

TOWN OF MING'S BIGHT

MUNICIPAL PLAN

1998 - 2008

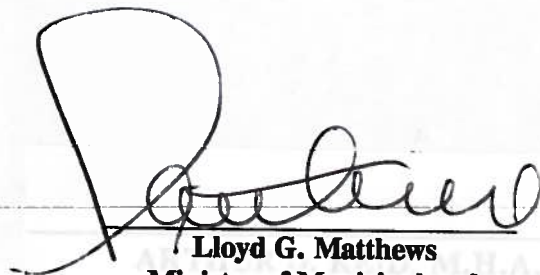
**Prepared for the Town of Ming's Bight by the
Urban and Rural Planning Division
Department of Municipal and Provincial Affairs
Government of Newfoundland and Labrador**

URBAN AND RURAL PLANNING ACT
TOWN OF MING'S BIGHT MUNICIPAL PLAN 1998-2008

NOTICE OF APPROVAL

I, Arthur D. Reid, Minister of Municipal and Provincial Affairs, under and by virtue of the powers conferred by the *Urban and Rural Planning Act*, hereby approve the *Ming's Bight Municipal Plan, 1998-2008*, adopted by the Town Council of Ming's Bight on the **30** day of **SEPTEMBER**, 1998.

Dated at St. John's this **14** day of **JANUARY**, 1998.9



Lloyd G. Matthews
Minister of Municipal and
Provincial Affairs

COUNCIL RESOLUTION TO ADOPT

Resolved, pursuant to Section 15 of the *Urban and Rural Planning Act*, that the Council of the Town of Ming's Bight adopt the Municipal Plan entitled "*Ming's Bight Municipal Plan*".

Resolved further, pursuant to Section 17 of the *Urban and Rural Planning Act*, that the Council of Ming's Bight 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: Earl Regular

SECONDED BY: Stella Jacey

Certified as a correct copy of a Resolution passed at a meeting of Council held at the Town of Ming's Bight on the 30 day of Sept., 1998.

Glenda Regular
Clerk

SEAL AND SIGNATURE

Signed and sealed pursuant to Section 15(3) of the *Urban and Rural Planning Act* this day of _____, 1998.

(SEAL)

Earl Regular
Mayor

CLERK'S CERTIFICATE

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan adopted by the Council of the Town of Ming's Bight on the _____ day of _____, 1998.

Glenda Regular
Clerk

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BACKGROUND REPORT

1.0 Introduction

The Town of Ming's Bight was incorporated on 70/06/06. The Town Council made a resolution to have a Municipal Plan prepared on 91/09/16, and subsequently the Minister of Municipal and Provincial Affairs established the Ming's Bight Municipal Planning Area. On 92/02/21, the Lieutenant Governor in Council made an Interim Development Order and Development Regulations giving the Council control over development within the Municipal Planning Area. The Order and Regulations are intended to apply for the interim period between resolving to prepare a Municipal Plan and the actual coming into effect of the Municipal Plan.

A Municipal Plan is prepared in two phases. The first is the preparation of a Background Report based upon surveys and analysis. It presents an inventory of the existing situation and outlines the problems and potentials with respect to development of the community. The Municipal Plan contains policies and proposals that will guide development for the next ten year period, and ensure a proper form and structure for the community.

This Background Report and the Municipal Plan are related to the area of land contained within the Ming's Bight Municipal Planning Area, as shown on Future Land Use Map I & II.

1.1 Location

The Town of Ming's Bight is located on the northern tip of the Baie Verte Peninsula, twenty kilometres west of the regional centre of Baie Verte. It is linked by gravel road to Route 414, which is the main transportation link for communities on the Baie Verte Peninsula.

