial activities that will meet the community's employment needs and provide needed goods and services, and in particular to press for strengthening the economic base and employment opportunities in the Town and surrounding communities.

**Objective:**

- a) To monitor developments concerning the fishery and other economic sectors, with a view to representing the community promptly and responsibly on points affecting investment, government regulation, environmental impact and community development.
- b) To provide for flexibility and rapid response to development proposals, particularly those related to small business startups and expansions, so as to facilitate business development.
- c) To designate sufficient lands suitably located and serviced for commercial and industrial development, to achieve an adequate land base for economic development and a more efficient land use pattern.

### **D) Environment and Natural Resources**

**Goal:** To protect and enhance the environment and natural resources of the community.

**Objectives:**

- a) To limit development and use of lands outside of the community's built-up area and areas designated for future servicing and development, to those of a rural nature and those which cannot be reasonably carried on within the built-up area.
- b) To provide and protect a safe and sustained drinking water supply by restricting non-compatible development in the present protected water supply area.
- c) To control development in order to minimize its detrimental effect on the environment and to preserve the natural resources



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within the community, in particular the extraction of minerals and aggregates.

- d) To severely limit development on lands prone to flooding or known to be sensitive inland waters fish habitat.
- e) To work in conjunction with the new regional solid waste management authority to implement modern management facilities and programs, and to augment those improvements by establishing efficient and effective means of minimizing the amount of waste from the Town directed to final disposal, by recognizing the resource values of recyclable and compostable materials and establishing local programs related to them.

**E) Recreational Open Space and Cultural Facilities**

**Goal:** To establish, preserve and improve natural spaces, recreational facilities, and cultural expression to meet local needs.

- Objective:**
- a) To continually adjust and improve recreational and cultural opportunities in the community for all age and ability groups.
  - b) To designate areas now established as open space areas for outdoor recreational purposes and cemeteries, in and through the town, to guide improvement projects and to endeavour to preserve these assets from encroachment by buildings and other activities.

**F) Transportation and Highway Safety**

**Goal:** To provide a safe and efficient transportation network to move people and goods into, out of and throughout the community.

- Objective:**
- a) To develop a list of priorities for road improvements and work toward maintaining the public streets in good condition.
  - b) To work constructively with the provincial government to secure adequate funding to maintain roads in good condition.

**G) Municipal Finance**

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**Goal:** To effectively manage the financial resources and commitments of the community.

- Objectives:**
- a) To implement municipal improvements which match both the policies and priorities of the Municipal Plan and the financial capabilities of the community.
  - b) To improve the cost effectiveness of municipal servicing by implementing compact, carefully planned serviced development.



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### **6.0 DEVELOPMENT CONCEPT AND POLICIES**

This section presents a general view of the development pattern followed by policies specific to the various land use designations set out in this Municipal Plan, as well as policies applicable to all areas in the community.

#### **6.1 Overall Development Pattern**

The overall development pattern has been largely dictated by the natural features of the landscape, the historic need for certain developments to be located in proximity to certain natural features (such as fishing infrastructure being located on the shoreline), and the contemporary feasibility of servicing new development with water, sewer and streets. The only significant change since early days has been the construction of the bypass highway, as it opened opportunities for major public uses such as the new courthouse and major commercial uses such as the grocery store at the western end of Town. The compact, efficiently serviced settled area is to be continued, as opposed to encouraging scattered development outside the serviced area.

Concerning the rural areas lying beyond the area now or intended to be serviced for urban development, it is not the intention of this Plan to encourage or facilitate development in those areas. The Plan will enable Council to consider extraordinary or special developments which may logically be required to locate in the rural areas, such as mineral workings, livestock farming, or animal kennels, should they come to pass. To do with residential development, Council will neither oppose nor encourage it in the rural areas. However, Council will provide for consideration of residential development as discretionary uses, to be able to respond to cases where an applicant has been able to secure land and the various permits from the provincial government which may be needed, and where there are no adverse effects which should be prevented.

In addition to these considerations, it is a matter of serious public concern that public water supply areas need strong protection, and that certain low lying and flat areas in the community are prone to flooding. Recent experience has shown the dramatic extent of flooding which extreme weather events can cause, and demonstrated the need to prevent development in flood-prone areas. Similarly, certain watercourses are known to be sensitive fish habitat, a rare and valued ecological feature worthy of special protection.

