

SPRINGDALE MUNICIPAL PLAN 2015

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF SPRINGDALE MUNICIPAL PLAN**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Springdale adopts the Town of Springdale Municipal Plan.

Adopted by the Town Council of Springdale on the 1ST day of February, 2016.

Signed and sealed this 14th day of March, 2016.

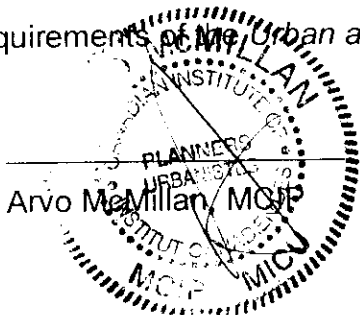
Mayor: Harvey Tizzard
Harvey Tizzard

Clerk: Daphne Earle
Daphne Earle

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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

MCIP: Arvo McMillan, MCIP



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF SPRINGDALE MUNICIPAL PLAN**

Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Springdale

- a) adopted the Town of Springdale Municipal Plan on the 1st day of February, 2016.
- b) gave notice of the adoption of the Town of Springdale Municipal Plan by advertisement inserted on the 11th day of February, 2016 and the 18th day of February, 2016 in the Nor'Wester newspaper.
- c) set the 2nd day of March, 2016 at 7:00 p.m. at the Town Hall, Springdale for the holding of a public hearing to consider objections and submissions.

Now under the authority of section 23 of the *Urban and Rural Planning Act 2000*, on the 14th day of March, 2016 the Town Council of Springdale approves the Town of Springdale Municipal Plan as adopted.

SIGNED AND SEALED this 16 day of March, 2016

Mayor: Harvey Tizzard
Harvey Tizzard

Clerk: Daphne Earle
Daphne Earle

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April 11, 2016
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TOWN OF SPRINGDALE MUNICIPAL PLAN

1 INTRODUCTION

The Town of Springdale's official website, greets the visitor with the following statements that perfectly encapsulate the nature of the Town, and its direction for this municipal plan:

Welcome to the Town of Springdale - located in Central Newfoundland & Labrador, Canada. With a population of 2,907, Springdale provides small-town appeal with big-town services. The Town of Springdale is the economic and business centre of the Green Bay area, serving smaller outlying communities with a total market area of approximately 12,000. The town is a modern, well-groomed town nestled between rolling hills and rugged coastline of Hall's Bay.

The community acts as a service centre to the Green Bay area and has developed an infrastructure which includes an industrial park, health care facilities, banking institutions, senior citizens complex, restaurants, library, museums and a volunteer fire department. Springdale also boasts an amazing variety of services, small businesses, and industrial enterprises can be found in the community.

Nestled in the heart of Newfoundland, Springdale offers a range of cultural and recreational opportunities, along with access to state-of-the-art health care, education, transportation and communications.

We are proud of the quality of life our residents enjoy and of the services and amenities that help drive our growing economy. Browse the following pages to see why Springdale is one of the best places to live, work and play in Newfoundland!

1.1 THE PLAN AND DEVELOPMENT REGULATIONS

This Springdale Municipal Plan 2015 replaces the Springdale Municipal Plan and Development Regulations 2006-2016 which were gazetted in 2007. The Urban and Rural Planning Act requires that a municipal plan be reviewed every five years.

The Springdale Municipal Plan contains goals and land use policies approved by Council and registered by the Minister of Municipal and Intergovernmental Affairs. The Municipal Plan is binding upon Council and upon all other persons, corporations and organizations within the Springdale Municipal Planning Area.

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The Springdale Development Regulations 2015 were approved and registered at the same time as the Springdale Municipal Plan 2015. These development regulations implement the land use policies of the Municipal Plan with very specific land use controls, including provisions regarding non-conforming uses. Included with the Springdale Development Regulations is Newfoundland Regulation 3/01 - Development Regulations under the Urban and Rural Planning Act 2000.

Policies and regulations under the Municipal Plan and Development Regulations must comply with all applicable Provincial and Federal regulations. Prior to adoption by the Town under the Urban and Rural Planning Act, the Department of Municipal and Intergovernmental Affairs reviews the Plan and Regulations to "to determine provincial and other government agency interests. . . ." (Section 15(3) of the Urban and Rural Planning Act)

Development schemes, design concepts, comprehensive plans, subdivision agreements and concept plans, *further implement the Municipal Plan and Development Regulations* with more detailed designs, design strategies and policies for roads and other facilities, and development.

