

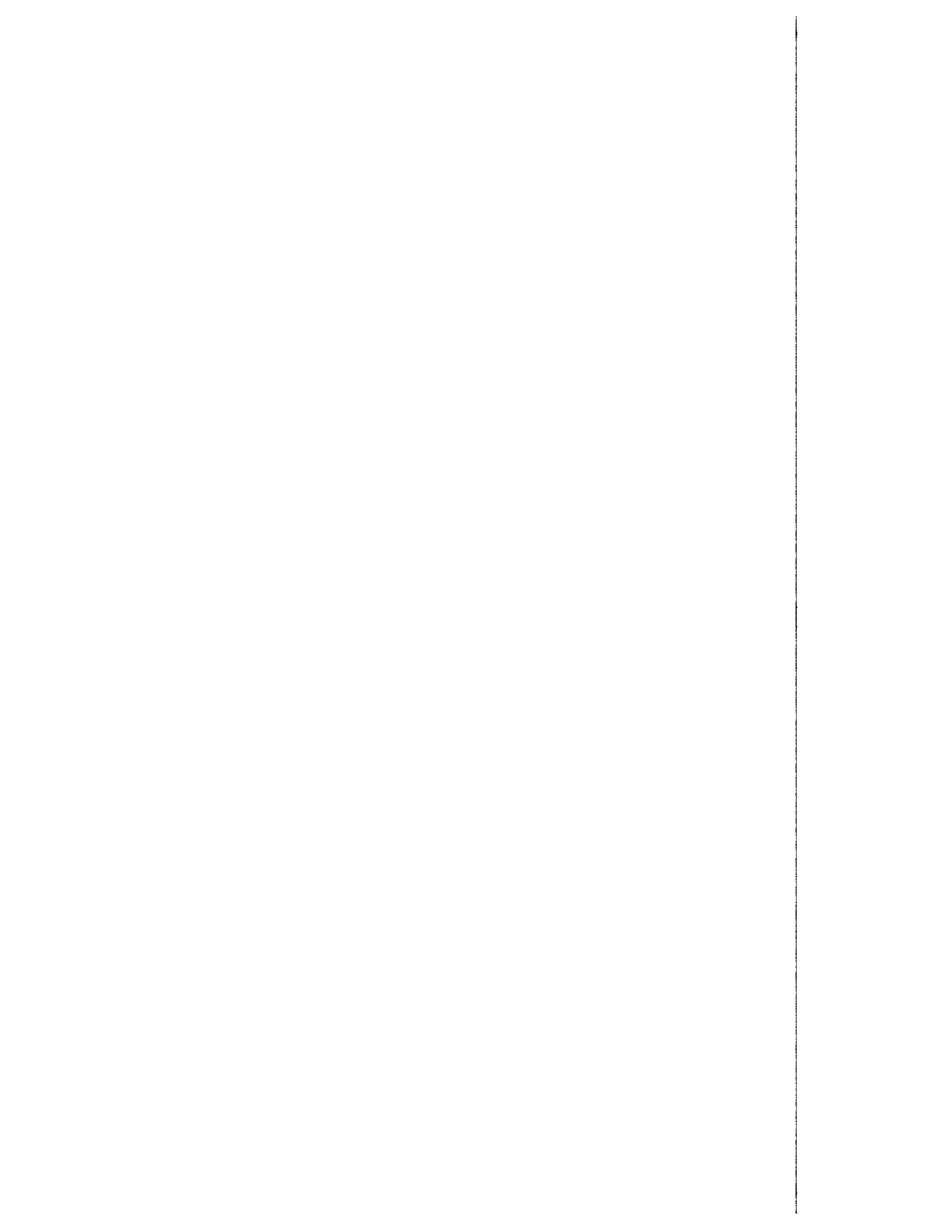
TOWN OF L'ANSE AU CLAIR

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

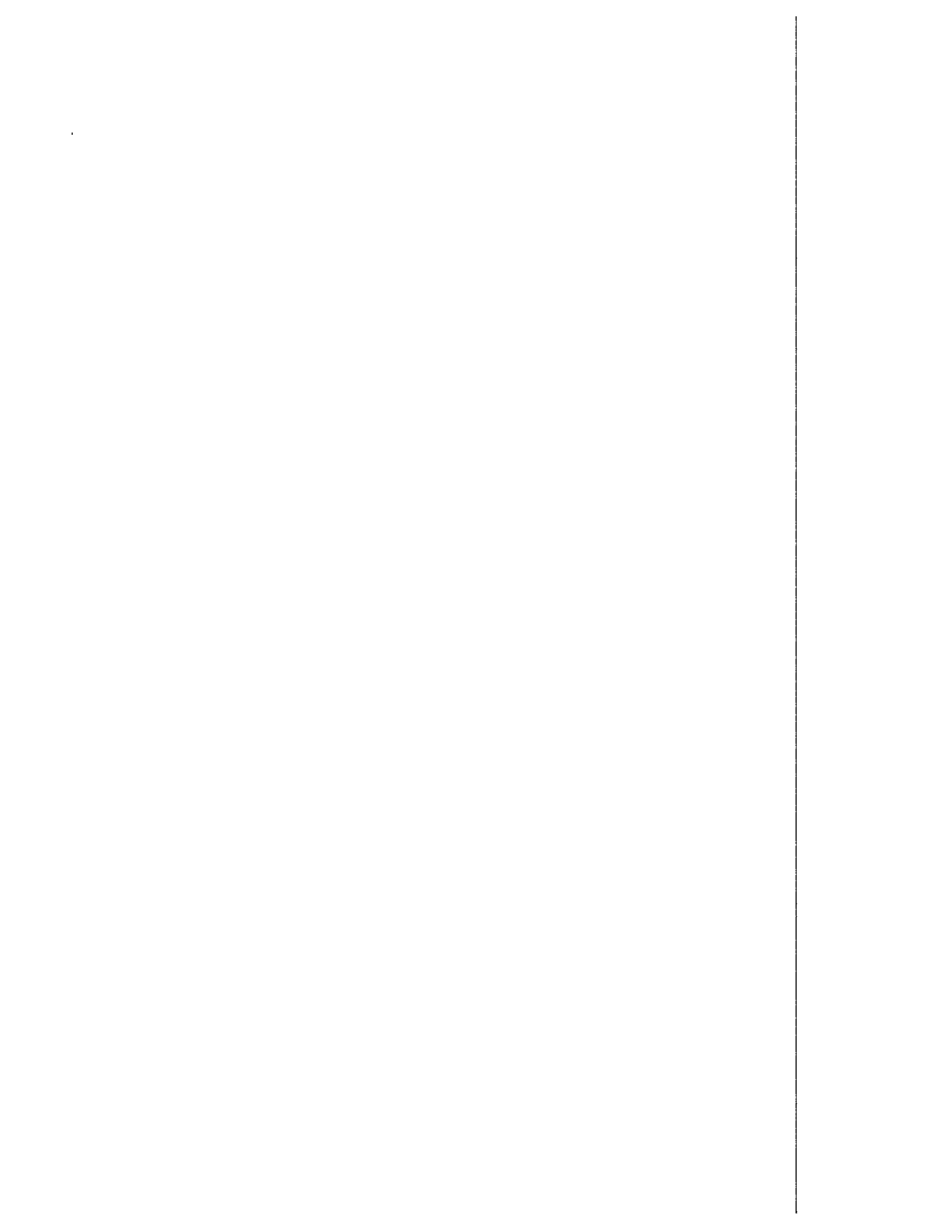
In legal effect: May 3, 1996
(Date of publication in Newfoundland and Labrador Gazette)



COMMUNITY OF L'ANSE AU CLAIR
MUNICIPAL PLAN
1995 - 2005

*Prepared for the Community of L'Anse au Clair
by the Urban and Rural Planning Division
Department of Municipal and Provincial Affairs
Government of Newfoundland and Labrador*

