

TOWN OF LEWISPORTE MUNICIPAL PLAN

Gazetted: September 9, 2005

Consolidation Date: n/a

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

[List of Municipal Plan Amendments](#)

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF LEWISPORTE
MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS
2005-2015**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Lewisporte adopts the Town of Lewisporte Municipal Plan and Development Regulations 2005-2015.

Adopted by the Town Council of Lewisporte on the 22 day of MAR 2005. Rly
MAR eb

Signed and sealed this 13 day of June, 2005.

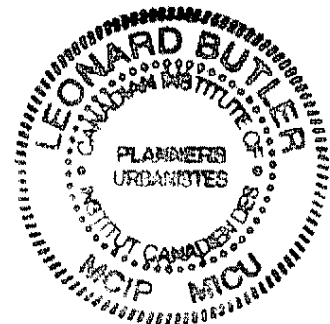
Mayor: [Signature] (Council Seal)

Clerk: [Signature]

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Lewisporte Municipal Plan and Development Regulations 2005-2015 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP: [Signature] (MCIP Seal)



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF LEWISPORTE
MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS
2005-2015**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Lewisporte.

- a) Adopted the Town of Lewisporte Municipal Plan and Development Regulations 2005-2015 on the ~~31~~₂₂ day of ~~May~~_{MARCH} 2005.
- b) Gave notice of the adoption of the Town of Lewisporte Municipal Plan and Development Regulations 2005-2015 by advertisement inserted on the 11 day and the 18 day of May, 2005 in the *Lewisporte Pilot* newspaper.
- c) Set the 25 day of May at 7:30 p.m. at the Town Hall, Town of Lewisporte for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Lewisporte approves the Town of Lewisporte Municipal Plan and Development Regulations 2005-2015 as adopted (or as amended).

SIGNED AND SEALED this 13 day of June, 2005

Mayor: [Signature] (Council Seal)

Municipal Plan/Regulations
Clerk: [Signature]
REGISTERED
Number 2775-2005-001
Date 1 SEPTEMBER 2005
Signature [Signature]

Development Regulations/Regulations
REGISTERED
Number 2775-2005-001
Date 1 SEPTEMBER 2005
Signature [Signature]

MUNICIPAL PLAN

2	DEVELOPMENT REGULATIONS
3	BACKGROUND STUDY
4	SCHEDULE "A"
5	SCHEDULE "B"
6	SCHEDULE "C"
7	SCHEDULE "D"
8	SCHEDULE "E"

TOWN • OF
Lewisporte

Municipal Plan

2005 - 2015

PLAN-TECH



ENVIRONMENT

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1.0 INTRODUCTION

1.1 MUNICIPAL PLAN PREPARATION

The Lewisporte Municipal Plan has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000, following surveys and studies of land use, population growth, the local economy, present and future transportation and communication needs, public services, social services and other relevant factors.

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

1.2 PLAN APPROVAL

For the Plan to gain full legal effect, Council must hold public consultation with area residents and concerned groups and individuals to allow for public input into the planning process. After this consultation, Council must adopt the draft Plan and allow for further input from the general public through a Public Hearing.

Council shall appoint a qualified Commissioner to conduct a formal hearing to consider objections and representations from the public either opposing or in favour of the Municipal Plan. The Commissioner will formally report his findings to Council as a result of the public hearing. Council may adopt the report in whole, in part or reject the report in its entirety. Council can then formally approve the Municipal

Plan and apply to the Urban and Rural Planning Division, Department of Municipal and Provincial Affairs for registration. A notice will then appear in the Newfoundland Gazette and a local newspaper advising the public of Council's intent. Once this notice has been published in the Newfoundland Gazette, the Plan is legally binding on Council and any person or party proposing to develop, or to change the use of land, anywhere within the Planning Area.

1.3 PLAN REVIEW AND AMENDMENT

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

1.4 SUMMARY OF BACKGROUND REPORT

Lewisporte is a picturesque community located in the Bay of Exploits and incorporates a Municipal Planning Area of approximately thirty seven square kilometres. With its attractive housing, strong commercial sector, marine environment, and plentiful open space, the Town combines the best features of traditional rural life with the conveniences of modern living.