#### **6.2 Policies Specific To Land Use Designations**

The following policies apply only to development within the respective land use designations under which they appear, unless stated otherwise. The land use designations correspond with those on the Future Land Use Maps (at the back of the document).

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All policy sets include consideration of certain types of development as discretionary uses. In evaluating applications for such uses, Council shall consider the policies set out for the respective land use designation and shall call for and review information as may be needed to evaluate proposals, as listed in the appendix to this Municipal Plan, the Site Plan Evaluation Criteria list.

### **6.2.1 Town Core**

As said in the historical sketch given earlier in this document, the focus of the initial settlement pattern of the community was naturally the harbour and the fishery infrastructure that grew up on the waterfront. Immediately inland was the principal commercial street along which retail and service establishments were located, together with the primary public services such as the post office, municipal building, and churches. Residential development clustered in a network of compactly developed streets adjacent to the harbour and commercial centre. That area, excluding the marine industrial uses on the waterfront, is designated for the purpose of the Municipal Plan as the Town Core.

New development in the Town Core usually will be in close proximity to existing commercial, industrial, public use and residential development. Except for the principal commercial streets (Water and Church), the predominating land use is that of single unit residential use developed on smallish lots, but with numerous non-residential uses mixed in. As this area has the potential to accommodate small business startups in existing buildings, and redevelopment of existing larger commercial and light industrial buildings to other uses, great flexibility is needed in the ability of Council to promptly consider approval of applications for non-residential uses related to economic development and non-traditional residential uses.

A number of existing open space and public uses are located in the overall Town Core area, but these are not designated as Town Core for the reasons stated in the policies concerning those uses.

It is the intention of Council to permit a wide variety of development types, while ensuring amenity and safety of existing residential uses. The value of the historic district along Water and Main Streets in the heart of the original commercial district of the town, as well as scattered heritage properties in the Town Core, should be recognized and considered as the Town deals with applications for development in close proximity to, or within, that area.

The following policies will guide the growth and development of the Town Core area:

1. The Town Core area is established as indicated on the Future Land Use Map 2.



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2. Development of these lands will be enabled as of right for traditional forms of residential use. Other residential types and commercial, light industrial and selected similar uses, public use, and open space uses may be permitted as discretionary uses provided public safety and the amenity of established residential uses are protected.

3. Single and double dwelling residential uses will be permitted. Other residential uses may be permitted as discretionary uses provided they fit in with the scale of the existing low density residential uses.

4. Small scale business uses may be permitted to occupy a minor part of a residence. These uses are limited to convenience retail uses, service and office uses, and home occupations.

5. Commercial uses including retail, business and personal service, medical and professional office uses may be permitted. These uses will be compatible in scale and appearance to surrounding residential uses. 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 adjoining residences.

6. Small scale light industrial and similar uses including indoor storage, repair and manufacturing, service station and antenna uses may be permitted. Limited outdoor activity to support those uses may be permitted provided that adequate parking and open storage areas are available. These uses will be separated from and not be a hazard or nuisance to other uses, in particular any nearby adjoining residential dwellings.

7. New public uses may be permitted provided they respect residential amenity, safety and privacy. Public uses include religious, educational, and community or government services.

8. Open space uses such as public parks, playgrounds and cemeteries may be permitted. The amenity and privacy of nearby residential dwellings will be taken into consideration.

9. The cultural value of the historic area along Water and Church Streets as well as scattered heritage properties will be considered as the Town deals with applications for development in close proximity to, or within, that area.

### **6.2.2 Residential**

The existing housing stock in the community is largely single dwellings. The residential development pattern has been determined by the availability of land, road layouts, and central water and sewer services, and, in a very small number of exceptional cases, by approval of

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private water and septic systems. This has resulted in a moderate density pattern in the older areas of the community adjacent to the Town Core, with a network of roads and houses. Newer housing areas located more inland from the harbour and the Town Core exhibit lower density of development with much large lot sizes, wider roads, and newer municipal services.