1.2 PROCESS AND DOCUMENTATION

This plan reflects and includes, either through direct reference or by implication elements of the 2006-2016 Municipal Plan, the 2010 Integrated Community Sustainability Plan, the Municipal Stewardship Agreement and the 2014 Town Hall Meeting, plus information obtained through stakeholder and public consultations in 2013, 2014 and early and mid 2015 and various agencies, council and employees.

Changes

Plan 2015 does not in any significant way differ from the Plan 2006-2016, including amendments. Changes include:

- Replacement of the Residential Flood and Commercial Flood designations and zones with Residential and Commercial under the Special Policy Area Overlay in the high water table area next to Davis Brook, with no change to the basic cautionary policy regarding development in this area;
- Removal of the Residential Tourism designation from the Riverwood Development on Indian River (and zone) and instead accommodates tourism related uses under the Residential Designation, and allows such uses discretionary uses under the Residential Low Density Zone.
- The accommodation of other options such as Island Rock Cove for a commercial recreational marina instead of the earlier proposed Lower Wolf Cove marina in the Town Centre which was heavily emphasized under the 2006 plan;

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- The accommodation of marina and transportation related uses along the marine coastline of Hall's Bay, including areas designated and zoned Environmental Protection, but not to include the Indian River delta and areas included within the Stewardship Agreement;
- Clarifications and refinements to include such matters as Groundwater Assessment and Protected Water Bodies within the plan and regulations.

1.3 TOWN AND MUNICIPAL PLANNING AREA

The Springdale Municipal Planning Area is the area set out under the Urban and Rural Planning Act for planning and regulatory purposes.

The Town of Springdale exercises full planning and zoning control within the Springdale Planning Area. However, Springdale does not levy taxes and provide municipal services to residents and businesses outside the Town boundary. Springdale does, however, voluntarily provide emergency services within the Planning Area and to other communities outside the Planning Area.

The Springdale Municipal Planning Area has an area of approximately 112.2 square kilometres (11,220 hectares). The Town of Springdale itself has an area of approximately 17.6 square kilometres (1,760 hectares).

The Planning Area boundary parallels the Trans Canada Highway at a distance of 400 metres from its right of way from Highway 390 to the bottom of Hall's Bay, that is, West Bottom, to the Town of South Brook. Outside of the Town's municipal boundary, the Planning Area is rural in character, encompassing a number of farms, an airport, seasonal residences, particularly along the West Bottom portion of Hall's Bay, and a major portion of the Town's protected water supply area, together with major wetlands tied to Indian River which are protected under a Municipal Stewardship Agreement and this municipal plan.

Population and Dwelling Units

2011 Census Profile indicates that the population of Springdale increased from 2,764 in 2006 (it was 3045 in 2001) to 2,907 in 2011 – a 5% increase. The total number of private dwellings was estimated to be 1,268 in 2011 (1,193 in 2006). The average household size is 2.3 in 2011, slightly lower than the 2.4 in 2006.

Because of data source limitations the above data does not include population and dwellings outside the Springdale Municipal Boundary. The Planning Area lying outside the municipal boundary straddles Statistics Canada Subdivisions P and C of Division 8. However, an examination of the Google Earth map indicates that there are approximately 35 seasonal residences along Hall's Bay, another 12 seasonal residences around Davis Pond, 5 permanent dwellings along Highway 392, and about 25 permanent dwellings off Highway 390 – overall, about 77 dwellings in the Planning Area outside the municipal boundary.

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Education

Indian River Academy (K-6) and Indian River High School (grades 7-12) are the two schools.

Solid Waste Disposal

Garbage is now handled by the Green Bay Waste Authority and taken to a landfill off the Roberts Arm Road.

Water Supply and Distribution, Water and Sewer Services

The Town's water supply and distribution and sewer services appear to be working well. Sewage treatment remains an outstanding issue, and, so is the extension of the LOS ("Limit of Servicing") Agreement to cover newer subdivisions.

The Town is committed to implementing the Waste Water Systems Effluent Regulations of Canada which require that by 2030 waste water from communities achieve secondary treatment before being discharged into a body of water.

The new Federal Wastewater System Effluent Regulations (WSER), effective July 2012, requires all municipalities to bring their waste water systems to a secondary treatment level by 2020, 2030, or 2040 depending on criteria set out under the Fisheries Act. Municipalities are required to obtain a Transitional Authorization from the Federal Government permitting the deposit of effluent into water bodies until such time as secondary treatment is completed. In Springdale's case, secondary treatment is required by 2030.

During the Transitional Authorization period, municipalities are required to monitor effluent flow and conduct sampling, the results of which are to be reported quarterly.

The Town of Springdale is currently in compliance with all timelines and regulations associated with WSER.