JUNE 1995



NOTICE OF ADOPTION

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

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

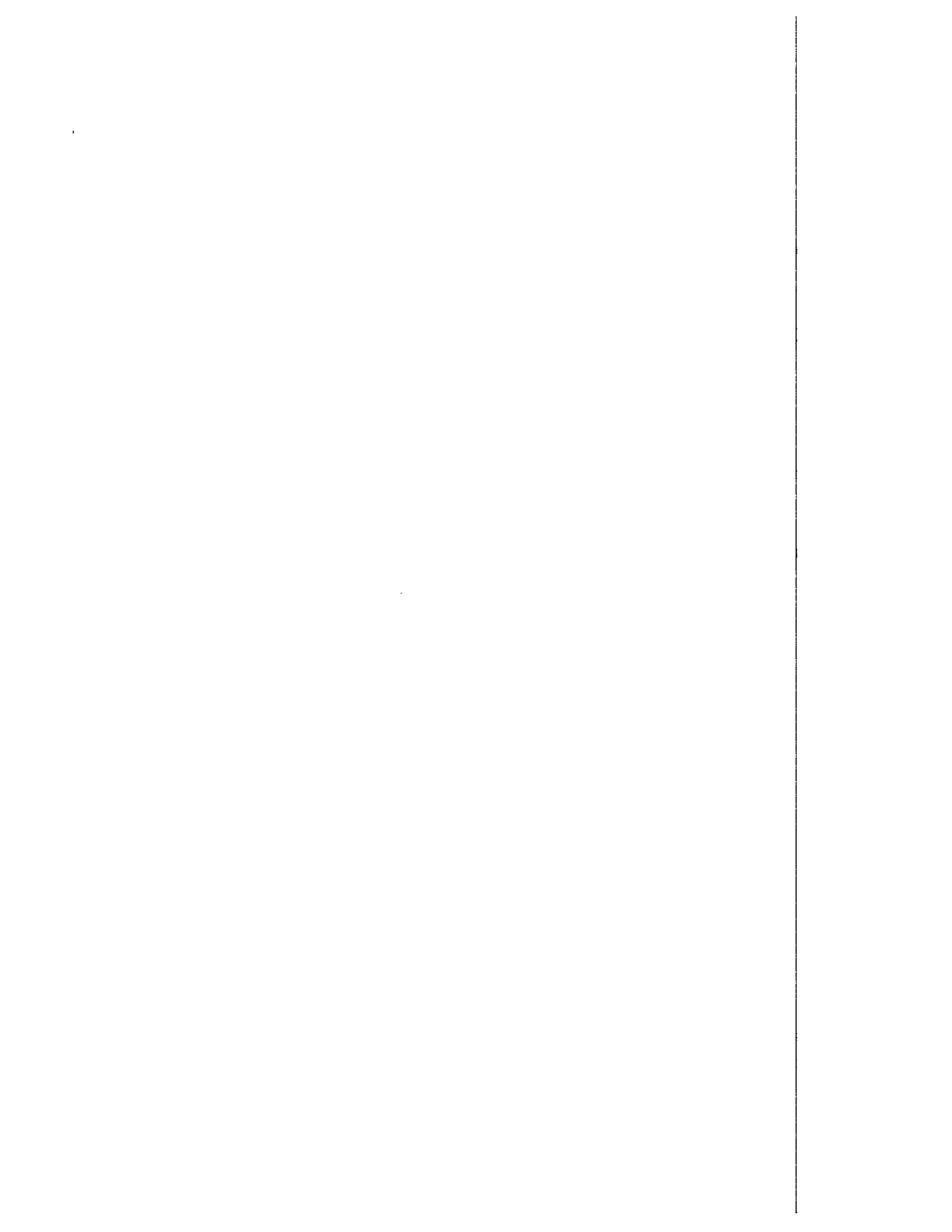
Proposed by: Barry Chubbles

Seconded by: Allert Dumaresque

Certified as a correct copy of a Resolution passed at a meeting of council held at L'Anse au Clair on the 28 day of August, 1995.


Nat Moore
Mayor

Loretta Griffin
Clerk



SEAL AND SIGNATURE

Signed and sealed pursuant to section 15 of the **Urban and Rural Planning Act** this
28 day of *August*, 1995.




Mayor

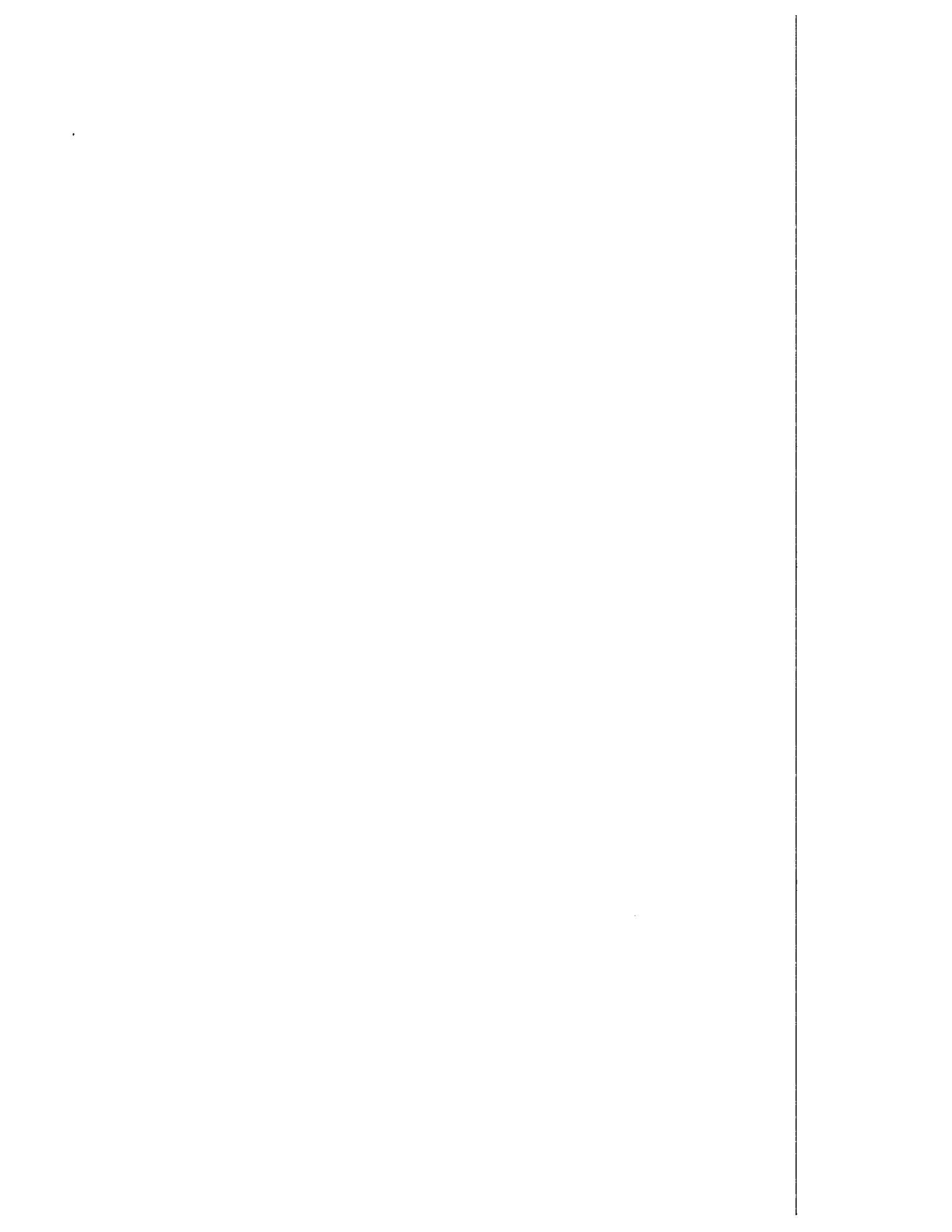
SEAL

CLERK'S CERTIFICATE

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan
adopted by the Community of L'Anse au Clair on the 28 day of *August*, 1995.