Lewisporte's resources include an advantageous central location both in terms of the region and the province, which has enhanced its success as a regional trade and service centre. Known as the "Gateway to the North", the Town has a first-class deepwater port used for trans-shipment of passengers and freight to Labrador and incoming bulk cargo to Central Newfoundland.

The 2001 census lists Lewisporte population at 3,312 which reflects an 10.7% decline from the 1996 census population of 3,709. While experiencing a negative growth since 1996, demand still exists for new residential construction. Approximately 10 residential building lots per year on average will be anticipated during the planning period. There is presently an abundance of undeveloped residential land within the Town, much of it serviced or capable of servicing with municipal water and sewer.

2.0 GOALS AND OBJECTIVES

It is the intention of the Municipal Plan to establish a number of goals and objectives. A goal is a desired state which reflects the long-range purpose of the Plan and is related to a major area of concern. An objective is a short-range step toward the goal. It is concrete, realistic, action-oriented and attainable within a period of 3 to 5 years. The achievement of an objective should move the goal closer to reality.

Based on a comprehensive study of the planning aspects of the Lewisporte Planning Area the following are the goals and objectives of this Municipal Plan, which are to be pursued within the ten year planning period.

2.1 PHYSICAL STRUCTURE

Goals:

- To encourage a growth structure for Lewisporte which will ensure land use compatibility, orderly development and the economic use of municipal services.
- To control future growth of the town in such a manner as to develop a balanced and attractive community.
- To provide for the consolidation and continued growth of the existing town centre as the primary retail, commercial and service focus of the municipality.

Objectives:

- To allocate land for future development on the basis of its best use considering its physical characteristics and location.
- To encourage the future commercial development of the junction area to complement the town centre.
- To direct all new industrial development (except that requiring direct port access) to the Industrial Park.

2.2 ECONOMIC OPPORTUNITIES

Goal:

- To encourage the development of additional employment opportunities to serve the present and future population.

Objectives:

- To ensure that sufficient areas of land are available for development in the municipality such that new enterprises can be attracted to Lewisporte, especially to the Industrial Park.
- To encourage, where possible, the relocation of existing poorly located commercial uses to the Industrial Park.
- To support the development of facilities and attractions which will promote the tourism industry within Lewisporte, particularly the Woolfrey's Pond Park.
- To support and enhance the existing town centre as a convenient and attractive commercial and service core.

2.3 HOUSING**Goals:**

- To provide for an adequate quality, quantity and mix of housing to serve the needs of the present and future population.
- To provide for a good quality residential environment through good site design and a high standard of municipal services.

Objectives:

- To provide an adequate amount of serviced land to accommodate residential development within the municipality.
- To encourage the improvement of substandard dwellings.
- To provide for a mixture of housing types within the municipality.
- To provide buffer zones between residential and commercial or industrial areas.
- To provide pedestrian links between major residential areas and recreational/ institutional facilities.

- To encourage the development of residential infilling lots within built up neighbourhoods.

2.4 MUNICIPAL SERVICES

Goal:

- To provide, where possible, a full range of municipal services to Lewisporte.

Objectives:

- To ensure that on site services meet the standards of the Government Service Centre.
- To provide fire protection to all residences through the provision of adequate residential fire flows.

2.5 TRANSPORTATION

Goal:

- To provide a safe and efficient internal and external transportation network to serve Lewisporte.

Objectives:

- To undertake improvements to the Municipal road system through a regular maintenance program.
- To encourage an efficient vehicular parking and circulation system for Lewisporte.
- To eliminate, where possible, industrial and commercial vehicles from residential streets.

2.6 COMMUNITY AND SOCIAL SERVICES

Goal:

- To provide a full range of community and social services to Lewisporte.

Objectives:

- To encourage the development of Woolfrey's Pond and surrounding areas as a major recreational resource.
- To encourage the multi-functional use of existing community buildings (schools, churches, etc.).