The following policies will guide the future growth and development of the Residential areas:

1. The Residential designations are established as indicated on Future Land Use Map 2.
2. Land designated Residential shall be developed primarily for single and double dwelling residential uses. Other types of residential development may be considered as discretionary uses. Non-residential uses may be permitted by way of discretionary approval, but evaluation of the applications shall give primacy to the residential role of the area. The range of non-residential uses which may be permitted will be more limited than is the case in the Town Core, but the role of residential settings as locations for home businesses and smaller scale free standing commercial development is still recognized. Council will consider the impact of the bulk and scale of proposed uses in residential designations to ensure that 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.
3. Residential growth shall be accommodated in approved comprehensive subdivisions and through the orderly infilling of existing areas serviced 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.
4. All new development and all new lots created 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. All infrastructure which is intended to be conveyed to the Town shall be designed and constructed to modern engineering standards. The costs of providing services to any new subdivision development shall be the responsibility of the developer.
5. Development permits for unserviced residential development will only be granted by Council when it has been established by Services NL and/or the Department of Environment 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 is available, and where proper access is assured.



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### **6.2.3 Commercial**

The Commercial designation is applied to lands which are intended to function as the primary location for new larger scale commercial development, as well as light industry and similar developments related to the regional economy. Also, given that some properties within the designation are already developed for residential and other non-commercial uses, some latitude should be given to permitting other uses, including further residential uses.

However, the primary purpose of the Commercial lands is to support larger scale commercial and light industrial development. Most of the development in this class is located along the bypass highway, as it features land areas large enough to support larger scale developments of these types.

Aside from the lands along the bypass highway, only one other area could favourably support large scale commercial use, that area being an oceanfront area on the east side of the harbour. Although there are abutting residential uses there, commercial development at a significant scale, such as larger stores or service shops, could develop there without unduly detracting from the quality of life in the abutting residential area.

The following policies will guide the future growth and development of the Commercial areas:

1. The Commercial designations are established as indicated on Future Land Use Map 2.
2. The purpose of the Commercial designation is to accommodate larger scale business and personal services uses and mercantile uses. The proximity to substantial motor vehicle traffic also suggests service stations can also be permitted.
3. Assembly uses, light industry, special care institutional and benign outdoor uses such as open space, cemeteries and antennae may be considered as discretionary uses, provided that their specific features are compatible with the intended overall purpose of the Commercial designation.
4. Residential uses may be considered as discretionary uses, but approval should be limited to those cases where a commercial or light industrial use would not be feasible on the proposed location given its specific features, such as infilling on a small lot abutting an existing residential use.

### **6.2.4 Industrial**

Large scale industrial development historically has been focused on the fishery, in the form of wharves and onshore processing, storage and chandlery. The currently used wharfage and buildings associated with the fishery are located on the west side of the harbour. That area is confined between the water's edge and the commercial development along Water Street. An area on the opposite side of the harbour might logically have the potential to support marine

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industrial uses, but there is at present no suitable infrastructure there and the site abuts residential uses. Those factors, plus the lack of demand for additional land for landing and processing fish, result in that area not being designated for Industrial use.

There is thus very little potential to develop large scale industrial uses, or industries featuring storage or use of hazardous or troublesome materials or processes, in the centre of the community or the areas designated for other uses in the built up area of the community. Light industrial uses are potentially compatible with other uses in close proximity, and the policies in this Municipal Plan provide for discretionary approval of such uses in certain areas. However, there is no area within the currently built up area of the community where large scale, possibly noisy, dusty or obtrusive industries can locate, and this is a gap in the Town's economic development assets.

An area south of the bypass highway and isolated from other uses has the potential to support these types of intensive industries as well as light industry. The area is not currently serviced with water and sewer services, but large scale industries may be able to be adequately served by extension of central water but served with on-site sewage disposal systems, or, be served adequately with both water and sewer through on-site systems. Since those requirements can potentially be met, and the area is isolated from other uses, that area is to be so designated for Industrial use.

The following policies will guide the future growth and development of the Industrial areas:

1. The Industrial area is indicated on Future Land Use Map 2.
2. Land designated Industrial shall be developed primarily for industrial uses requiring large lots of land and substantial separation from other uses in order to mitigate the negative effects of noise, dust, outdoor storage and processing, and the like. General industry and light industry will be permitted as of right, and discretionary approval is provided for hazardous industry, service stations, scrapyards, animal uses, conservation, antennae and transportation uses.
3. In considering an application requiring discretionary approval, careful consideration will be given to any potentially deleterious nature of the proposed use, supply of water and sewer as may be needed, and safe highway access. It is possible that environmental or other forms of review and approval may be required by the provincial or federal government, and in such cases the Town should be vigilant in advocating its concerns and objectives for the use of the land.