Major Developments From January 1, 2007 to December 31, 2014

During the eight year period between January 1, 2007 and November 13, 2014 building permits were issued for 76 new dwellings and 18 commercial buildings for an average of about 10 (9.5) new dwellings and about two new commercial buildings per year.

In areas currently designated Residential, pending subdivision and development approvals, there could be an ability to generate approximately 150 to 200 new single dwelling building lots during the life of this plan

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- Up to the end of 2013, seven amendments to the municipal plan and eight amendments to the development regulations have opened up a relatively moderate amount of additional land for residential development off Main Street West (Highway 390 - Little Bay Road) and Main Street East. and Saunder's Hill off Main Street.

- A large block of commercial land next to Davis Brook, but leaving the frontage on Highway 390 intact, was redesignated to Residential, the other amendments took land out of the Rural designation by extending the Residential designation.

- The Saunder's Hill amendment replaced a Residential Seasonal designation with a Residential designation.

- Indian River – the gradual build-out of the Riverwood Landing housing development and the completion of Riverwood Inn. As currently planned this development will ultimately accommodate 20 single dwelling lots.

- Health Services – Hospital – Site work has started on a replacement for the Green Bay Health Centre, completion date to be determined.

“As one of the facilities associated with the Central Health it will continue to provide a similar level of services to an area which encompasses, Triton, Roberts Arm, South Brook, Springdale, King's Point, Middle Arm and Little Bay Islands.”

- Health Services – Seniors – Central Health's revamped Valley Vista Senior Citizens Complex which provides a significant variety of services to seniors with appropriate levels of care. The newest addition to the Complex is Vista Place, a collection of cottages for seniors located off Circular Road.

- Marina Proposal – Island Rock Cove – The original intent to develop a recreational marina in Lower Wolf Cove has been replaced by a proposal to locate this facility in Island Rock Cove. The feasibility and conceptual design study for this site was completed in June 2015, and the Town has now authorized the consultant to prepare a detailed design of the marina.

- Marinas – In addition to the Island Rock Cove marina, this Plan accommodates commercial marinas under a variety of designations in a variety of locations along Hall's Bay exclusive of the Indian River delta and Municipal Stewardship areas.

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1.4 ENVIRONMENT, CLIMATE CHANGE

The shoreline of Hall's Bay is not considered to be particularly vulnerable to damage brought about by the expected increased precipitation, sea level rise and storm damage triggered by both normal and climate change driven weather events. Nonetheless existing areas of high water tables and rock slides, together with occasional flooding, need to be accounted for in the municipal plan policies.

1.5 EMERGENCY ACCESS – ROUTES 390/392

During a recent storm event, access to Springdale was blocked on Highway 390 because of damage to the bridge which crosses Davis Brook. The Town is considering options to prevent such an event from recurring, including:

- a) Redesign of Davis Brook bridge and altering the river bed to prevent flooding;
- b) Ensuring that an alternate access can be provided off Route 392 (Little Bay Highway).

1.6 PROJECTION

Development and population growth has been fairly moderate and there is nothing to suggest that that this will change, that is, no major developments, and an ageing population. However, its strong health and education sectors, a vital downtown and a good array of consumer and business services mean that it will remain as the predominant community of this region.

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2 GENERAL OBJECTIVES AND IMPLEMENTATION

Objective

The primary objective of the Plan and Regulations is to contribute to the Town of Springdale's attractiveness and livability for its residents and indirectly, to contribute to the Town's economic development by helping to create a place that people want to live and work in.

The Plan can help achieve this objective if it accommodates and encourages constructive change that will foster the community and region's economic and social development while adhering to basic principles of economically sound and environmentally appropriate urban and rural development within the Municipal Planning Area and the Town of Springdale. For example, to accommodate appropriate change in a timely fashion the plan is flexible, so that within reason a great variety of uses can be allowed under a variety of designations.

Implementation

This Municipal Plan is implemented through the Development Regulations and the land use policies and other provisions of the Plan itself.

2.1 FUTURE LAND USE DESIGNATIONS AND POLICIES

To identify land for the future development needs of Springdale, land use designations are established in the Plan and designated on Future Land Use Maps:

The boundaries between the land use designations set out on the Future Land Use maps are general only and, except in the case of roads or other physical barriers, are not intended to define exact limits. Therefore, minor adjustments may be made to these boundaries for the purpose of implementing the Plan.

2.2 GENERAL DEVELOPMENT POLICY

- (1) In addition to any other considerations under this Municipal Plan, the Town may refuse permission for a development where in its opinion services are inadequate or it is uneconomical to provide and maintain these services.
- (2) In order to ensure that development occurs in an orderly manner and that appropriate development opportunities are maximized, subdivisions and other major developments shall be coordinated with other existing and proposed developments and the Planning Area's road system and services. These developments may be required to provide for public access to adjacent undeveloped lands.