2.7 ENVIRONMENT

Goals:

- To provide a pleasant and safe living and working environment in Lewisporte.
- To maintain and enhance the natural resources of the Lewisporte Planning Area (e.g., ponds, waterfront areas).

Objectives:

- To provide buffers between residential areas and commercial and industrial developments in such areas as north of the Industrial Park.
- To prohibit development in excessively marshy areas.
- To enhance the entrance to Lewisporte through the provision of screening and landscaping especially in the Junction area.
- To only allow passive recreation in the Stanhope Pond watershed and in other rural areas within the Planning Area boundary.

2.8 MUNICIPAL FINANCE

Goal:

- To manage municipal expenditures and revenues so as to provide necessary municipal services within a framework of long-term financial stability.

Objectives:

- To manage municipal expenditures within a framework of restraint and maximum return of investment.

3.0 THE LAND USE PLAN

The following policies with accompanying Future Land Use Maps constitute the land use component of the Lewisporte Municipal Plan, 2004 - 2014. Included are all policies which are seen as necessary by Council to ensure that the physical development of Lewisporte is undertaken in an efficient and economic manner during the ten-year (2004 - 2014) life of this municipal plan. The Land Use Plan is meant to complement the Goals and Objectives outlined in Section 2.

3.1 GENERAL LAND USE POLICIES

The following policies can be categorized as general in scope in that they can be applied to more than one land use and to different sections of the Town of Lewisporte. They are therefore presented as a separate section of this Land Use Plan.

1) Subdivision Policies

All proposed subdivision developments shall be subject to a comprehensive evaluation by Council. The content of this evaluation will be detailed in the Lewisporte Development Regulations and will include:

- an investigation of physical features of the site and the opportunities and constraints to development that they represent. Where possible, the layout of proposed lots and roads shall conform to the topography;

- an outline of how the proposed subdivision will integrate with existing development and roads and services on adjacent lands and provide for future access to undeveloped lands in the area;
- ensure compatibility between the subdivision and surrounding land uses, both existing and future; and
- a review of municipal servicing proposals by the developer and the public costs of providing and maintaining these services.

ii) Subdivision Agreement

As a condition of approval, the Council may require the developer to enter into a subdivision agreement with the Town.

iii) Public Open Space

A minimum of 10% of the gross area of land developed for subdivision purposes shall be dedicated to the Town as Public Open Space. This land would be suitable for walking trails, tot lots, green belts etc. Council may accept from the developer in lieu of such area of land, payment of a sum of money equal to the fair market value of the land which would otherwise be required to be dedicated.

iv) Municipal Services

New development shall only be permitted in areas which can be provided with full municipal water and sewage services or on site services as approved by the Government Service Centre.

v) Easements and Emergency Access

Where land is required for utility easements or emergency access, such land shall be obtained for the appropriate agency in the course of approving subdivision or other development applications.

vi) Soils and Drainage

Development shall only be permitted on lands having soil and drainage conditions which are suitable to permit the proper siting and development of the proposed uses.

vii) Building Setbacks

Building setbacks from roads shall be provided in accordance with the Lewistown Development Regulations to preserve the right-of-way widths specified in this Plan. Such setbacks should be sufficient to allow appropriate landscaping and to permit the parking and movement of vehicles clear of any road allowance.

viii) Development of Non-residential Uses

As a condition of approval for the development or redevelopment of any non-residential use, the Town may require the following facilities along that side of the lot which adjoins a non-compatible use:

- (a) increased yards;
- (b) planting strips, screening, fencing and/or berms; and
- © prohibitions on parking, delivery, loading and open storage.

ix) Access to a Public Street

All development shall front onto a publicly maintained street, unless otherwise specified in this Plan.

x) Livestock Buffer

A 600 metre buffer shall be established around the livestock operation on Route 340. In order to minimize potential conflicts resulting from odour, noise or other pollution, development within this buffer shall be limited to compatible commercial and rural land uses.