Clerk



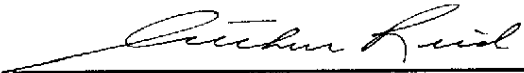
URBAN AND RURAL PLANNING ACT

L'ANSE AU CLAIR 1995-2005

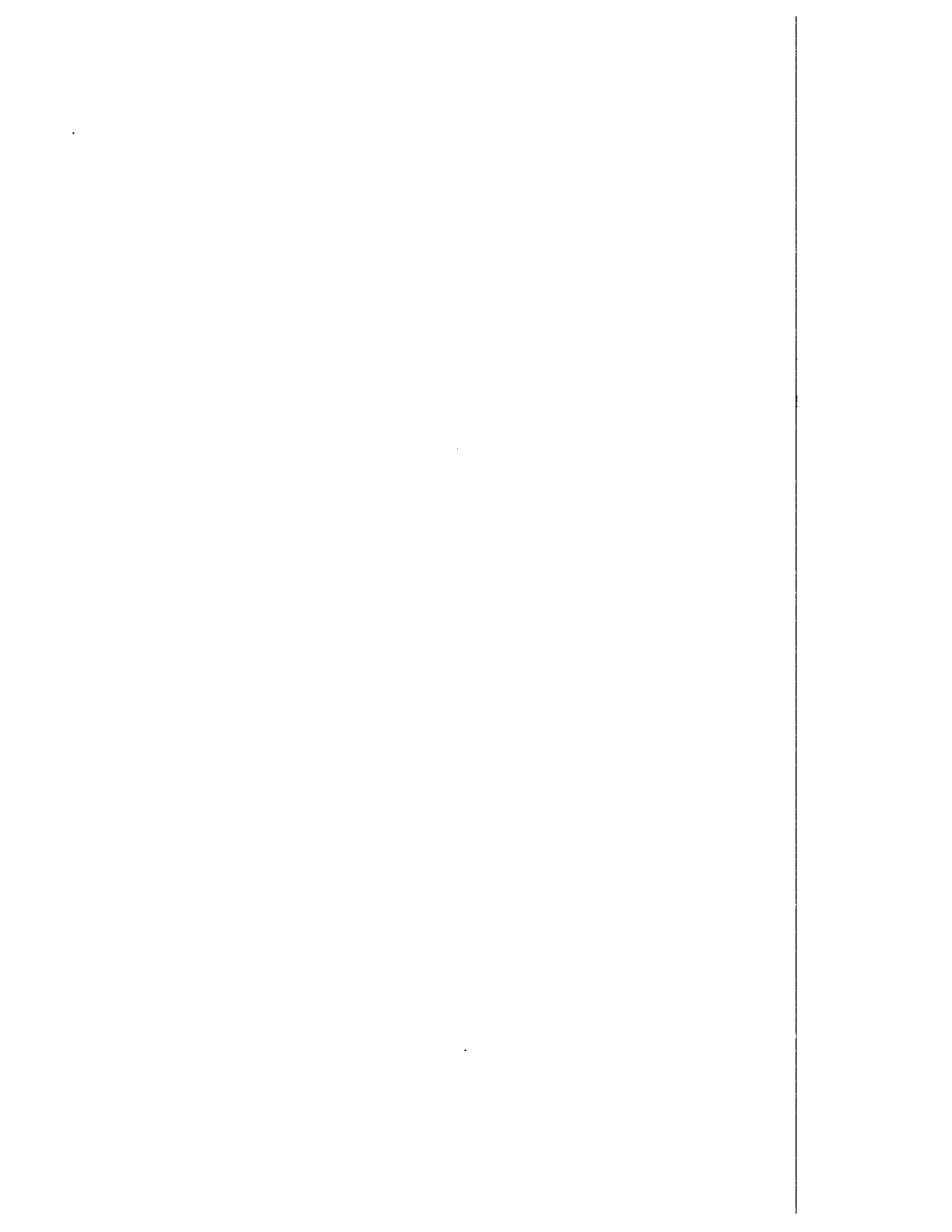
NOTICE OF APPROVAL

I, Arthur D. Reid, Minister of Municipal and Provincial Affairs, under and by virtue of the power conferred by the **Urban and Rural Planning Act**, hereby approve the **L'Anse au Clair Municipal Plan**, adopted by the Community Council of L'Anse au Clair on the *25th* day of *APRIL*, 1996.

Dated at St. John's this *25* day of *APRIL*, 1996.



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



LEGEND

The highlighting in this document indicates changes to the text by deleting or adding as follows:

~~deletion~~ of text

addition to text

Following the Public Hearing, all changes will be incorporated into a consolidated document.