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### **6.2.5 Public Use**

Grand Bank has a variety of public uses, ie: cultural and civic uses and medical care and special care establishments. These are valued features in the community as they are important in the identity and sustainability of the community. While they could be simply included among the permissible uses in other designations of land use, it is appropriate to put in place measures which ensure an exceptionally deliberate and thoughtful process of decision making when considering changing their purpose. Those decisions will rarely need to be made, but when it is the case, the full process of amendment to the Municipal Plan and Development Regulations is called for.

The following policies will guide the future growth and development of the Public Use areas:

1. The Public Use areas are designated on the Future Land Use Map 2.
2. Public Uses are highly valued features in the community and are not to be changed to other uses without extremely careful review of the merits of the proposed changes.
3. Change of use out of the Public Use designation shall be by way of amendment to the Municipal Plan and Development Regulations.

### **6.2.6 Open Space**

The Open Space designation is applied to benign recreational open space, conservation and cemetery uses, in order to carefully control their redevelopment to other uses. The value accorded these places, and the need to prevent hasty decision making should there be proposals to develop these lands for other types of uses, is similar to the concern reflected in the Public Use designation.

These uses often reflect many years of care and dedication by community members, for the benefit of the community. It follows that any other use of these lands which might be approved should be limited to equally desirable public amenities of a similar nature, such as outdoor assembly uses.

The following policies will guide the future growth and development of the Open Space areas:

1. The Open Space areas are designated on the Future Land Use Map 2.
2. Open Space uses are highly valued features in the community and are not to be changed to other uses without extremely careful review of the merits of the proposed changes.

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3. Change of use out of the Open Space designation shall be by way of amendment to the Municipal Plan and Development Regulations.

### **6.2.7 Conservation**

Certain areas in the community and surrounding lands include vitally important features including water supply areas and sensitive fish habitat in certain watercourses. Shorefront land within the built up area of the Town is prone to damage from overly intense use, and should be kept in as natural a state as possible. Also, certain areas are known to be prone to flooding, and strong measures are needed to prevent development there. These areas are well known and are to be protected for the public good.

The following policies will guide the use and development of the Conservation areas:

1. The Conservation areas are established as indicated on Future Land Use Maps 1 and 2.
2. Lands designated Conservation shall not be developed and their use shall be limited to human activities which are compatible with the intended function of these lands. The only permitted uses shall be conservation uses. Notwithstanding that strong intention, recreational open space, forestry and similar non-intrusive uses may be permitted as discretionary uses, subject to careful control of the specific nature of the proposed use. The discretionary uses include wharves, slipways and sheds along the coast to allow for traditional small scale marine operations, and as well for antennae and public works and utilities.
3. The water supply area is a protected watershed under Section 25 of the Department of Environment and Lands Act. The Town will act assertively to protect the water supply area from intrusion and inappropriate use, and cooperate and assist in any actions to that end taken by the provincial government.

### **6.2.8 Rural**

Rural lands that surround the community are used extensively by the local residents for recreational purposes and provide a source of aggregate material used by the community for construction, and includes the solid waste landfill site which has long served the community. Also, a number of residential uses have developed along Highway 210 east of Marine Drive and on side roads. Significant residential development has occurred over many years in Grand Beach, but the Town does not, and does not intend to, provide municipal water and sewer services to it.



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The following policies shall guide development in the Rural areas:

1. Undeveloped lands surrounding the built up area of the Town of Grand Bank and within the Planning Area boundary shall be designated Rural as indicated on the Future Land Use Maps 1 and 2. However, lands required for Conservation purposes shall be designated in areas which otherwise would have been Rural, and the Conservation designation shall take priority when dealing with proposals to redesignate them as Rural.

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.

3. Council will evaluate each development proposal to determine environmental effects and set development standards to reduce or eliminate any negative impacts and protect public safety and all amenities. In order to ensure full review of proposals for development in the Rural areas, the only permitted uses shall be agriculture, forestry and conservation uses. Any other uses may be considered as discretionary uses, in order to provide for consideration of a wide variety of proposed developments, some of which may be unusual but nevertheless desirable.