Dwellings may only be permitted within the buffer as an accessory to a permitted rural use. Accessory dwellings shall only be permitted in accordance with the conditions specified in the Lewisporte Development

Regulations for the Rural Land Use zone and with the approval of the Soil and Land Management Division, Department of Natural Resources.

New commercial development within the 600 metre livestock buffer shall conform to the conditions as set out in the Lewisporte Development Regulations for the appropriate land use zone.

xi) Archaeological Sites and Artifacts

Lewisporte, being situated at the head of Burnt Bay in the Bay of Exploits, has an historical past due to its location. Therefore, development within the planning area may encounter archaeological sites and artifacts from time to time. The Historic Resources Act requires that the Provincial Archaeology Office, Department of Tourism, Culture and Recreation be contacted should archaeological remains of any significance be found.

xii) Mineral Exploration

Mineral exploration shall be permitted in the planning area as set out in the policies of this Plan and conditions of the Lewisporte Development Regulations. Aggregate mining and extraction shall only be permitted with the approval of a quarry permit from the Mineral Lands Division, Department of Natural Resources and approval of the Town of Lewisporte.

3.2 SPECIFIC POLICIES - LAND USE DESIGNATIONS

The land resources of the Lewisporte Planning Area shall be managed in accordance with the proposed land uses shown on the Future Land Use Map 1 and 2 and the land use policies contained within this Municipal Plan.

The Future Land Use Maps establish the pattern of development by dividing the Planning Area into the following land use designations:

- Residential • Residential Medium Density
• Residential Seniors
• Residential Rural
• Residential CDA

Mixed Use

- Commercial • General
• Town Centre

- Industrial • General
• Port Related
• Light
• CDA

- Open Space • Conservation
• Recreation

Public

Watershed

Rural

The following policies are to be applied specifically to the designations listed above and outlined on the Future Land Use Maps.

3.2.1 RESIDENTIAL

Residential is the major land use in Lewisporte, and will most likely remain so during the plan period. The need for new building sites will primarily be for housing. Substantial areas of land, capable of development, is still available within the serviced area of Town. Very little infilling of serviced residential areas remains in developed areas of the Town.

Objectives:

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

Policies:

- Single and double dwellings shall be permitted within areas designated Residential Medium Density and Residential Rural as set out in the Lewisporte Development Regulations.

- Row dwellings, apartment buildings, churches, schools, convenience stores or small business offices may be permitted within areas designated Residential Medium Density and Residential Rural.
- Development shall only be permitted only in areas which have direct access to a public street.

3.2.2 RESIDENTIAL DENSITY

There are four categories of residential land use designated within the Planning Area.

- Residential - Medium Density
- Residential - Seniors
- Residential - Rural
- Residential - CDA

Residential uses are also permitted within the downtown Commercial and Mixed Use designations in this Plan.

3.2.2.1 Residential - Medium Density

This designation is applied to areas where priority will be given to new serviced residential development or to maintaining existing residential neighbourhoods during the Planning Period.

Policies:

- Single family and double dwellings shall be permitted within this designation. Row housing and apartment buildings may be permitted at Council's discretion in order that they be compatible with surrounding areas. The specific types and densities of uses permitted shall be established in the Lewisporte Development Regulations.
- Compatible open space and uses such as parks, churches, etc,) may be permitted as a discretionary use within residential areas, provided that:
 - a) the use does not conflict with neighbouring uses;
 - b) the dominant use within the area continues to be residential; and
 - c) adequate pedestrian and vehicular access and on-site parking can be provided.
- Local convenience stores and other limited commercial uses which serve local neighbourhood needs only may be permitted within residential areas provided that the commercial use is clearly subsidiary to the residential use (e.g., where the commercial use is contained within the residence).
- Local commercial uses within Residential areas should preferably be located near a park or school site or in proximity to a major road.