1.2 Economy

The three resource sectors of mining, fishing, and forestry are the basic sources of employment for Ming's Bight. The fishery is the only sector that provides community based

Since economic conditions have a direct bearing on population growth, future population levels will mainly depend on the local and regional improvements in the economy. In this regard, the mining and fishing industries will likely be the determinant factors in shaping the future economy. Should the cod stocks return and the mining industry maintains its growth, then its population could range between 450 and 500 for the next ten year period. However, if the resource sector doesn't improve and the population trend for the past two decades continues, then Ming's Bight can expect its population levels to fluctuate between 425 and 450.

1.4 Housing

The single detached dwelling is the predominant housing type in the community. A small mobile home subdivision in the centre of the community has eight mobile homes, and has the potential for further development. In 1996 there were 122 houses which is up from the 116 figure reported by Statistics Canada in 1991. However, this conflicts with Council's records which show that during the last five years there were 19 new housing constructed. This high number of housing startups during the last five years can be credited to the development of the new serviced subdivision, and to the number of young people who are choosing to remain in Ming's Bight.

This rapid housing growth, especially in relation to its population, makes estimating future housing needs for Ming's Bight very difficult. It is probably unrealistic to expect this kind of growth to continue into the next decade, and a more reasonable projection for a community of this size and population trends would be one or two housing lots per year for a maximum of twenty lots by the year 2007. In either case, the residential subdivision that is already partially developed can be expanded to accommodate a minimum of another forty lots. The subdivision coupled with infilling opportunities should take care of Ming's Bight housing needs for the next ten year period.

1.5 Social/Public Services

- ▶ Ming's Bight has one elementary school, and all high school students are bussed to Baie Verte.

2.0 FOREWARD

2.1 *The Municipal Plan*

PLANNING IN NEWFOUNDLAND

This Municipal Plan has been prepared in accordance with the requirements of Section 14 of the Urban and Rural Planning Act, following surveys and studies of land use, population growth, the local economy, present and future transportation 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.

2.2 *Ministerial Approval*

When the Municipal Plan is formally adopted by resolution of the Council under Section 15(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.

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.

2.5 *Municipal Plan Administration*

When a Municipal Plan comes 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 regulation.

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.

3.0 GOALS, OBJECTIVES, POLICIES

3.1 Goals:

Goals are formulated in broad terms and are derived from the values and desires held by the community. The following goals are therefore general expressions of the Council's intent for the future community with respect to matters under its jurisdiction or influence.

- ▶ To provide for future growth in all categories of land use.
- ▶ To provide an orderly layout of the community for efficient development of land use and infrastructure.
- ▶ To protect the sensitive quality, aesthetic and recreational values of the natural environment of the Planning area.

3.2 Objectives and Policies

While goals are long term ambitions of Council, the objectives are short range steps in achieving those goals. The objectives are more specific and represent a basis for the development of the Municipal Plan's policies.

The policies are statements expressing a course of action usually with respect to a particular land use class, and implement the concepts contained within the goals and objectives. For implementation of the policies and the land use classes, detailed standards and precise requirements are outlined in the Development Regulations.

- Policy**
- This policy shall apply to the Mixed Areas as shown on Future Land Use Map II.
 - All development, with the exception of Special Infill Lots, must have adequate road access and lot frontage on a public road.
 - When non-residential uses are placed near residential uses, the residential use shall be protected from incompatible aspects of the non-residential development. This shall be done by providing adequate sideyards, separation, screening and buffering.
 - Where municipal water and/or sewer services are provided, new development must be connected to these services before occupancy is permitted. Where on site services are proposed, it must be demonstrated that the site has the capacity to bear such services over the long term without adverse or off-site impacts.
 - The primary use shall be residential. Other uses of a commercial, public, light industrial, and open space type may be permitted provided they do not create any nuisance to adjacent land uses. Council shall require adequate off-street parking for each development.
 - Council may also consider mineral workings and exploration in this designation.
 - Home based businesses and developments compatible with the residential component may also be permitted at the discretion of Council.

- (c) Only single dwellings may be permitted.
- (d) Development does not prejudice the economical subdivision of adjacent lands.