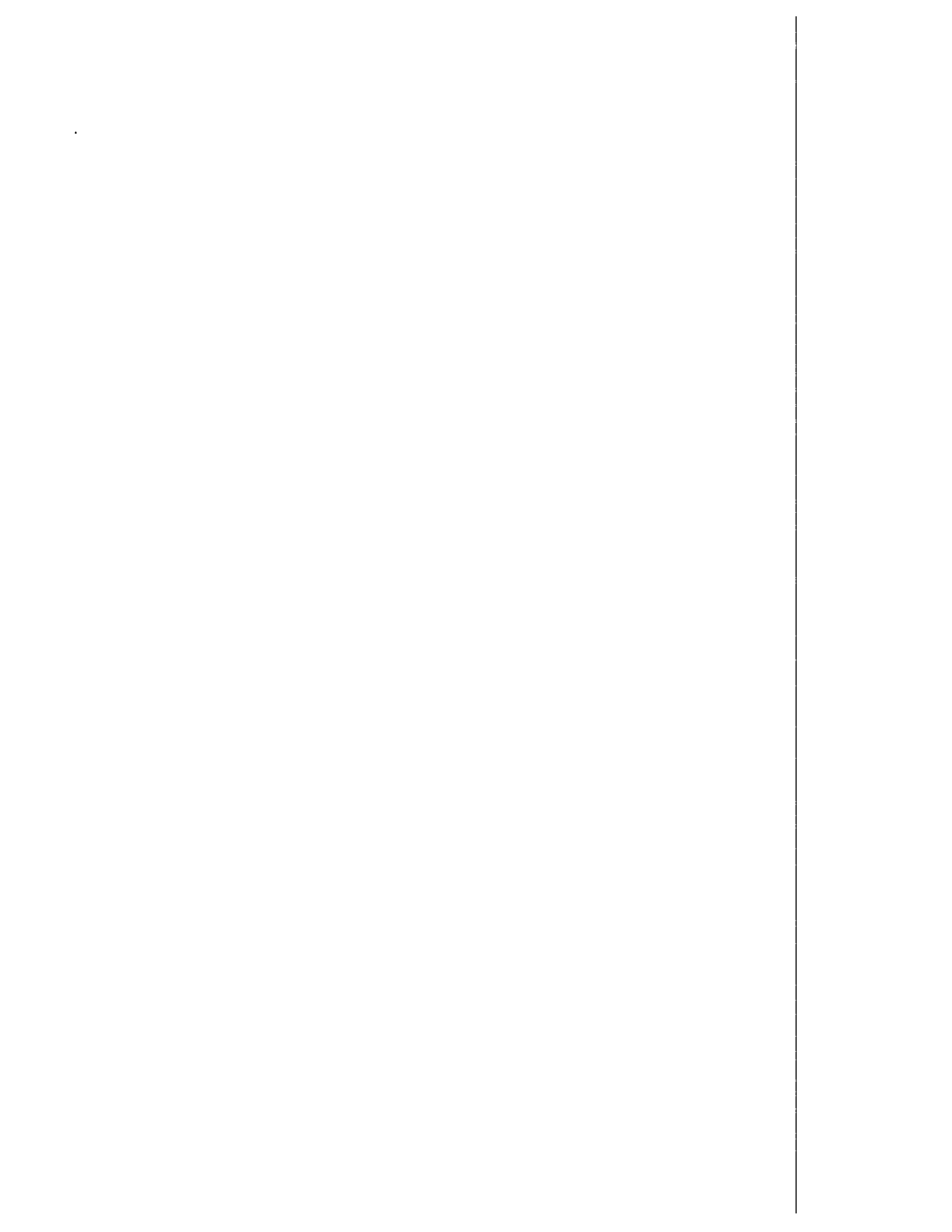


TABLE OF CONTENTS

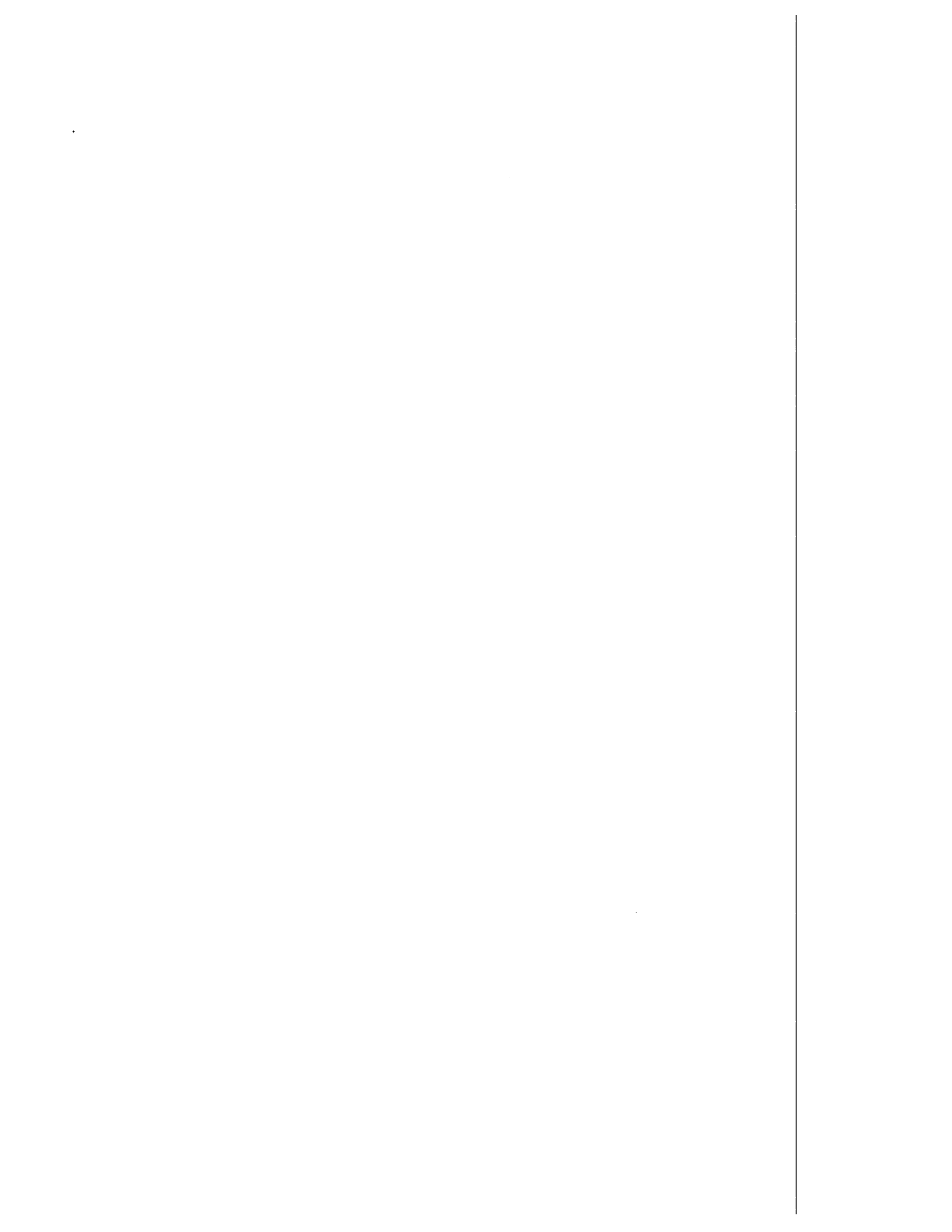
1.0 INTRODUCTION 7
1.1 Planning in Newfoundland 7
1.2 Summary of Background Report 10
1.3 Basic Assumptions 14

2.0 LAND USE OBJECTIVES AND POLICIES 16
2.1 Residential 17
2.2 Commercial 21
2.3 Industrial 22
2.4 Public Buildings Use Area 24
2.5 Recreation 26
2.6 Conservation 27
2.7 Environmental Protection 29
2.8 Rural 30

3.0 MUNICIPAL SERVICES 33
3.1 Water Supply 33
3.2 Sewage Disposal 35
3.3 Storm Drainage 35
3.4 Transportation System 36
3.5 Waste Garbage Disposal 37
3.6 Program of Public Works 38
3.7 Program of Public Works 40
3.8 Municipal Finance 42

4.0 IMPLEMENTATION 44
4.1 Regulatory Control 44
4.2 Discretionary Powers 44
4.3 Non-Conforming Uses 45
4.4 Development Schemes 45
4.5 Appeals 46

Future Land Map 47



1.0 INTRODUCTION

1.1 Planning in Newfoundland

The Municipal Plan

The L'Anse Au Clair Municipal Plan is council's comprehensive policy document of the management of growth within the municipal planning area over the ten-year planning period 1995-2005. This Municipal Plan repeals and replaces the community of L'Anse Au Clair Municipal Plan 1988-1998.

The Municipal Plan has been drafted following a comprehensive review of the 1988-98 Municipal Plan and all other land use planning documents pertaining to the Community. All relevant planning issues have been reviewed, as required under the Urban and Rural Planning Act, including a survey and study of land use, population growth, economic base of the planning area, transportation, communication, and public services.

The Municipal Plan contains the goals, objectives and policies of Council regarding development of the municipal planning area of the next ten years. Its aim is to promote the well-being of the community and efficiently utilize land, water, and other resources. The West St. Modeste Municipal Plan consists of written text and Future Land Use Maps.

Ministerial Approval

When the Municipal Plan is formally adopted by resolution of the council under Section 15 46 (1) of the Act, two copies must be impressed with the Seal of the Council and signed by the Mayor. The council must then give notice of its intention to seek the approval of the Minister of Municipal and Provincial Affairs by publishing a notice in the Newfoundland Gazette and in a newspaper published, or circulating, in the community. The notice must

state where and when the Municipal Plan may be inspected by any interested person and the time and place set by the Minister for the hearing of any objections or representations. At the Public Hearing, a Commissioner appointed by the Minister will hear the objections and representations, and subsequently forward to the Minister a written report, together with copies of all the evidence taken at the Public Hearing.

After the Public Hearing is concluded and the Commissioner's report has been submitted, the Council must apply to the Minister for approval of the Municipal Plan. The Minister requires two copies of the Municipal Plan certified correct by the Clerk of the Council, a copy of the adopting resolution and of all written objections and representations considered at the Public Hearing. On receipt of this material, the Minister may approve the Municipal Plan, with or without modification, or may disapprove it and order that a new Municipal Plan be prepared. Upon approval, the Minister will endorse a copy of the plan and return it to the council. Within ten days of receipt of the final approval by the Minister, the Council must publish a notice of approval in the Newfoundland Gazette and in a local newspaper.

The Effect and Variation of the Municipal Plan

When the Municipal Plan comes into effect, it is binding upon the council and upon all other persons, corporations and organizations. The Plan has to be reviewed by the Council at the end of every five years from the date on which it comes into effect and at that time revised as necessary to take account of developments which can be foreseen during the next ten-year period.

The Municipal Plan may be amended in whole or in part for just cause by repeating the process by which it was adopted and approved initially.

Development Schemes

At any time after the adoption of the Municipal Plan, the Council can prepare and adopt Development Schemes under Sections ~~31-33~~ ~~30-32~~ of the Act for the purpose of carrying out specific proposals of the Municipal Plan. A development Scheme may provide for the acquisition, assembly, consolidation, subdivision and sale or lease by the municipality of land and buildings which are necessary to carry out provisions of the Municipal Plan. The Scheme may reserve land for future acquisition as the site of any public roadway, service or building, or for a school, park or other open space and may make such agreements with the owners of the land as will permit its acquisition and use for those purposes. The Development Scheme may also specify the manner in which any particular area of land is to be used, subdivided or developed, and may regulate the construction of buildings which would interfere with the carrying out of the Development Scheme.

Development Schemes are prepared and approved in exactly the same way as the Municipal Plan, and, when approved, form part of that Plan.

Municipal Plan Administration

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

Regulations must comply with the requirements of the Urban and Rural Planning Act, and Standard Provincial Regulations have been developed to form the basis of these regulations. Councils are also advised, if they have not already done so, to adopt the National Building Code of Canada as its building regulations.

The day-to-day administration of the Municipal Plan, and subsequent regulations, is in the

hands of staff members authorized by the Council. 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.

1.2 Summary of Background Report

(a) Regional Context

- ◀ L'Anse au Clair is the location of the main tourist accommodation facility for the area.
- ◀ Medical, governmental and high school services are available in the neighbouring community of Forteau and, to a lesser extent, at L'Anse au Loup.
- ◀ Tourism is a growing economic resource based on sports fishing in the Forteau and Pinware Rivers and archaeological discoveries. Many sites of potential archaeological significances have been noted along the Labrador and Quebec coastline requiring further exploration.
- ◀ Tourism travel to the area is mainly by way of the Island of Newfoundland, crossing to Labrador by ferry from St. Barbe to Blanc Sablon.
- ◀ Air service is available to the Blanc Sablon Airport.

(b) Physical Environment

- ◀ The community extends along the western shoreline of L'Anse au Clair Bay and northwards along both sides of the highway.
- ◀ Main drainage routes are along the valleys of Western Brook and Eastern Brook. These have their confluence in a sandy Barachois at the head of L'Anse au Clair Bay.
- ◀ Environmental constraint is required with respect to:
 - (i) Water Supply catchment area
 - (ii) Eastern Brook as a habitat for sea run trout
 - (iii) Potential sites of archaeological significance
 - (iv) Aggregate resource areas as defined by the Department of ~~Mines and Energy~~ **Natural Resources**.