- Residential development shall comply with the General Land Use Policies of this Plan (Section 3.1) and the Lewisporte Development Regulations. Provisions shall be included for site design and development, the extension of roads and other services, future access to adjacent, undeveloped lands and buffering from incompatible uses.
- Boarding House Residential may be permitted subject to the discretion of council and conditions as set out in the Lewisporte Development Regulations.
- Infilling between existing buildings and properties shall be permitted subject to the policies of this Plan and other requirements for servicing, design and safety of the Town of Lewisporte, and appropriate provincial agencies, including the Departments of Health and Community Services and Environment and Conservation.

3.2.2.2 Residential - Seniors

This designation is applied to areas for semi-detached seniors housing and townhouse residential uses. Apartment type complexes for seniors shall also be a permitted use. The North Haven Manor, south of Centennial Avenue, and the newly constructed Pleasantview Manor, located at the end of Pleasant Street is zoned Residential Seniors on the Lewisporte Land Use Zoning Map 2.

Policies:

- Semi-detached seniors housing and apartment type complexes shall be a permitted use.
- Residential development shall comply with the general land use policies of this Plan (Section 3.1) and as set out in the conditions of the Lewisporte Development Regulations.

3.2.2.3 Residential - Rural

Lands on the South Side of Lewisporte, Route 340, have been designated Residential Rural to provide residential opportunities in a rural setting.

Policies:

- Single detached dwellings shall be the only residential use permitted within this designation.
- Small scale agricultural operations such as hobby farms and garden plots, recreation open space uses, forestry activities, kennels, and rural based industrial uses may be permitted at the discretion of Council, provided these uses are compatible with the permitted uses and do not pose a nuisance or hazard to surrounding uses.

- New dwellings shall be built on lots large enough to permit the long term operation of an on-site sewage disposal system. Each individual lot must be capable of supporting on site services and approved by the Government Service Centre.
- All residential development shall comply with the general land use policies of this Plan (Section 3.1) and as set out in the conditions of the Lewisporte Development Regulations.

3.2.2.4 Residential - CDA

Future residential development in designated areas shall require a Development Scheme to be completed to Council's satisfaction before development is permitted to occur. A Development Scheme shall be a professionally prepared document with text and accompanying maps. Council will offer public consultation of the development proposal and will consider comments or representations received prior to adopting an amendment for rezoning.

An area of land north of second avenue is designated for future residential development and is identified on the Lewisporte Future Land Use Map 2.

Policies:

- Lands in the Residential-Comprehensive Development Scheme zone are intended to be developed for residential uses.
- Development of this site shall be long-term in scope, mainly because of water servicing limitation. The major priority to be satisfied is the provision of full water service to the site (including reliable fire flows).

3.2.3 MIXED USE

Along Main Street, there is a mixture of different kinds of development, consisting predominantly of residential uses interspersed with businesses, light industry and public buildings. Such areas are placed under the Mixed Use designation. This designation will ensure that a viable combination of compatible uses can co-exist with the predominantly residential development. Areas designated Mixed Use are intended for the continuation of a traditional mix of land uses.

Two areas have been designated on the Future Land Use map so as to permit the continuation of a mixture of land uses. Area one is on the north side of Main Street running from Premier Drive to Cabot Street and area two, also along Main Street from Tank Road to Jo-Am Street.

Policies:

- Mixed Use designations shall be predominately reserved for residential uses which shall be a single-family dwellings, double dwellings and apartment buildings. Other forms of uses such as commercial, professional, tourist related and industrial that form a mixture of uses characteristic of the general area shall be permitted.
- Limited industrial/commercial uses and associated offices, residential uses and small retail shops and industrial/commercial enterprises related to the port shall be located on the east side of Main Street. Residential and commercial uses shall be concentrated on the west side of Main Street.
- Infilling between and minor expansion of existing uses shall be permitted on a limited basis, providing the use remains compatible with each other and that adequate municipal services can be provided.
- Light industrial uses shall be limited to small scale uses such as carpentry shops, small appliance repairs, small manufacturing, or storage of goods where its use can take place without any unwanted effects on surrounding properties or residents. Light industrial uses shall be at the discretion of Council.
- General industrial uses shall be limited to those uses directly related to the ocean related industry, such as boat repair, wharfage and storage. General industrial uses shall be at the discretion of Council and be located on the east side of Main Street only.