3.2.3 Residential

Two sites are identified for future residential development. The first will be the continuation of the existing subdivision, which can support a minimum of another forty lots. This will be developed as the need arises. The second area is located east of South Brook. This site is reserved for long term development and quite possibly will not be developed within the life of this Municipal Plan. There are also infilling opportunities along the main and side roads.

- Objectives**
- To promote an environmentally safe and attractive housing supply.
 - To accommodate the housing needs for the future population by providing a minimum of forty new building lots by the year 2007.
- Policy**
- All new development must front on a public road, and have appropriate frontage on that road.
 - Where municipal water and sewer are provided, new development must be connected to these services by the time of occupancy. ~~Where on-site services~~ are proposed, it must be demonstrated that the site has the capacity to bear such services over the long term without adverse or off-site impacts.
 - The primary use shall be residential. Uses related to neighbourhood convenience, home occupations, mineral exploration may also be permitted at Council's discretion.

3.2.5 Environmental Protection

The watershed for the town's water supply is located west of the town, and is protected under the Department of Environment and Labour's legislation.

- Objectives**
- To provide for a safe and dependable water supply for Ming's Bight.
 - To prevent pollution or harmful development in the municipal water supply area.
- Policy**
- This policy shall apply to the Environmental Protection designation shown on Future Land Use Map I.
 - All proposals for development within the watershed must have approval of the Water Resources Division, Department of Environment and Labour.
 - Future uses within this designation will be those related to the conservation of the water supply. Forestry uses and mineral exploration may also be permitted at the discretion of Council.

3.2.6 Rural Resource

~~The Rural Resource designation includes the remainder of the Planning area that is not identified for mixed, residential, or waste disposal uses. These rural areas are mainly used for domestic wood cutting and aggregate extraction.~~

- The land within this designation may be used for uses associated with forestry, agriculture, fishery, recreation, tourism, industrial, mineral workings and mineral exploration, cemeteries, and animal.