(c) Population

- ◀ The 1991 population of L'anse au Clair was 263, and in 1986 it was 279. This represents a 5.7% decrease in a 5 year period. This decrease can be directly related to the decline in the labour force as a result of the overall conditions of the fishery. Prospects for growth are not encouraging and even maintaining the current level for the next decade may be an unrealistic expectation.
- ◀ It is estimated that ~~40-45~~ **25** dwelling units will be required to meet population growth demand during the planning period. The majority of these may be expected to be in the form of single-family detached dwellings.

2.0 LAND USE OBJECTIVES AND POLICIES

The Urban and Rural Planning Act, Section 45 14 (2), requires that a Municipal Plan "... contain proposals for such general development of the Municipal Planning Area as can be foreseen for a period not exceeding ten years from the date of completion of the Municipal Plan and shall be designed to co-ordinate the public purposes of the Authorized Council that bear upon urban development so as to achieve the common well-being of the community and to conserve the financial and material resources of the Municipal Planning Area...".

Main aspects of the Municipal Plan implementing this requirement and, in so doing, establishing the planned basic structure of the Community are as follows:

- ◀ Residential subdivision of land east of the highway north of Western Brook including a local road linkage to the waterfront area, thus reducing dependence on the highway for local internal travel.
- ◀ Provision for infilling of existing serviced residential areas.
- ◀ Establishing guidelines for developing serviceable residential land within the community and priorities for accommodating residential growth and extension of municipal services during the planning period.
- ◀ Designation of useful shoreline frontage for continued use for fisheries and other marine related industrial uses.
- ◀ Designation of land fronting the road to the water supply reservoir for industrial needs not requiring ocean frontage, thus providing direct highway access and separation from residential uses.

- ◀ Designation of a large area surrounding Northern Lights Inn and on the northern end of the community along the highway as the main areas for future commercial expansion. These locations have substantial highway frontage vital to the commercial need of catering to passing regional and tourist traffic and, with internal road linkage as proposed, is also conveniently central to the community population.
- ◀ Development of land surrounding the elementary school and swimming pool for community outdoor recreational use.
- ◀ Recognition of the prevalence of snowmobile and all-terrain vehicle use and the resultant need to establish separate travel routes and roadway crossing points for these vehicles as a matter of public safety.

2.1 Residential

~~It is anticipated that 20-25 new dwelling units will be required~~ The housing forecast of the Background Report anticipates a demand for 10-15 new dwelling units during the 1988-98 ~~1995-2005~~ planning period. This estimate is based on the number of houses developed during the last 5 years. All, or a substantial majority of these, are expected to be in the form of single family detached dwellings. It is Council's intention to require new dwelling construction to locate only where municipal water supply sewer and local street services are directly available. To accomplish this, Council intends to extend Church Road northwards across Western Brook to join with the subdivision roadway around of Northern Lights Inn, thus linking this area with the main community waterfront area and reducing the need for local traffic along the highway. Extension of municipal services along this route will provide a capacity for developing 30-35 new serviced building lots. Land adjoining this area to the northeast is capable of accommodating 20-25 additional residential building lots and will be reserved for this purpose to be developed when required in the more distant future. ~~Further expansion eastwards in this area is likely to be restricted by the eventual construction of~~

within serviced residential land use areas where, in its discretion, Council is satisfied that such use will not adversely affect the character and quality of the immediate neighbourhood.

- ◀ Development may be permitted only on lots which have the required amount of frontage on a public street and to which municipal water ~~and sewer~~ service ~~is~~ are directly available.
- ◀ Where vacant land is to be developed in depth from an existing road, Council may require the preparation of a suitable plan of overall subdivision of vacant land in the immediate vicinity to an extent deemed necessary to ensure that such other vacant land will not be adversely affected for future residential use. Council may adopt this plan of subdivision by Resolution of Council and development for that area will thereafter ~~thenceforward~~ be required to conform with it or with such revisions to it as Council may subsequently adopt.
- ◀ Council may, on its own initiative, prepare and adopt a plan of subdivision or new street design in respect of any land area and undertake to acquire property, rights-of-way and easements to develop a portion or all of the area. ~~The cost of such work will be assessed as a Service Levy authorized by Section 148-153-151 of the Municipalities Act.~~
- ◀ Serviced building lots owned by Council, ~~as may result through the implementation of Policy (v), may~~ will be sold at recovery cost. ~~Revenue received from the sale of such building lots will be applied to adjust the cost assessed as a Service Levy.~~
- ◀ Extension of municipal services will be carried out in a phased sequence designed to conserve public financial resources and keep pace with the demand for new building lots. ~~(Concept development arrangements for prospective residential areas are shown in Exhibits 1, 2 and 3 for Council's guidance.)~~

2.2 Commercial

Council intends to promote commercial development in ~~two~~ **three** locations:

In the vicinity of the waterfront road junction with the highway ~~and~~ in the vicinity of Northern Lights Inn, ~~as shown on Map No. 2~~ **and immediately north of the community along the highway.** In designating these commercial areas council recognizes the need for additional highway commercial use as well as for the further development of local retail services; that existing commercial uses are generally a focus of attraction for other commercial uses; and that the waterfront area of the community and the upper levels area both require convenient access to commercial services. In permitting development in these areas Council intends to be particularly observant of highway safety by requiring restricted points of highway access and by ensuring provision of adequate off-street parking accommodation.

~~Commercial uses of a minor local convenience nature may be permitted elsewhere in the community where acceptable to council and to the immediate neighbourhood.~~

Council's objectives and policies in support of these matters are stated as follows:

Objectives:

- ◀ To promote commercial development in conveniently central locations.
- ◀ To encourage development of tourist services.
- ◀ To provide for ease and safety of traffic movement to and within commercial areas and along the highway.
- ◀ To enable development of minor conveniences commercial uses within residential

areas.

Policies:

- ◀ Areas designated for commercial use are shown on **Future Land Use Map 2**. Development standards for these areas will be prescribed by development regulations designed to provide for safe, healthy and convenient development.
- ◀ Council will require the provision of adequate arrangements for traffic access and off-street parking to ensure the safe and unimpeded movement of pedestrian and vehicular traffic along public thoroughfares.
- ◀ Land uses permitted within these areas include retail sales, highway and tourist services and business offices ~~as will be more specifically defined by development regulations~~. Minor industrial uses, such as minor repair services, warehousing and workshops normally associated with commercial uses may be permitted at council discretion.
- ◀ ~~Commercial development of a minor local convenience nature only may be permitted in residential land use areas where Council is satisfied that such development is compatible with neighbouring land use and that appropriate arrangements are made for off-street parking.~~

2.3 Industrial

Council intends to reserve ocean frontage land useful for fisheries and other marine related industry for this purpose specifically. Council also intends to designate serviceable land for other industrial uses (such as open storage, warehousing and auto-body repair) elsewhere in the community, well separated from residential areas but readily accessible from the

highway and where hydrant service is available for fire protection. Land around the oil storage site on the shoreline towards Pointe L'Anse au Clair will be reserved for the bulk storage of hazardous substances.

Council's objectives and policies in respect of industrial land use are stated as follows:

Objectives:

- ◀ To reserve useful shoreline frontage for marine-related industrial use.
- ◀ To reserve sufficient land in appropriately serviceable and accessible locations to accommodate industrial needs during the planning period.
- ◀ To control and direct industrial development in a manner designed to protect other land uses and the natural environment from adverse effects of industrial operation.
- ◀ To ensure that facilities for the bulk storage of hazardous substances are located, constructed and maintained in a safe and suitable manner.

Policies:

- ◀ Areas designated for industrial use are as shown on Future Land Use Map 2. ~~Development standards for these areas will be prescribed by development regulations.~~
- ◀ Industrial land use designated along the L'Anse au Clair waterfront will be reserved for storage, processing and transportation uses associated with the fishery and other marine operations, including the storage of boats and fishing equipment.
- ◀ Industrial land use located alongside the road leading to the municipal water supply

reservoir is intended for a wide variety of type and scale of industrial use, but excluding the bulk storage of hazardous substances.

- ◀ Land designated for industrial use surrounding the oil storage site on the shoreline towards Point L'Anse au Clair is intended exclusively for the bulk storage of hazardous substances. Use of this site and its further development will be permitted only in strict conformity with requirements of the Department of Environment and subject to access roadway improvement at user cost as required by Council.
- ◀ Council will ensure that adequate provision is made for safe vehicular access and parking accommodation in relation to all industrial uses.