3.2.4 COMMERCIAL

There are two categories of commercial land uses designated within the Planning Area. They are:

- Commercial • General; and
- Town Centre.

Commercial uses are also permitted within the Mixed Use designation. Commercial uses may be permitted in the Industrial Land Use Designation, subject to the discretion of Council.

Objectives:

- To provide for the continued development of Lewisporte as a major regional centre.
- To promote Main Street as an attractive Commercial area.
- To provide for the ease and safety of traffic movement to and within commercial areas.

3.2.4.1 Commercial - General

This designation is applied to a variety of commercial uses located principally along Main Street and the Lewisporte Shopping Centre at the entrance to the Town.

Policies:

- General Commercial areas may include business and professional offices, retail outlets, accommodations and tourism related uses. Various service clubs, light industrial uses and service stations are also permitted.
- Permitted uses shall be compatible with adjoining (principally residential) uses in various locations. Council may require screening or buffers between commercial uses and adjacent residential uses.
- Future General Commercial uses shall be located so as to provide easy access and adequate parking, as required.

3.2.4.2 Commercial - Town Centre

This designation is applied to land extending along Main Street between the port-industrial uses to the north, and extending to a point between Cabot and Young Streets.

Policies:

- The uses permitted within the Commercial - Town Centre designation shall include retail shops, government and civic buildings, restaurants, financial and business offices. Uses which require extensive land areas or which require open storage shall not be permitted.

- Permitted uses shall be compatible with adjoining uses abutting this designation.
- Adequate on-site parking shall be provided in all cases.

3.2.5 INDUSTRIAL

Land is designated for industrial uses in several parts of the Town. These are divided into four major categories:

- Industrial
- General;
 - Port Related;
 - Light; and
 - Industrial - CDA

Objectives:

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

3.2.5.1 Industrial - General

Areas designated for Industrial uses are the Lewisporte Industrial Park west of Main Street at the entrance to the Town; the Port and Tank Farm area at the coastal marine terminal; an Industrial designation along the Stanhope Road, and an area south of Mussel Bed Cove as identified on the Lewisporte Future Land Use Map 2.

Policies:

- General Industrial uses such as warehousing and distribution uses, marine transportation terminals and facilities, bulk storage tanks, manufacturing and processing uses, shall be permitted.
- Parks and recreation facilities, business offices, financial offices and service stations may also be permitted on a discretionary basis. Uses which are not compatible with residential uses such as games arcades, as well as uses of a rural/resource nature, may be permitted at the discretion of Council.
- The open storage of goods or materials may be permitted for General Industrial uses, subject to the provisions of the Lewisporte Development Regulations.

- New General Industrial uses (except that requiring direct port access) shall be located in the Industrial Park. Existing General Industrial uses located in other parts of Lewisporte will be encouraged to re-locate to the Industrial Park.

3.2.5.2 Industrial - Port Related

Land designated for port related industrial uses is located in several parts of Town. Sites intended for port-related industrial uses include:

- the intersection of Main Street and Station Road designated for Coastal Marine Terminal and fuel storage.
- east of Embree Road, Route 342, at the north end of Town.
- land off Main Street occupied by the Lewisporte Yacht Club and Marina.

Policies:

- All types of industrial and transportation uses requiring port related ocean frontage for their operation, including the storage of boats and fishing equipment shall be permitted.
- Council shall ensure that adequate provision is made for safe vehicular access and parking accommodation in relation to all industrial uses.

3.2.5.2 Industrial - Light

Areas designated for Industrial - Light uses include:

- areas along the road to Lawrenceton, Route 341, which contains quarries, transport and repair garages, bus depot, and boat manufacturing.
- the Town's municipal garage and storage facilities located off Range Road.
- Atlantic Wholesalers facilities located off Premier Drive.
- A cold storage facility located at the end of Pleasant Street.
- Several commercial garages at locations off Main Street.