4. MUNICIPAL PLAN IMPLEMENTATION

4.1 Introduction

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

4.2 Development Regulations

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

I. General Regulations

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

4.3 *Development Control*

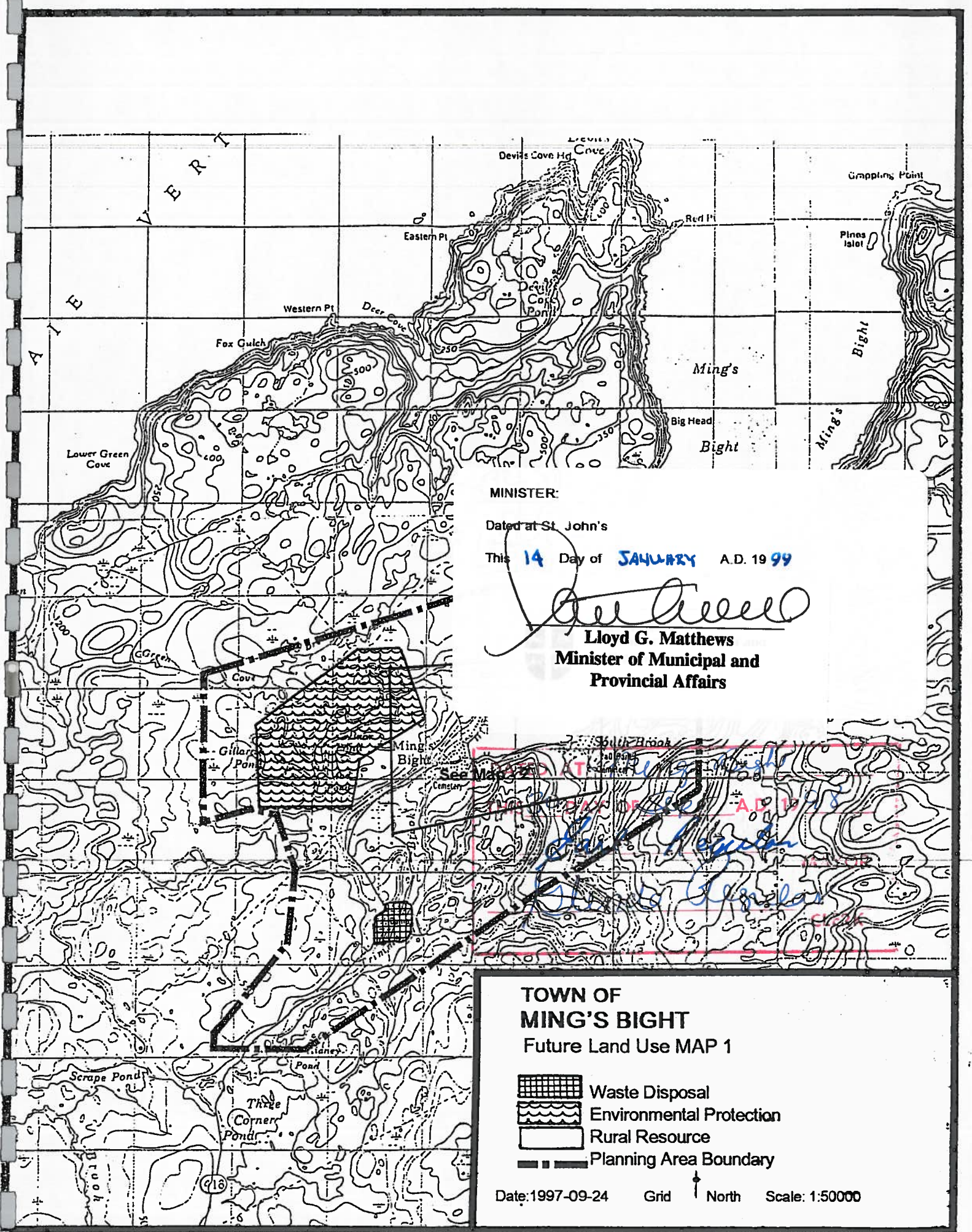
The Municipal Plan is a legal document which is binding upon all persons, groups, or organizations, including the municipal council. Before any land development can take place, an application must first be made to Council for permission. Development may take place only after Council has reviewed the application and granted approval. Anyone who fails to follow the required application process or who otherwise violates the Municipal Plan or Regulations can be prosecuted and may be ordered to remove any illegal structure and restore the site and buildings on it to their original state.

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

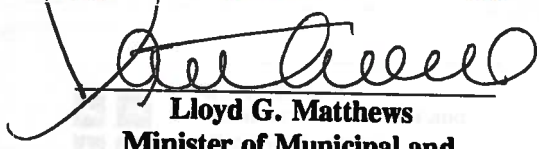
An application to develop must be made on the proper application form prescribed by Council. All applications must show as accurately as possible the location of the site of proposed development and include a plot plan showing the location of existing and proposed buildings and structures on the proposed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

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

Development Scheme, land may be reserved for such things as public roadways, residential subdivisions, schools, parks or open space. Development Schemes can also provide for the acquisition, subdivision, sale or lease of land and buildings by the municipality. They are prepared and adopted in a manner similar to the process of adopting a Municipal Plan and, when approved, form part of the Municipal Plan.



A I E
 V E R T
 Eastern Pt
 Western Pt
 Fox Gulch
 Lower Green Cove
 Deer Cove
 Devil's Cove Hg
 Red Pt
 Ming's
 Big Head
 Bight
 Ming's
 Bight
 Ming's
 Bight
 Grappling Point
 Pines Islet

MINISTER:
 Dated at St. John's
 This 14 Day of JANUARY A.D. 19 99

Lloyd G. Matthews
 Minister of Municipal and
 Provincial Affairs

See Map
 SOUTH BRIDGE
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TOWN OF
MING'S BIGHT
 Future Land Use MAP 1

-  Waste Disposal
-  Environmental Protection
-  Rural Resource
-  Planning Area Boundary

Date: 1997-09-24 Grid North Scale: 1:50000