2.4 Public Buildings Use Area

Council intends to promote improvement of off street parking accommodation and further development of the area in the vicinity of the community centre for additional buildings of a community service nature. It is also Council's intention to widen and improve roadway access to the swimming pool and to construct a parking area for common use of pool and proposed playground users. If development of the community playground generates significant spectator interest, this roadway may be extended to join the road to the water supply reservoir, thus providing an improved means of controlling traffic flow to and from the highway.

Council will continue to encourage the provision and use of public facilities for the overall benefit of community inhabitants.

Council objectives and policies pertaining to land use for Public Buildings Use Areas are stated as follows:

Objectives:

- ◀ To provide for the further development of public buildings and institutional services in conveniently central locations having ease and safety of access and adequate parking accommodation.
- ◀ To promote community initiative in support of social needs and community betterment.

Policies:

- ◀ Uses permitted in public land use areas, as shown on **Future Land Use Map 2**, are those of a community service nature to be more specifically defined in the development regulation.
- ◀ Council will strive to improve road access and parking arrangements in relation to the swimming pool and the community centre.
- ◀ Council will particularly encourage the further improvement of facilities for senior citizens and the use of public facilities for adult education and recreation programs.
- ◀ ~~Offices of a governmental, social or cultural nature may also be located within areas designated for commercial use in accordance with Policy 2.2 (iii).~~
- ◀ ~~Churches and junior schools may be located within residential land use areas at the discretion of Council in accordance with Policy 2.1 (ii).~~
- ◀ Council will establish by development standards for public buildings to ensure provision of adequate on-site parking, landscaping, fencing, screening and other features necessary to preserve the safety and amenity of adjoining properties.

2.5 Recreation

Indoor recreational needs of the community are satisfied through use of the arena at L'Anse Amour, St. Andrews Elementary School gymnasium, the Community Centre and facilities of the church and local service organizations. However, excepting the skating rink, outdoor recreational facilities are lacking. It is therefore Council's intention to promote development and maintenance of play areas for small children on land alongside the skating rink and on land adjoining St. Andrews Elementary School. It is also Council's intention to promote development of a community outdoor recreation centre on the large area of relatively level land available alongside the elementary school site, providing for a variety of recreational pursuits as may be determined to be of interest to a broad range of age groups.

Council will ~~also continue to promote maintenance and environmental cleanliness of the picnicking and playground area at Big Pond and~~ will investigate the feasibility of developing a tourist camping park and children's playground within the commercial area surrounding Northern Lights Inn as a pleasurable tourist convenience as well as being a convenient amenity to the local neighbourhood.

Objectives and policies in this regard are stated as follows:

Objectives:

- ◀ To ensure that facilities are provided, maintained and made reasonably available to satisfy the overall recreational needs of the community.
- ◀ To promote development of camping and recreational facilities attractive to tourists and other visitors to the area.

Policies:

- ◀ Land areas designated for recreational use on Future Land Use Map 1 and 2 will be reserved for this purpose.
- ◀ The land area alongside the elementary school and swimming pool will be reserved for development as a community recreation area in a manner approved by Council.
- ◀ ~~The land area designated around Big Pond will be reserved for a community park. Council will promote environmental cleanliness in this area and will maintain the roadway access and existing facilities and equipment to the extent possible.~~
- ◀ ~~Council will investigate the feasibility of developing a tourist camping park in or near the Big Pond recreation area as provincial or regional facility.~~
- ◀ Council will provide or arrange for the provision of minor recreational parks for the safety and enjoyment of children on a site adjoining the elementary school and on a site adjoining the skating rink.
- ◀ ~~With continued growth of the Community, Council will strive to arrange for development of a small park and children's playground area within the commercial area surrounding Northern Lights Inn.~~
- ◀ Council will ensure that when recreation facilities are developed, they are suitably maintained and made reasonably available for public use.

2.6 Conservation

There are substantial areas of land within the Planning Area where protective rather than

developmental measures must take priority. These include natural drainage routes, areas of steep terrain, wetlands, cemeteries, and shoreline frontage not required for other uses. Council intends to protect and preserve these areas from development in the interest of public enjoyment, safety and well-being of the community, to encourage tourism, and to enable continued public access to ponds, watercourses and the ocean shoreline.

Protective measures are also to be exercised within all land use classes. Archaeologic finds have been discovered in the area already and could be discovered in the course of future development.

~~The municipal water supply catchment area and its possible future extension require distinctive conservational treatment. Council's objectives and policies pertaining to these areas are accordingly contained in a separate subsection, and are separately defined on Map No. 1.~~

Council's objectives and policies regarding conservational land use ~~other than the water supply catchment area,~~ are stated as follows:

Objectives:

- ◀ To prevent encroachment of development into physically unsuitable locations and economically unserviceable areas.
- ◀ To preserve public access to ponds, watercourses and shoreline frontage and to protect their environmental quality of public benefit and enjoyment.
- ◀ To see that cemeteries and archaeologic finds are preserved and maintained in a suitable condition as historic references to previous inhabitants.

Policies:

- ◀ Development will not be permitted within areas designated for conservation as shown on **Future Land Use** Maps 1 and 2, other than cemetery use in locations specifically designated for this purpose, and natural resource or recreational uses as council may determine to be compatible with its stated objectives.
- ◀ Council will ensure that road construction, resource extraction or other activity in the vicinity of Eastern Brook and its tributaries is carried out in a manner that prevents siltation and other adverse effects on fish habitat in these waters, and that in general the work will be carried out in a safe, orderly and environmentally acceptable manner and the site restored to a suitable state on completion of the work.
- ◀ In the event of an archaeological find being discovered during the course of development in any land use area, development shall cease temporarily and Council shall contact the Historic Resource Division, Department of **Tourism, Culture and Recreation** Culture, Recreation and Youth. (Telephone 576-2460 or 576-5074)

~~A. Municipal Water Supply Catchment Area~~**2.7 Environmental Protection**

The public water supply catchment area is a distinctive conservational land use where more stringent measures are required for protection of public health and preservation of the natural water resource. Council's objectives and policies in this regard are stated as follows:

Objectives:

- ◀ To protect and preserve the quality of the public water supply from contamination.

- ◀ To ensure the continuous supply of an adequate volume of water to serve the needs of the Community.

Policies:

- ◀ All development, except those related to the proper development and operation of the water system, is prohibited within the public water supply catchment area as defined on ~~Future Land Use~~ Map No. 1.
- ◀ Council will exercise such influence and authority as may be available to it to minimize or prohibit the use of all-terrain vehicles within this area.
- ◀ ~~Policies (i) and (ii) will also apply to the supplementary catchment area defined on Map No. 1 until such time as it may be determined by engineering study satisfactory to Council, either that it is not economically feasible to utilize this supplementary catchment area or that it will not be required to supplement the municipal water supply.~~

2.8 Rural

Lands within the L'Anse au Clair Planning Area not designated by previous sections for specified use or conservation, are designated for rural use. Within these rural areas development is restricted to on-site natural resource uses which may not reasonably be carried out in serviced community locations.

Council's objectives and policies in respect of rural land use are stated as follows:

Objectives:

- ◀ To preserve the undeveloped area surrounding the community of L'Anse au Clair from unwarranted encroachment by urban-type uses.
- ◀ To enable development associated with the use of naturally occurring resources in locations and in a manner acceptable to Council.
- ◀ ~~To permit cemeteries in locations approved by Council.~~

Policies:

- ◀ Rural resource-based industries, ~~cemeteries~~ and recreational uses may be permitted within areas designated for rural use as shown on ~~Future Land Use~~ Maps 1 and 2. Buildings subsidiary to a resource-based use, such as a dwelling or barn; or subsidiary to a recreational use may be permitted where Council is of the opinion that the building is necessary to the successful operation of the main use.
- ◀ ~~Within the proposed route of the Island infeed transmission line reservation shown on Map No. 2, development is to be restricted to such rural resource-based industry as will not adversely affect the use of the route for power transmission. Development applications within this reservation route will be referred to Newfoundland and Labrador Hydro for recommendation.~~
- ◀ Extractive resource use, such as mining and quarrying, may be permitted in locations approved by Council, provided Council is assured that the work will be carried out in a safe, orderly and environmentally acceptable manner and that the site will be restored to a suitable state on completion of the work.
- ◀ ~~Cemeteries may be permitted in locations acceptable to Council.~~

- ◀ Council may require buffer distance separation between rural uses and ponds, watercourses and other types of development as deemed necessary to preserve public safety, amenity of adjacent land uses, water quality, natural habitat, and public access.

- ◀ Council will be observant of mineral working and other resource development activity as may act to diminish environmental quality, and will report this to appropriate provincial authorities for remedial action.