Policies:

- Permitted uses shall include warehousing, workshops and other industrial uses contained primarily within buildings wherein the scale and type of storage or work activity will not be intrusive or otherwise objectionable to neighbouring residential areas.
- Hazardous industrial uses may be permitted at Council's discretion and with conditions outlined in Industrial - Light Land Use Zone found in the Lewisporte Development Regulations.

- Industrial uses permitted within this designation shall be those which are appreciably free of hazards or nuisances, (e.g., noise, smell, unsightly properties) to adjoining properties, if properly managed. Examples may include wholesaling and warehousing uses, electrical substations and accessory office uses. Service stations are included in the industrial designation because of their potential hazard due to explosion or fire.

3.2.5.4 Industrial - CDA

Areas designated for Industrial - CDA are:

- north of the Industrial Park, at the entrance to Town;
- north of Tank Road; and
- an area east of Embree Road, Route 342, and north of Bayside Place.

A comprehensive plan shall be prepared and approved by Council before any development is permitted within these areas,. This plan shall be supported by documentation which considers all factors relative to development of the site, including:

- proposed road reservations and the adequate vehicular access to the site;
- site drainage to avoid any wet areas;

- where appropriate, access to Main Street, including possible redevelopment of the properties separating the site from Main Street;
- buffering from existing residential development;
- the location of industrial uses which could conflict with residential uses (by reason of noise, smell, etc.) a safe distance away from the proposed residential uses;

3.2.6 OPEN SPACE

Two categories of Open Space land uses designated within the Planning Area are:

- Open Space • Conservation; and
- Recreation.

Limited open space and recreation uses are also permitted within all other designations of this Plan.

Objectives:

- To provide recreational opportunities for residents.
- To protect physical resources, including cemeteries and environmentally sensitive lands.

- To preserve access to and protect the environmental quality of ponds, watercourses and shorelines.
- To ensure that cemeteries, historic sites and sites of archaeological significance, are preserved and maintained.

3.2.6.1 Open Space - Conservation

Land designated for Open Space - Conservation uses include undeveloped portions of the shoreline along the North Side shore, extending to Mussel Bed Cove, as well as the south side shoreline where the abutting land is intended for rural residential development.

Cemeteries which are located separately from a church are designated as Open Space-Conservation. Those cemeteries which are accessory to a church property are included in the Public Use designation.

Policies:

- No permanent buildings or structures shall be permitted on lands designated for Open Space Conservation Uses, except those necessary for environmental protection (e.g., for erosion control).
- Passive recreational uses such as hiking trails or a small picnic park may be permitted at Council's discretion.

- Public access will be preserved to Open Space - Conservation areas.
- New cemetery sites may be located in areas designated for Open Space-Conservation at Council's discretion. Approval shall be contingent on the use having access to an existing public road, require no additional municipal services and is designed to facilitate public access.
- Expansion of existing cemeteries to areas outside those designated for Open Space-Conservation may be permitted by amendment to this Plan and once the area is re-zoned to accommodate the expansion area.

3.2.6.2 Open Space - Recreation

Policies:

- Recreational facilities such as ball fields, stadium, trailer park, community parks (e.g. Woolfrey's Pond Municipal Park) and playground facilities shall be permitted on lands designated Open Space Recreation. Subsidiary structures such as change rooms or a small catering facility shall also be permitted. Activities which require the use of major developed facilities are included under the Open Space - Recreation Facility designations.

- Open Space Recreation land shall provide pedestrian access to recreation facilities (e.g., to Woolfrey's Pond) and to act as a buffer between incompatible land uses (e.g., Industrial and Residential uses).

3.2.7 PUBLIC USE

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

Objectives:

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

Policies:

- Public uses including schools, churches, government offices and facilities and community service organizations shall be permitted.

- Institutional uses may also be permitted within Residential, Mixed Use and Town Centre Commercial areas, as outlined elsewhere in this Plan, provided such criteria as adequate access and parking are met.
- Accessory uses such as school recreational facilities may also be permitted within the Public Use designation.