4. Council shall not extend municipal services to any development located in areas designated Rural. However, a developer may connect to municipal services if they should be available, at his own expense.

5. Council will prohibit all but very small scale mineral workings and related activities from taking place within general view of developed areas of the community. Unless absolutely necessary, existing quarry sites are to be exhausted before new sites are developed.

6. Mineral extraction operations shall be conducted in a manner which will minimize the adverse effects on water quality, fish and wildlife, and shall be buffered from adjacent development areas of the community. All mineral operations will be required to complete a site rehabilitation plan as a part of the development application.

7. Council, when issuing a permit for any mineral extraction or 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:

- Landscaping, screening and fencing;
- Rehabilitation;
- Noise, dust and pollution control.

8. Council will ensure that a substantial buffer will be maintained around the solid waste disposal site to protect against smell, rodents and other adverse effects of such an

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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. This use shall be permitted only when the operation is fully under the control and management of a public authority.

9. Regulation of forestry operations, including issuance of fire wood harvesting permits or consideration of resource management, is not a function which the Town of Grand Bank wishes to undertake, and thus the Municipal Plan is silent on the topic, other than to limit forestry operations to certain areas.



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### **6.3 General Land Use Policies**

Unless otherwise stated, the following policies apply throughout the entire Planning Area:

#### **6.3.1 Surface Conditions**

Any proposal for erection of a structure on a site having a slope in excess of 20 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 or safety. Otherwise, the development will not be permitted.

#### **6.3.2 Municipal Services**

Some of the costs of running a municipal government 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 settlement becomes, the more these costs increase. Council intends to keep these costs from increasing through implementation of the following policies:

1. Vacant land and sites made suitable for infilling due to installation of municipal water and sewer servicing are intended to be almost fully utilized before public infrastructure services may be extended to new areas.
2. All new streets must connect to another street where applicable, preferably in a loop pattern, and dead end streets shall terminate in a cul-de-sac.
3. An industrial or non-building use presently located in a predominantly residential area or along a serviced road, and which does not require municipal services shall be encouraged to relocate to an area that is not serviced, so that land that is, or will be, serviced can be used for more appropriate urban development.
4. Extensions to the water, sewer and road system which are not part of the Town's capital works program shall be the financial responsibility of the developer. Nevertheless, any such infrastructure which is intended to be conveyed to the Town shall be designed and constructed to modern engineering requirements, and shall be subject to approval by Council.

#### **6.3.3 Servicing Requirements**

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,

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to buildings in the Rural, Open Space or Industrial designation. This requirement also does not apply to redevelopment of uses on 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.

2. With the exception of land uses associated with agriculture, forestry, saw milling, mineral workings or other resource or similar uses for which street frontage would be unnecessary or undesirable, all buildings shall have the appropriate frontage on a publicly owned and maintained road, unless other policies and requirements of this Plan specify otherwise.

### **6.3.4 Streets**

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

2. After installation of water and sewer services it is intended that all public streets will be maintained in good condition by the Town.

### **6.3.5 Property Maintenance**

1. All properties shall be maintained in clean and orderly appearance. The exteriors of buildings, particularly commercial properties and any business catering to tourists, as well as yards and grounds, shall be properly finished and maintained to the satisfaction of Council. Owners of dilapidated structures shall be required to repair them or remove them if they present a safety hazard, on Council order pursuant to the *Municipalities Act*, Section 404.

2. Council will ensure that buildings and property owned by the Council are well maintained and landscaped, where possible, as a general example to the community.

3. Wrecked or inoperable vehicles, machinery, debris, or equipment of any kind shall not be stored or abandoned. Any vehicles or other machines that have value as a source of replacement parts, shall be stored out of sight from streets or adjacent development, and only at the rear of any buildings on the properties. Owners of such property shall be required to remedy the offence or remove the items, on Council order pursuant to the *Municipalities Act*, Section 404.

### **6.3.6 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,



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dust, fumes or unsightliness), Council may hold an advertised public briefing to ensure interested persons are aware of the potential effects of the proposal and that their concerns are taken into consideration before any decision is made on a development application. 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 will be required.