3.0 MUNICIPAL SERVICES

3.1 Water Supply

The present municipal water supply is dependent on the flow of surface and ground water from the relatively short and narrow valley at Western Brook. However, because of water level fluctuation and winter freeze ups, this has not been a dependable supply. Engineering studies have shown that Big Pond, located on a plateau west of the community would be a more reliable service. Development of Big Pond service has already commenced and should be connected to the community's existing water lines within a year. Council intends to investigate the feasibility of supplementing the present supply of water by diverting a nearby stream into the headwaters of Western Brook. It is in the public interest therefore that the present and possible future catchment areas be preserved in their natural state so that water absorbing and retentive qualities of the soil may be relied upon to provide a maximum quantity of water throughout the year. Travel through these areas, particularly by all-terrain vehicles, disturbs and destroys surface vegetation and compacts the soil. This reduces water absorption, increases evaporation, and creates conditions conducive to a rapid rate of surface water run-off. It is therefore Council's intention to limit public access to the water supply catchment area and its possible future extension, particularly with respect to ATV travel in these areas.

When further extending the municipal water supply system it is intended that subdivision development will be designed to provide for "looped" water supply lines enabling a minimum disruption of service when repairs are necessary.

Council's objectives and policies concerning municipal water supply are stated as follows:

Objectives:

- ◀ To provide a safe and reliable municipal supply of water to all developed areas of the Community.
- ◀ To supply water at a sufficient volume and pressure to maintain an adequate level of fire protection where water supply service is available.

Policies:

- ◀ ~~Council will arrange for an engineering study to determine the feasibility of extending the municipal water supply catchment area.~~
- ◀ Council will advise the public of the need to limit public travel through the present and any possible future water supply catchment area, particularly as to the detrimental result all-terrain vehicle use within these areas. ~~(See Section 2.6 A)~~
- ◀ Property connection to the municipal water supply system will be permitted only in conjunction with connection to the municipal sewer system or where sewage is privately disposed of by pipeline discharging directly to the sea in a manner acceptable to Council.
- ◀ Council will adopt regulations for control and management of the municipal water supply system with respect to matters authorized by Section 161 ~~165~~ of The Municipalities Act.
- ◀ Council will ensure that designs for future extension of service provide for "looped" water systems where possible.
- ◀ Council will install fire hydrant service to all areas served by the municipal water

supply system.

3.2 Sewage Disposal

The municipal sewerage system will be maintained and extended together with the water supply system to meet future development needs.

Objectives and policies in this regard are as follows:

Objectives:

- ◀ To provide for the sanitary and environmentally safe disposal of sewage effluent.
- ◀ Council will adopt regulations for control and management of municipal sewer systems regarding matters authorized by Section 461 165 of the Municipalities Act.

3.3 Storm Drainage

Objective:

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

Policies:

- ◀ Council will require the design and construction of storm drainage systems in

conjunction with development of new areas.

- ◀ Council will adopt regulations for the control and management of municipal storm drainage systems with respect to matters authorized by Section 161 165 of The Municipalities Act.

3.4 Transportation System

~~Council anticipates paving its local road system when paving equipment is available in the area to pave the highway to Red Bay. It is therefore Council's intention to arrange for as much construction and servicing of streets as possible during the first 2-3 years of the Plan so that these may also be paved at that time.~~

In providing for improvement and extension of the municipal street system, Council is also observant of the need to establish travel routes for snowmobile and all-terrain vehicles, these being in regular and common use by the public, and the need for designation and appropriate signage of street and highway crossing locations.

Council is also of the opinion that a helicopter landing facility should be located in L'Anse au Clair as a designated site rather than continuing the practice of indiscriminate landings as may be expected to increase as a result of the proposed power transmission line construction.

Objectives:

- ◀ To provide a street system enabling the safe and convenient movement of traffic throughout the Community.
- ◀ To minimize conflict between internal and highway traffic.

- ◀ To provide a designated site for helicopter landings.
- ◀ To establish safe travel routes for off-street vehicles.

Policies:

- ◀ Council will strive to maintain the integrity of the highway as a through traffic route by limiting local street and private driveway access to a minimum and by improving internal street linkages.
- ◀ Council will promote development of a helicopter landing facility ~~near the roadway to the water supply reservoir~~ as shown on Future Land Use Map 2 to serve the needs of potential users and protect residents from the hazard of indiscriminate landings within the Community.
- ◀ Council will designate and mark travel routes through the Community for use by off-street vehicles in the manner as indicated on Future Land Use Map 2.
- ◀ Council may acquire property contained within street reservations and arrange for removal of existing fences, buildings and other objects to the extent that it is convenient and financially prudent to do so.
- ◀ Council will arrange for paving municipal streets on a cost-share basis with the provincial government when paving equipment is available as a result of other work being carried out in the Straits Area.

3.5 Waste Garbage Disposal

The teepee incinerator, located in a quarry site on the height of land at Forteau's eastern

boundary, is not now in use due to a structural problem. An area near the incinerator is used as a sanitary landfill site. This garbage disposal site, whether by incineration or sanitary landfill, is operated as a regional disposal site utilized by the Community of L'Anse au Clair. Policies for the operation of this site are of a joint regional nature rather than local. However, Council's objectives and policies in respect of this matter are stated as follows:

Objective:

- ◀ To maintain a sanitary, clean and uncluttered environment within the Community and its Planning Area.

Policies:

- ◀ To consult regularly with representatives of neighbouring communities which use the regional garbage disposal site and officials of the Department of Environment as to the satisfactory collection and disposal of garbage.
- ◀ To establish a suitable site for public disposal of solid waste, such as car bodies and other metal objects, and to avail of opportunities as arise for removal of this scrap material to minimize the extent of its accumulation.
- ◀ To contribute on a "per capita" basis to the regional municipal cost of garbage and solid waste disposal.

3.6 Program of Public Works

Council shall continue with the development of the new water supply area at Big Pond, with the intentions of having the project fully functional by early 1995. Funding for this has been

provided under the Canada/Newfoundland Comprehensive Labrador Agreement Extension.

The development of the new subdivision in the Bayview Crescent/Pleasant Street area on the east side of the community is proceeding without the provision of community sewer. The soil conditions are very poor for sub surface sewage systems and malfunctioning of the existing systems is a definite possibility in the near future. Therefore, in order to prevent this environmental problem and to allow for the optimal development of the subdivision, the provision of sewer services must be a priority with Council. The estimated costs to install sewer services is \$400,000.00, and it is hoped that funding will be secured under the above provincial/federal agreement.

The paving of local roads is also a priority with Council and, depending on funding, will be carried out when paving equipment is available as a result of the work being done in the Straits area.

3.6 Fire Protection

Objective:

- ← ~~To maintain a fire fighting capacity in L'Anse au Clair to a standard capable of providing a protective service to its people, property and facilities.~~

Policies:

- ← ~~To support the organization and training of a volunteer fire brigade capable of responding quickly to emergency situations.~~
- ← ~~To ensure that suitable equipment, supplies and transportation facilities are available to the brigade to fulfil its protective responsibilities.~~

~~← To ensure that fire fighting equipment and supplies are adequately housed and maintained to be in a continuous state of readiness.~~

~~3.7 — Program of Public Works~~

~~The following projects are seen as necessary to be undertaken during the 10-year planning period and are listed in a recommended order of priority. However, this sequence of priorities is intended as a guide only, as Council's decision to proceed with or select from among these works will depend on the urgency of need as perceived from time to time, coupled with Council's financial ability to fund the projects.~~

~~Project costs are estimated in 1988 dollar values and include engineering fees. Subdivision development costs include installed municipal services as required, but do not include pavement, curb, gutter or sidewalks, and no allowance has been made for land acquisition. Paving estimates assume an asphalt width of 6 metres with 1.5 metre shoulders for local roads and 9 metres with 1.5 metre shoulders for collector roads. Also, project cost estimates represent the overall cost of the project and are not reduced to reflect only municipal cost resulting from anticipated provincial cost-sharing arrangements, as such arrangements may be subject to variation from time to time.~~

CAPITAL WORKS PROJECTS

Priority	Project Description	Cost Estimate
1	Development of Phase 1 of subdivision north of Western Brook (Policy 2.1 (vii) and Exhibit 1)	\$ 600,000.
2	Construction of drainage ditch to the rear of residential land on west side of waterfront road (Exhibit 3).	35,000