3.2.8 WATERSHED

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

Use of the watershed shall be limited to passive recreation uses such as hiking. No permanent buildings or structures shall be permitted within the watershed, except those required to control erosion.

Objectives:

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

Policies:

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

3.2.9 RURAL

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

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

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

Forest Management

The Town of Lewisporte has no direct control over forest management within the Planning Area. It shall ensure that forestry activities are in accordance with good management practices.

The Rural area contains wood stands that are valuable as a long term domestic wood supply for residents of Lewisporte. The Department of Natural Resources may designate lands as wood harvesting areas.

Mineral Workings

Mineral workings may be permitted as a discretionary use by Council. Mineral workings shall be subject to conditions outlined in the Lewisporte Development Regulations. Mineral workings may include the extraction, exploration, processing or storage of gravel, sand, rock or any other mined material, concrete and asphalt making, rock crushing, quarrying, sand and gravel pits and other types of mining in general.

Policies:

- No development shall be permitted within Rural areas except that associated with agriculture, forestry, outdoor recreation, mineral exploration and workings, and resource conservation.
- An accessory residence to a permitted land use in a Rural area shall be permitted only in accordance with the Conditions specified for this Zone in the Lewisporte Development Regulations.

- Small scale quarrying and other types of mineral working, may be permitted as a discretionary use by Council and shall be subject to approval of the Department of Natural Resources.
- Council may require buffer distance separation between permitted or discretionary uses and ponds, watercourses and other types of development.

4.0 IMPLEMENTATION

The Municipal Plan will be implemented over the next ten years through decisions of Council and affected agencies such as the Departments of Municipal and Provincial Affairs; Works and Transportation; Environment and Conservation; and Natural Resources. Of particular importance to Council are the following:

- effective administration of the Plan;
- the adoption of five year capital work budgets;
- land use zoning, subdivision and advertisement regulations;
- the adoption of development schemes and plans of subdivision; and
- the procedure for considering amendments to the Plan.

4.1 PLAN ADMINISTRATION

For the purposes of administering the Plan, the Proposed Land Use Maps shall be read only in conjunction with the Goals, Objectives and Policies outlined in this document. All development applications will be carefully evaluated as to their conformity to the Plan. The full conformity of all proposals to the Plan shall be required by Council.

The boundaries between land uses designations are meant to be general, except where they coincide with roads or other prominent physical features, where they are intended to define the exact limits. It is intended that no amendment to this Plan shall be required to permit minor adjustments to these boundaries. Other than such minor changes, no development shall be permitted that does not conform to this Plan.

All persons wishing to develop land for any purpose within the Lewisporte Municipal Planning Area shall apply to Council for permission through the established procedure. Council may approve applications with or without conditions. The appeal of all Council decisions to the Regional Appeal Board shall be permitted.

Prior to the major development of land within the Planning Area, a development agreement may be required, which will be signed by both the developer and the Council. This agreement shall establish the conditions under which development may proceed and shall be binding to both parties. Conditions governing developments may also be enforced by being attached to the development permit.

Nothing in this Plan shall affect the continuance of land uses which are lawfully established on the date that the Plan is adopted by Council.

4.2 PLAN IMPLEMENTATION

The preparation, adoption and approval of the Lewisporte Municipal Plan represents only a part of the planning process. The Plan cannot implement itself and can be functional and effective only through Council's actions and efforts to carry it out.

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

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

4.3 DEVELOPMENT REGULATIONS

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

4.4 DEVELOPMENT CONTROL

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

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

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

4.5 PUBLIC WORKS AND MUNICIPAL SERVICES

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

An annual public works program will be adopted and implemented by Council. This will include five year projections of work to be undertaken as required by The Municipalities Act.

The Town of Lewisporte provides the usual municipal services (water and sewer, road construction and maintenance, snowclearing, street lighting, garbage collection, volunteer fire brigade and recreational sites. The Town's major service expenditures are the water and sewer systems, followed by road construction and re-surfacing.