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- (3) Particularly for larger developments, the Town can require that a comprehensive plan of development be prepared and adopted before any development is permitted. This comprehensive plan would show the details of the development and indicate how the balance of the affected area is to be accessed and developed.
- (4) When reviewing a development proposal, the Town shall consider the suitability of a site in terms of steepness of grades, soils and geology, location of waterways and wetlands and shall, when considering approval, ensure that the development has minimal or no negative effects on other properties and bodies of water.
- (5) If in its opinion, the development of the site having certain characteristics, such as steep or unstable slopes, poor drainage, high water table and so forth, could create problems for the development of the site or nearby properties, the Town can require the submission of a review of the development proposal by a certified engineer, landscape architect or similar professional.

Among other matters, the review shall evaluate the adequacy of site grading, drainage and landscaping and the potential of the development to cause erosion onto and pollution of adjacent properties and bodies of water.

2.3 CONDITIONS – ALL DEVELOPMENT

(1) Services and Access

Services and access must be appropriate to the type and scale of development.

The Town shall ensure that new development makes efficient use of existing roads and infrastructure. The Town shall further ensure that new development will not create unreasonable servicing demands or costs.

Within the municipal servicing limits, development shall be connected to municipal water and sewer services. If deemed feasible by the Town, development adjacent serviced areas may be connected to the Springdale municipal water and sewer systems provided that there is sufficient capacity in the existing systems and provided that the developer agrees to pay for the cost of the extension of the services.

Development lacking either municipal water and/or municipal sewer services shall be approved by appropriate Provincial Government agencies before a permit is issued by the Town.

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Groundwater Assessment – New Subdivisions The approval of new unserviced subdivisions containing five or more lots or the addition of unserviced lots to existing unserviced subdivisions require that a groundwater assessment be done to determine with high probability that acceptable quality and quantity drinking water will be available to homeowners for both the short and long term. This shall be done in accordance with the Provincial Land Use Policy – ‘Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Served by Individual Private Wells’ as from time to time amended and administered by the Department of Environment and Conservation, Water Resources Management Division.

Unserviced and Semi-Serviced Development – Development on individual parcels of land with onsite sewage disposal and/or onsite water supply requires the approval of Service NL under the Sanitation Regulations of the Health and Community Services Act. In addition to the standards regarding onsite sewage disposal and water supply, the Department also sets out minimum lot area and frontage requirements for unserviced and semi-serviced development pursuant to the Sanitation Regulations.

(2) Uses Allowed In All Designations

Subject to specific restrictions as under the Environmental Protection Designation - Management Units and the other provisions of this Municipal Plan and the Development Regulations, accessory buildings and uses, conservation, public services and utilities, recreational open space and trails can be allowed in all designations as either permitted or discretionary uses.

(3) Compatibility of Uses, Buffers and Screening

The Town shall ensure as much as possible that new development will not negatively affect existing and proposed land uses by creating a hazard or nuisance such as noise, dust, odour or unsightly appearance. The Town may require a developer to provide appropriate screening and to undertake other measures to minimize negative effects.

2.4 ADVERTISEMENTS AND SIGNS

Signage should facilitate orientation within the Planning Area and help promote its human and physical resources in a way that contributes to the overall attractiveness and distinctiveness of Springdale and its environs.

Regulations shall ensure that signs are not hazardous to traffic and are in compliance with Provincial policy.

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Standards for signs may vary in different parts of the Town and Planning Area in order to reflect and enhance the special character of any area, such as the Town Centre and Little Bay Road areas.

2.5 AGRICULTURE

The Town's policy is to protect agricultural operations and resources by requiring compliance with applicable Provincial regulations.

Higher intensity livestock and related agricultural uses shall be separated by an adequate buffer between existing and proposed residential developments. These agricultural uses shall conform to Provincial Government policies and guidelines with respect to such operations.

2.6 ARCHAEOLOGICAL AND HERITAGE RESOURCES

The Town shall endeavour to conserve and develop its heritage resources. It shall encourage the preservation of buildings and sites of historic interest, through regulation and/or other suitable means, including the designation of selected buildings and sites.

Archaeological sites and discoveries are protected under the *Historic Resources Act, RSNL, 1990 CHAPTER H-4*. If such a site is discovered, in the Town and Planning Area development shall stop and the Provincial Archaeology Office of the Heritage Division of the Department of Business, Tourism, Culture and Rural Development consulted.

The Provincial Archaeology Office has identified archaeological sites in the West Bottom area of Hall's Bay, Hall's Bay, Indian Brook Arm, Dock Cove Hall's Bay, and in the Town proper.