3	Development of Phase 2 of subdivision north of Western Brook (Policy 2.1 (vii) and Exhibit 1)	385,000.
4	Roadway upgrading and extension of water and sewer services to industrial land use area on the road to the water supply reservoir.	250,000.
5	Roadway and water supply improvement and installation of sewer service to Phase 1 of residential subdivision south of Western Brook. (Policy 2.1 (vii) and Exhibit 2)	505,000.
6	Improve roadway to swimming pool and construct parking area. (Policy 3.4 (vi))	105,000.
7	Pave municipal streets east of highway, south of Western Brook. (Policy 3.4 (vi))	445,000.
8	Pave municipal streets contained in Project 1 and Projects 3-6. (Policy 3.4 (vi))	600,000.
9	Feasibility study of supplementary water supply. (Policies 2.6 A (iii) and 3.2 (i))	20,000.
10	Development of community recreation area near St. Andrews Elementary School. (Policy 2.5 (ii))	Indeterminate

~~Council adopts the following policies for the financial support of capital works projects required for the provision of necessary municipal services:~~

Policies:

- ~~← Repair and renovation of existing municipal services will be carried out at municipal expense using current revenue where possible.~~
- ~~← Capital projects of a relatively minor nature will be paid for out of current revenue where possible as a means of keeping capital debt to a minimum.~~
- ~~← The cost of providing municipal services to previously unserved areas will be defrayed by local improvement assessment of real property in accordance with Section 142 to 147 of The Municipalities Act.~~
- ~~← Where trunk services are improved or newly installed to accommodate service requirements of previously unserved areas, the cost of this work will be apportioned to the area or among areas benefited by the work, and a service levy will be assessed on real property within the area or areas in accordance with Sections 148 to 153 of The Municipalities Act.~~

3.8 Municipal Finance**Objective:**

- ◀ To provide a publicly acceptable level of services at minimum cost to present and future residents.

Policies:

- ◀ To annually prepare a five-year forecast of public works required to improve and extend necessary municipal services and to assign priorities to these works with

reference to Section 3.6 of the Municipal Plan and to conditions as they prevail at that time.

- ◀ To adopt a program of public works in conjunction with the annual budget and with reference to the five-year forecast of capital works.

4.0 IMPLEMENTATION

4.1 Regulatory Control

Powers and procedures for dealing with development applications in conformity with the Municipal Plan are contained in Land Use Zoning, Subdivision and Advertisement Regulations. These regulations support the Plan and will be adopted by resolution of council following adoption of the Municipal Plan and submitted for approval of the Minister along with the Municipal Plan. These regulations will combine standard parts and schedules, designed in accordance with provincial government policy, with use zone tables and maps designed to meet the Community's particular needs. Use zone tables may distinguish between permitted uses and discretionary uses, the latter being permissible at Council discretion.

Boundaries between land use designation shown in map form are approximate only except where they follow streams and roads or other geographical features. These are to be interpreted in terms of their general intent and amendment of the Plan is not required to permit minor adjustments of this nature.

4.2 Discretionary Powers

Council's discretionary powers in dealing with development applications are as follows:

- ◀ Council may refuse a permit for development or attach conditions to a permit even though the application conforms with the regulations if, in the opinion of Council, the resultant effect, overall appearance, or other material aspect of a proposed development is deemed to be contrary to overall policies of the Municipal Plan.

- ◀ Council, to a limited degree and with respect to matters other than land use, may by way of a "variance" approve an application which does not comply with implementing regulations, provided, the granting of a variance does not permit a development which is not contrary to the general intent of the Plan and is in the public interest.
- ◀ Public notice may be given concerning any application coming before Council to enable objections or representations to be received for consideration. However, such public notification must be given with respect to any proposed variance or authorized discretionary land use.

4.3 Non-Conforming Uses

Existing development which does not conform with the land use designation of the Municipal Plan or standard of the appropriate zone may continue in this non-conforming use subject to limitations concerning the extent of its enlargement or alteration.

4.4 Development Schemes




At any time after the Municipal Plan comes into effect council may prepare and adopt a development scheme(s) for the purpose of carrying out the proposals of the Plan. In doing so, the council may specify the manner in which a particular area of land is to be used, subdivided or developed. The Scheme must be prepared and submitted for approval using the same procedure as applies to the Municipal Plan and when approved forms part of the Municipal Plan.

Comprehensive Development Areas and such development scheme(s) as may have been in effect prior to adoption of this Municipal Plan are rescinded and replaced by the provisions of this plan.

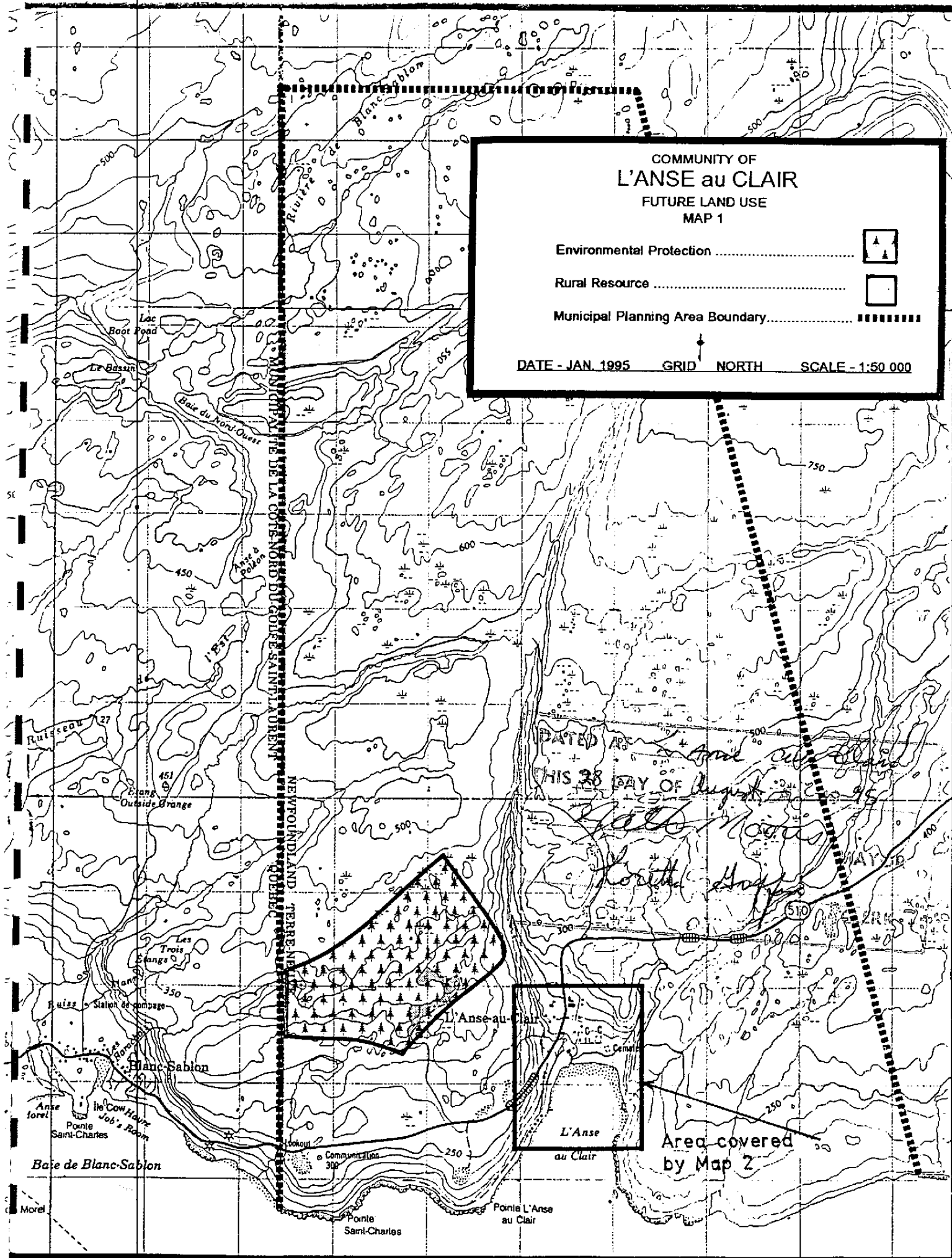
4.5 Appeals

When the Municipal Plan and the Regulations come into effect, council may appoint members to a Local Board of Appeal, with duties and responsibilities as prescribed in the Regulations. In the absence of such appointment, an Appeal Board established by the Minister will act as the Local Board of Appeal.

COMMUNITY OF
L'ANSE au CLAIR
 FUTURE LAND USE
 MAP 1

- Environmental Protection 
- Rural Resource 
- Municipal Planning Area Boundary 

DATE - JAN. 1995 GRID NORTH SCALE - 1:50 000



Area covered
 by Map 2

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