### **6.3.7 Development Near Waterbodies**

Development will not be permitted within 15 metres of the highwater mark of the seashore 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 Environment or Federal Department of Fisheries and Oceans.

1. Wharves, slipways and sheds along the coast to allow for traditional small scale marine operations
2. Public works and utilities.

### **6.3.8 Environmental Protection**

1. Any proposed development shall not pollute any part of the community. Permission to develop may be conditional upon measures to prevent pollution during construction, operation, or occupation of a building or site.
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 lots.

### **6.3.9 Public utilities**

Municipal and public utility works (including associated structures) for such purposes as provision of telephone, water treatment, pollution control and electric utility facilities may be permitted at any location throughout the community provided due consideration is given to potential danger and nuisance, the effect on aesthetics, and provided there are no reasonable alternatives and then only subject to such conditions as Council sees fit to secure an acceptable development.

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**6.3.10 Archaeology Sites**

There are no known archaeological sites within the Planning Area. However, any person or company conducting development activities should be aware of the possibility of unearthing significant archaeology finds. If any structurally significant items or artifacts are discovered it should be reported to the Town and also Provincial Archaeology Office, Department of Tourism, Culture and Recreation.

**6.3.11 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, and must be approved by Council.

**6.3.12 Fuel Storage Tanks**

All fuel storage tanks (larger than 2500 litres) located within the Planning Area shall be required to have adequate containment and dyking. Council shall require that all new fuel storage tank installations be approved by the Department of Government Services and Lands. Council shall also demand that fuel storage tanks be inspected annually by Department of Government Services and Lands and copy of inspection certificate be submitted to the community. Council shall also encourage the location of all commercial fuel storage tanks to be located in the Industrial land use designation.

**6.3.13 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.



## **7.0 MUNICIPAL PLAN IMPLEMENTATION**

### **7.1 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 **Development Regulations** and the capital works program must conform to Municipal Plan policies.

### **7.2 Development Regulations**

Development Regulations ensure that development takes place in accordance with the goals and objectives and within 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 Development Regulations are binding upon the Council and all other persons and organizations unless specifically exempted by superior legislation.

Development Regulations consist of five parts: General Regulations, General Development Standards, Advertisement Regulations, Subdivision of Land Regulations and Land Use Zones. The first four are similar for all communities in the province, though variations are found. However, the Land Use Zone section (Schedule C), will be extensively tailored to conform to this Municipal Plan.

#### **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 community and establish conditions relating to the issuing of permits and local appeal boards.

#### **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

## **Municipal Plan for 2012-2022, Town of Grand Bank**

As approved 10 December 2012

convenience of the general public and neighbouring properties and the general aesthetics of the community.

### **IV. Subdivision of Land Regulations**

Subdivision regulations govern the development and division of 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, acceptance of proposed engineering works and other necessary requirements as prescribed.

### **V. Land Uses Zones**

Zoning is a means of implementing Municipal Plan policies. 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 listed.

In addition, the Development Regulations will now include certain standard content required by virtue of regulations made by the then Minister of Municipal Affairs to apply to all municipalities. That text, being Newfoundland Regulation 3/01, made under the Urban and Rural Planning Act, 2000, came into force on January 1, 2001, and is included in all municipal Development Regulations, to bring them more effectively to the attention of the reader.

## **7.3 Development Control**

Before any development can take place, an application must first be made to Council for a development permit. Development may take place only after Council has reviewed the application and issued a permit. If the approval is considered as a discretionary use, the proper process of advertisement and hearing as required by the *Urban and Rural Planning Act, 2000*, shall be carried out.

Anyone who fails to follow the required application process or who otherwise violates the Municipal Plan and Development 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 the proposed development and include a plot plan, showing the location of existing and proposed buildings and structures on the proposed site.



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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 and Development Regulations, the application must be refused. Any 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 (not to be confused with a discretionary approval) of up to 10% of a requirement applicable 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. Where Council deems it useful and necessary so as to better consider the details of a complex project, a Site Plan may be required of the applicant. Site Plan evaluation criteria are appended to the Municipal Plan.

### **7.4 Public Works**

Essential to the implementation of the Municipal Plan is the carrying out of annual public works projects. The community's water and sewer servicing program and any future capital works program 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 sewage 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 Town'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 Town's financial capabilities.