These sites are protected by buffers as shown on the Future Land Use and Land Use Zoning Maps where all development must be reviewed and approved by the Provincial Archaeology Office of the Heritage Division of the Department of Tourism, Recreation and Culture before a permit is issued by the Town.

After proper notification and consultation, the Town may designate any property or structure a heritage property or building and require that certain conditions pertaining to appearance and upkeep be maintained.

The Town may designate an entire area containing groupings of archaeological and/or heritage sites a heritage area under which certain conditions designed to protect and best develop the resources are put into place.

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2.7 COASTLINE AND HARBOUR AREAS, STREAMS

In order to protect lives and property and the natural environment, the Town shall review development proposals for sites adjacent or near streams and the marine coast line and harbours to ensure that unless it is a use requiring direct access to the body of water, potential damage to persons and property is avoided or minimized.

The Town shall pay particular attention to the safety of vulnerable populations and the provision of emergency services when reviewing a development at or near areas likely to be affected by storms and floods.

The Town in its discretion may refuse to issue a permit for a development that could be affected by a storm event based upon previous events, local knowledge and/or other appropriate research.

2.8 COMPREHENSIVE DEVELOPMENT

At the discretion of the Town a comprehensive development containing one or more individual developments may be permitted as a single comprehensive development on public or private roads and services.

While the use classes and overall density of the comprehensive development must comply with the use zone schedule of the zone in which it is located, other standards can be modified or waived.

The development must be compatible with adjacent development. The comprehensive development itself must access a public road.

The Town may require that a comprehensive development be connected to municipal water and sewer services.

2.9 DISCRETIONARY USES

Unless it is specifically set out as a discretionary use in the Municipal Plan, the Town may decide that a use should be set out as a discretionary use under the Development Regulations, where:

- a) it determines that the use could negatively affect the predominant uses of the zone and that in order to mitigate this impact it is desirable to consult with the public and possible affected parties prior to issuing, issuing subject to conditions, or refusing, a permit;
- b) it is necessary to attach conditions to an approval that differ from the standard conditions under the Development Regulations to ensure that the discretionary use is compatible with nearby uses and the predominant uses of the zone.

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2.10 ENVIRONMENT

In reviewing an application for a permit, the impact of a development on the land, marine and air environment of the Planning Area shall be considered and Provincial policies on the environment adhered to.

A number of these issues are addressed under separate sections of the Municipal Plan.

2.11 FORESTRY

Commercial forestry (as opposed to domestic cutting) is jointly managed by the Forestry and Agrifoods Agency and the Corner Brook Pulp and Paper Company.

Forestry activities are regulated by the Agency, and activities on Company lands can only occur with the permission of the Company.

2.12 HAZARD AREAS - LANDSLIDES AND HIGH WATER TABLES

See also Section 2.2 (4).

In the early 90's a major rock fall occurred back of Taylor's Road which caused some property damage. A gabion wall was erected to prevent further land slides. Furthermore, due to unusually heavy rain falls, localized flooding was experienced around Davis Brook in April 2006. In early May 2007, a desk-top study was completed which confirmed the high water table and suggested possible drainage solutions. Before beginning any new drainage work, further analysis of soil conditions and water flows would be needed.

- (1) Landslide Potential - Boyle's Hill Etc. - Development within 100 metres of the top of Boyle's Hill and along the top of the embankment or cliff running parallel with Little Bay Road and Main Street, or other steeply sloped areas deemed to be potentially unstable or hazardous, shall be reviewed to ensure that the development does not negatively affect the stability of the embankment or cliff or increase or create the likelihood of landslides or snowslides occurring. Likewise, development under or near the foot of a steep embankment shall be reviewed to ensure that such development does not increase the instability of the embankment or is likely to be exposed to landslides or avalanches.
- (2) High Water Table - Davis Brook Area – "Special Policy Area" – While Springdale does not have designated flood risk areas under Provincial policy there is a major development area in the triangle formed by Davis Brook and Highways 390 and 392 which is known to have a high water table and periodic occurrences of surface water. This area is subject to the requirements set out under Section 2.17 of this municipal plan.

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2.13 MINERAL & HYDROCARBON EXPLORATION & MINERAL WORKINGS

Mineral exploration, hydrocarbon (oil and gas) Exploration and mineral workings may be allowed within the Planning Area under certain designations and zones as either permitted or discretionary uses.

Higher intensity forms of mineral exploration and hydrocarbon exploration are to be suitably buffered from other developments, and the sites remediated upon completion.

The Town can provide for mineral workings in areas where there are known aggregate supplies and where there is less likely to be a conflict between mineral workings and other uses. Such mineral workings shall be accommodated under designations and zones specifically designed to accommodate mineral workings and certain compatible uses, and/or they can be accommodated in the rural portions of the Planning Area, subject to controls that will minimize environmental damage and conflict with other land uses.

Permits and leases for mineral workings are to be issued by the Department of Natural Resources. However, in accordance with the Urban and Rural Planning Act a permit for a mineral working must also be issued by the Town.

The renewal of licences and leases is subject to the relevant statutes and regulations administered by the Department of Natural Resources.

Permits for mineral workings which were legally in operation at the time of the gazetting this Municipal Plan and the Town's Development Regulations may be renewed by the Town notwithstanding the designation and zone in which the mineral workings are located, provided that the Town is satisfied that such mineral workings will not have a deleterious effect on nearby land uses and environment. See also Section 108 of the Urban and Rural Planning Act – Non-Conforming Uses and Sections 15 and 16 of Newfoundland Regulations 3/01 – Development Regulations under the Urban and Rural Planning Act 2000 – Notice and hearings on change of use and Non-conformance with standards

2.14 MUNICIPAL STEWARDSHIP PROGRAM

This section incorporates, through direct citation or paraphrase, the key policy and regulatory elements of the Eastern Habitat Joint Venture Municipal Stewardship Agreement for the Town of Springdale, October 27, 2000 and signed in 2001.

- (1) Agreements provide both direct and indirect protection to the community wetlands through the establishment of *Stewardship Zones* and *Management Units*. Any amendment to the content or boundaries of the

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Stewardship Zones and Management Units would require a change to the Stewardship Agreement.

(2) Stewardship Zone

- a) The Stewardship Zone encompasses all selected wetlands within the Town and Planning Area boundary.
- b) Under the stewardship agreement the Town and its residents become stewards of the wetlands within this zone. When deciding whether or how to allow a new development or endeavour in the Stewardship Zone, the Town shall take into account the value and vulnerability of the potentially affected wetlands. The Town commits to eliminate or minimize the effects of human activity on wetlands within the Stewardship Zone.
- c) For areas within the Stewardship Zone the Eastern Habitat Joint Venture will provide consultation on wetland habitat enhancement, wetland interpretation, impact assessment and mitigation of wetland development, alternatives to wetland development.

(3) Management Units

- a) Management Units are those wetlands defined in consultation with the Eastern Habitat Joint Venture as critical to waterfowl.
- b) Since the Management Units are areas on which waterfowl depend for nesting, brood rearing or staging, they require more protection than the Stewardship Zone.
- c) Under the Municipal Plan and Development Regulations these areas are designated and zoned Environmental Protection - Management Unit and development and access by motorized vehicles via trails is carefully controlled or in some instances prohibited.
- d) Non-consumptive and non-destructive human activities, like hiking, canoeing and bird watching are permitted within Management Units.

See also Section 2.19 – Waterways and Wetlands.

2.15 NON-CONFORMING USES

In accordance with the *Urban and Rural Planning Act 2000*, a use of land that legally existed at the time of the registration of this Municipal Plan will be allowed to continue irrespective of its conformity to the Plan or Development Regulations. Specific provisions concerning legal non-conforming uses shall be set out in the Development Regulations.

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2.16 SANITARY LANDFILL (FORMER) BUFFER

A 1.6 kilometre radius buffer is retained around the former sanitary landfill that is located north of Highway 390. Any development within this buffer area must be assessed and approved by the appropriate Government Service Centre of Service NL before it is approved by the Town.

2.17 SPECIAL POLICY AREA

The Special Policy Area overlays other designations on Future Land Use Map 1.

Except for minor developments, such as small accessory buildings, fences or outdoor storage areas, development in this area must be designed in such a manner as to minimize the potential for damage to property.

The Town can require that a detailed assessment of the area's hydrology and soils be carried out before a permit is issued and can further require that the proponent bear the cost of this assessment.

See also Section 2.12(2).

2.18 TRAILS

Snowmobile and other trail networks are an important component of the Town's recreational system. These trails provide access the country, Indian River and other historic and scenic areas. Residents of Springdale are fortunate in that access to these trails is directly available from many residential, community and commercial areas of the Town.

The policy is to protect trails, for example, Indian River and Centennial, that are indicated on the Springdale Trails Map and other pertinent maps.

The Town may require that any development near a trail which appears on a trails map or other pertinent map be reviewed to ensure that the development does not negatively impact such trail.

2.19 WATERWAYS AND WETLANDS

See also Section 2.14 – Municipal Stewardship Program.

- (1) Provincial policy, sound environmental and engineering practice and protection of the Town's amenities make it the general policy of the Town to protect as many of the waterways and wetlands of the Springdale Municipal Planning as possible.