### **7.5 Development Schemes**

Sections 29 - 30 of the *Urban and Rural Planning Act, 2000* provide Council with the authority (upon adoption of a Municipal Plan) to prepare and adopt Development Schemes. Development Schemes are detailed localized plans outlining the manner in which a specified part of the

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community 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.



## **8.0 INTERPRETATION**

### **8.1 Land Use, Boundaries, and Roads**

It is intended that the boundaries of the land use designations and location of roads and other features shown on the Future Land Use Maps and the maps in the Development Regulations be considered as approximate, as the available base mapping does not provide highly accurate information. Therefore, amendments to the Municipal Plan or Development Regulations will not be required to support reasonable interpretation by Council and staff concerning boundaries of zones and areas. The intent and policies of the Plan are to guide the interpretation of the mapped information.

Where feasible, the boundary lines of areas designated in this Municipal Plan are laid out to follow lot boundaries and prominent physical features, including roadways and shorelines, and shall be interpreted in that way. Where this does not apply, measurement from the maps and relative location on the ground shall be considered.

### **8.2 Figures and Quantities Approximate**

It is considered that all figures and quantities herein shall be considered as approximate only and not absolute. Amendments to the Municipal Plan will not be required for any minor variance from any of the proposed figures or quantities.

**Municipal Plan for 2012-2022, Town of Grand Bank**

As approved 10 December 2012

**APPENDIX**

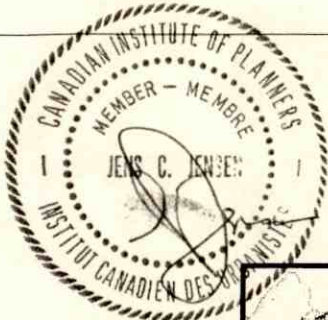
**Site Plan Evaluation Criteria**

When Site Plan approval is required, the owner or proponent shall prepare site development plans, including landscaping, parking, lighting, roads and some or all of the additional items listed below, according to the nature of the proposed development and directions of Council:

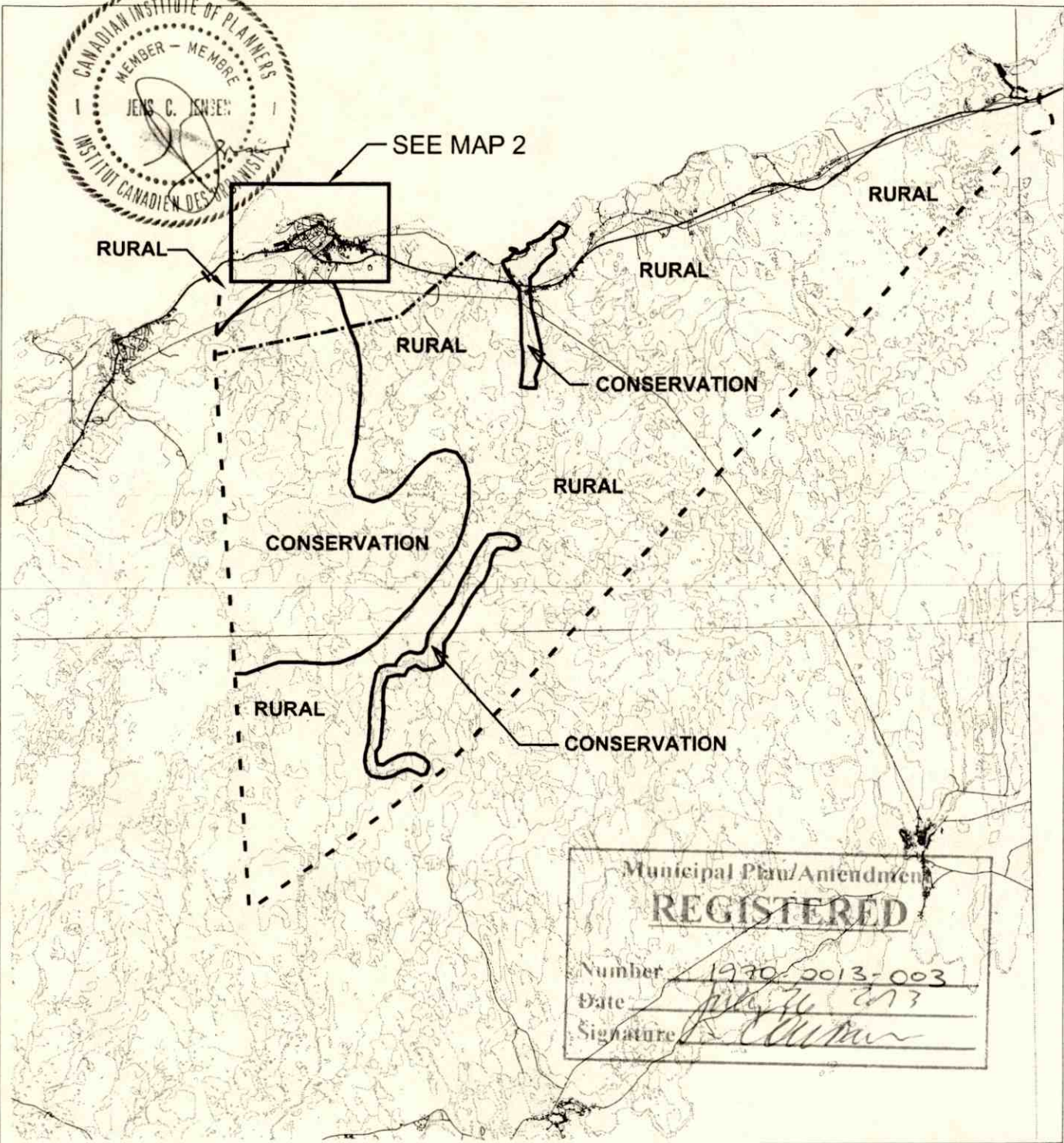
- (a) the dimension of the site;
- (b) the area of the site;
- (c) dimensions to indicate the location of all buildings;
- (d) dimensions of buildings to provide comprehensive information of their plan form, including future buildings or expansions;
- (e) the distance between buildings and all yards;
- (f) other uses, a breakdown of floor area by proposed use;
- (g) gross floor area of buildings;
- (h) dimensions of all parking areas, access roads and driveways;
- (i) function and type of landscaped areas;
- (j) landscaping plan and specifications including:
  - ≡ surface treatment (asphalt, grass etc.)
  - ≡ tree and shrub types and sizes
    - ≡ location and number of trees to be retained or planted
    - ≡ dimensions of buffer zones, driveways, etc.
    - ≡ number and size of parking spaces and location
    - ≡ location and size of signage
    - ≡ location and width of all walkways, footpaths
    - ≡ location of loading zones
- (k) proposed contours and drainage of surface runoff ditching;
- (l) surrounding land uses;
- (m) site constraints, e.g. right-of-ways which exist on site or adjacent to it, easements, fire routes;
- (n) location and intensity specifications for lighting;
- (o) location and use of outside storage areas;
- (p) perspective drawings and plans showing 4 point building elevations and 2-way cross sections of all buildings shown on the Site Plan
- (q) provisions for ongoing operation of features of the development which may involve commitments or obligations of the Town of Grand Bank or its departments and agencies.

All site development plans shall be submitted to Council for approval.





SEE MAP 2



Municipal Plan/Amendement  
**REGISTERED**  
 Number 1970-2013-003  
 Date July 26 2013  
 Signature [Handwritten Signature]

TOWN OF GRAND BANK

Dated at Grand Bank this 13 day of March A.D. 2013

[Handwritten Signature]  
 Mayor, Town of Grand Bank

[Handwritten Signature]  
 Clerk, Town of Grand Bank

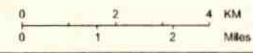
LEGEND

- HIGHWAY
- - - MUNICIPAL BOUNDARY
- - - PLANNING AREA BOUNDARY

FUTURE LAND USE DESIGNATIONS AS SHOWN



REV 6	AS APPROVED BY COUNCIL	10 DEC 2012
REV 5	AS ADOPTED	23 OCT 2012
REV 4	FOR DMA REVIEW	02 OCT 2012
REV 3	FOR PUBLIC MEETING	02 APR 2012
REV 2	DRAFT #2	01 MAR 2012
REV 1	DRAFT #1	05 FEB 2012



SCALE:  
 1:150 000  
 @8.5" X 11"

TOWN OF GRAND BANK

FUTURE LAND USE  
 2012 - 2022  
 MAP 1