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- (2) A protective buffer of undisturbed soil and vegetation shall be preserved along the shoreline of most waterways and wetlands, except very minor ones, or where clearing is required for marine related activities. The buffer shall be sufficient to prevent erosion, retain natural drainage features, prevent siltation, preserve public access and protect fish habitat.
- (3) Subject to the appropriate approvals and reviews, only trails and accessory uses and uses requiring direct access to a body of water may be permitted in a buffer area.
- (4) The matter of adequate and usable legal public access to the waterway may be used as a consideration in the review of an application for a structure within a buffer and/or waterway.
- (5) If a waterway or wetland is deemed to be minor, wherever possible such waterways and wetlands shall remain undeveloped and protected by a buffer. If a site is to be developed, alternatives to covering over or eliminating such waterways and wetlands shall be explored, including relocation of the waterway or wetland and/or redesign of the development.
- (6) Development within and adjacent certain bodies of water, including Indian River and Davis Brook – both scheduled salmon rivers, and the marine coastline is subject to approval by the Department of Environment and Conservation and the Government of Canada.

2.20 WIND MILLS, WIND TURBINES AND WIND FARMS

Subject to specific area characteristics, such as proximity of other developments that may be sensitive to the aural, visual (aesthetic) and environmental impacts, wind mills, wind turbines and wind farms can be allowed in many or all designations.

Such facilities (utilities use class under the Development Regulations) must be approved by all relevant Provincial and Federal departments and agencies and public utilities before a permit is issued by the Town.

Wind farms, which are grouped wind mills and wind turbines, and other large scale facilities, can only be allowed away from developed areas and after full review by other agencies.

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3. DESIGNATIONS

3.1 RESIDENTIAL

The Residential Designation is applied to existing and future residential and residential mixed areas of Springdale and its Planning Area.

The Residential Designation enables the Town to zone for different mixes of housing types and different mixes of compatible non residential uses, together with appropriate tourism accommodation and marine related uses, including commercial marinas as either permitted or discretionary uses under the Development Regulations.

A tourism related development can contain one or more residential uses together with appropriate public, commercial, commercial-recreational and public recreational facilities and other compatible uses and facilities.

Subject to conditions specified in the Development Regulations, Section 2.3(2) uses are allowed under this designation.

3.2. TOWN CENTRE

The Town Centre designation is applied to the historic main business area of Springdale. The designation includes the historic waterfront, major harbour-related industries, businesses and community facilities and a residential component that complements the commercial, port industrial and community services focus of the area.

Under the Town Centre Designation the Town may zone for residential, commercial, institutional and harbour related industrial (see paragraph below) as permitted or discretionary uses under the Development Regulations.

However, to facilitate the adaptive re-use of existing structures along Main Street and elsewhere in the Town Centre, non harbour related light industrial and general industrial uses can be allowed as permitted or discretionary uses in the Town Centre designation provided that:

- a) existing structures are re-used ("adaptive re-use") – although additional buildings may erected on the property;
- b) there is no apparent noise, odour or dust from the operation and it is suitably screened from adjacent residential uses;
- c) adequate parking and offstreet loading facilities are provided in accordance with the requirements of the Development Regulations;

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- d) the development is compatible with the residential, commercial and public uses of the Town Centre;
- e) there has been adequate public consultation.

Subject to the conditions specified in the Development Regulations, Section 2.3(2) uses are allowed under this designation.

3.3 COMMERCIAL

The Commercial Designation is applied to the commercial strip along Highway 390 and Commercial Road from the edge of the Downtown (Town Centre) toward the Trans Canada Highway and past the turn off of Highway 392 to towards Little Bay Islands.

The Commercial Designation primarily allows commercial and light and heavy industrial uses that benefit from location along an arterial or other major road.

This designation also allows assembly uses, medical care, educational, residential, and other uses that can or should be located along Highway 390, Highway 392 (Little Bay) and along Commercial Road without detriment to the other uses of land under this designation as permitted or discretionary uses under the Development Regulations.

Apartment buildings double dwellings, row dwellings and single dwellings are allowed as discretionary uses in this designation. The Town must be satisfied that such development will not negatively affect the commercial and industrial development potential of lands in the Commercial Designation and hinder the operations of existing commercial and industrial uses.

No hazardous industrial uses are permitted under this designation.

Subject to conditions specified in the Development Regulations, Section 2.3(2) uses are allowed under this designation.

3.4 INDUSTRIAL

The Industrial Designation is applied to Springdale Industrial Park off Highway 390. This designation is primarily designed to accommodate heavy industrial and light industrial uses and compatible commercial and other uses as permitted uses under the Development Regulations. However, scrap yards, mineral workings, hazardous industry, transportation (helipad) and utilities are discretionary uses under the Development Regulations.

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This designation may be applied to other planned industrial parks and sites as the need arises.

Subject to conditions specified in the Development Regulations, Section 2.3(2) uses are allowed under this designation.

3.5 PUBLIC

The Public Designation is primarily designed to accommodate large scale institutional developments such as educational and health care facilities and assembly uses. Included among the permitted uses are apartment buildings which can also be used to accommodate seniors' housing, collective residential (residences for schools and hospitals and similar facilities) and public buildings and offices. Other compatible uses, including places of worship and cemeteries, are allowed as well.

Subject to conditions specified in the Development Regulations, Section 2.3(2) uses are allowed under this designation.

3.6 OPEN SPACE

The Open Space Designation is primarily used to accommodate outdoor recreational uses.

Uses that can be allowed in this designation as either permitted or discretionary uses include campgrounds, outdoor assembly (major playing fields, race tracks, etc.), cemeteries and recreational open space and trails, together with indoor assembly, marinas and uses accessory to marinas, and mineral exploration classed as development, along with transportation. Other compatible uses can be permitted in this designation.

Subject to conditions specified in the Development Regulations, Section 2.3(2) uses are allowed under this designation.

3.7 RURAL

The Rural Designation is designed to allow uses best suited for a non-urban location lacking municipal services.

Uses that can be allowed in this designation as permitted or discretionary uses include resource based uses such as agriculture, forestry, mineral exploration, mineral workings and related uses, together with uses such as campgrounds, cemeteries, scrap yards, transportation – particularly, the Springdale Airstrip off the Trans Canada Highway and float plane operations out of Davis Pond – and wind farms, accessory single dwellings, uses accessory to single dwellings, and where appropriately zoned, non-accessory single dwellings.

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Subject to conditions specified in the Development Regulations, Section 2.3(2) uses are allowed under this designation.

3.8 SEASONAL RESIDENTIAL

Seasonal residential developments, that is, cottages, are allowed in selected areas as shown on the Future Land Use Maps.

The policy is not to provide municipal sewer and water services to properties in these areas. Development does not have to front on publicly owned and maintained roads in these areas.

Permitted uses include antenna, conservation, marina, recreational open space and seasonal residential.

Campground, catering, commercial residential, convenience store, mineral exploration, transportation (to accommodate float-plane operations) and wind mills and wind turbines are included as discretionary uses.

Subject to conditions specified in the Development Regulations, Section 2.3(2) uses are allowed under this designation.

3.9 WATER SUPPLY

The municipal water system of Springdale is supplied from two sources:

- a) surface water from Sullivan's Pond backed up by Huxter's Pond, Lower Huxter's Pond and Little Huxter's Pond - all included within the designated Protected Water Supply as shown on the Future Land Use Maps; and
- b) ground water from an artesian well in the Springdale Industrial Park which serves only the Industrial Park, and this is protected by a 100 metre radius Well Head Protection Area that overlays other designations and zones.

In addition to the protections offered under the Municipal Plan and Development Regulations municipal water supplies are protected by the Province. The provisions of the Development Regulations concerning public water supply shall comply with provincial policy.

All development in the Protected Water Supply designation and within the Well Head Protection Area shall be approved by the Department of Environment and Conservation before approval is granted by the Town.

Wind mills, wind turbines and wind farms are permitted under this designation subject to all other necessary approvals.

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3.10 ENVIRONMENTAL PROTECTION

The Environmental Protection Designation is designed to protect selected wetlands and waterways.

All development under this designation is subject to the approval of the Minister of Environment and Conservation before a permit is issued by the Town.

The only permitted use in the Environmental Protection designation is conservation. Including Section 2.3(2) uses, Antenna, Marina and Transportation are discretionary uses.

Marina and Transportation

Marina and Transportation uses may be permitted as discretionary uses along that portion of the coast line of Hall's Bay which takes in Lower Island Cove to and including Dock Cove.

Furthermore, residential wharves and docks may be permitted elsewhere in Environmental Protection Zone.

3.11 ENVIRONMENTAL PROTECTION – MANAGEMENT UNIT

See Section 2.15 of the Municipal Plan.

The Environmental Protection – Management Unit designation is applied to the Municipal Stewardship Area.

Where necessary to protect wild-fowl habitat, trails for motorized vehicles can be limited or even prohibited within the Environmental Protection - Management Unit.

The only permitted use in the Environmental Protection – Management Unit designation is conservation.

Including Section 2.3(2) uses, all development in this designation is subject to the approval of the Minister of Environment and Conservation before a permit is issued by the Town.