



2016

HARBOUR MAIN CHAPEL'S COVE LAKEVIEW MUNICIPAL PLAN

Prepared for:
The Town of Harbour Main
Chapel's Cove
Lakeview

Prepared by:
CBCL Limited

Date:
January 2016

Project #:
143120.00





Urban and Rural Planning Act

Resolution to Approve

Town of Harbour Main - Chapel's Cove - Lakeview Municipal Plan 2016

Under the authority of section 16, section 17 and section 18 of the Urban and Rural Planning Act 2000, the Town Council of Harbour Main - Chapel's Cove - Lakeview

1. adopted the Harbour Main - Chapel's Cove - Lakeview Municipal Plan 2016 on the 26th day of October, 2016.
2. gave notice of the adoption of the Harbour Main - Chapel's Cove - Lakeview Municipal Plan by advertisement inserted on the 10th day and the 17th day of November, 2016 in the Shoreline.
3. Set November 29th, 2016 at the Parish Hall, Harbour Main - Chapel's Cove - Lakeview, for the holding of a public hearing to consider objections and submissions.
4. A number of written objections with respect to the Municipal Plan were received at the Harbour Main-Chapel's Cove-Lakeview Town Office within the time stipulated in the notice of public hearing and the hearing proceeded as advertised.
5. The Town Council of Harbour Main-Chapel's Cove-Lakeview considered the Commissioner's report at a regular meeting of Council held August 15, 2017, and hereby approves the Harbour Main - Chapel's Cove - Lakeview Municipal Plan 2016 with the following changes:
 - a) **Municipal Plan** – The map graphics in the Municipal Plan document that highlight the Land Use designations for each category have been deleted.
 - b) In **Section 5.1 Residential** – the following has been added to Policy R-1:
The site of Hickeys Building Supply store shall be recognized as a permitted use in the Residential land use designation and use zone.
 - c) **Section 5.5 Rural** – Policy RUR-5 Urban Expansion into Rural Area – has been deleted as most of the Rural land use designation has been changed to the Residential land use designation.
 - d) **Section 5.6 Wellhead Protection Area Policy PWS-2 Wellhead Protection**, second paragraph is revised to read:

Council recognizes that there are at present several dwellings and other uses such as agriculture within the area of influence of these wells. Existing uses shall be permitted to continue. No expansion of existing uses, a change of use, or new uses shall be permitted within 100m of these wellheads without approval from the Water Resources Management



Division, Department of Municipal Affairs and Environment. Council will work with the Water Resources Management Division and property owners within the wellhead protection area to develop plans to ensure the safety of these water supplies.

- e) The Future Land Use Map is revised by changing lands designated Rural and some areas designated Environmental Protection, to Residential north of the Conception Bay Highway, and some areas south of the Conception Bay Highway designated Rural to Residential. Lands around the east side of Third Pond are designated Environmental Protection. Map labels for waterbodies, streets and landmarks have been added or corrected.

SIGNED AND SEALED this 15th day of August, 2017.

Mayor: De Jones

Clerk: Maurin Hawco

Municipal Plan/Amendment
REGISTERED
Number 2145-2018-001
Date Nov. 8, 2018
Signature Mary Dwyer

1000000000

Urban and Rural Planning Act

Resolution to Adopt

Town of Harbour Main - Chapel's Cove - Lakeview Municipal Plan

2016

Under the authority of Section 16 of the Urban and Rural Planning Act 2000, the Town Council of Harbour Main - Chapel's Cove - Lakeview adopts the Harbour Main - Chapel's Cove - Lakeview Municipal Plan 2016.

Adopted by the Town Council of Harbour Main - Chapel's Cove - Lakeview on the 26th day of October, 2016.

Signed and sealed this 15th day of August, 2017.

Mayor:

[Signature]


Clerk:

[Signature]

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.

[Signature]
M. Bishop, FCIP



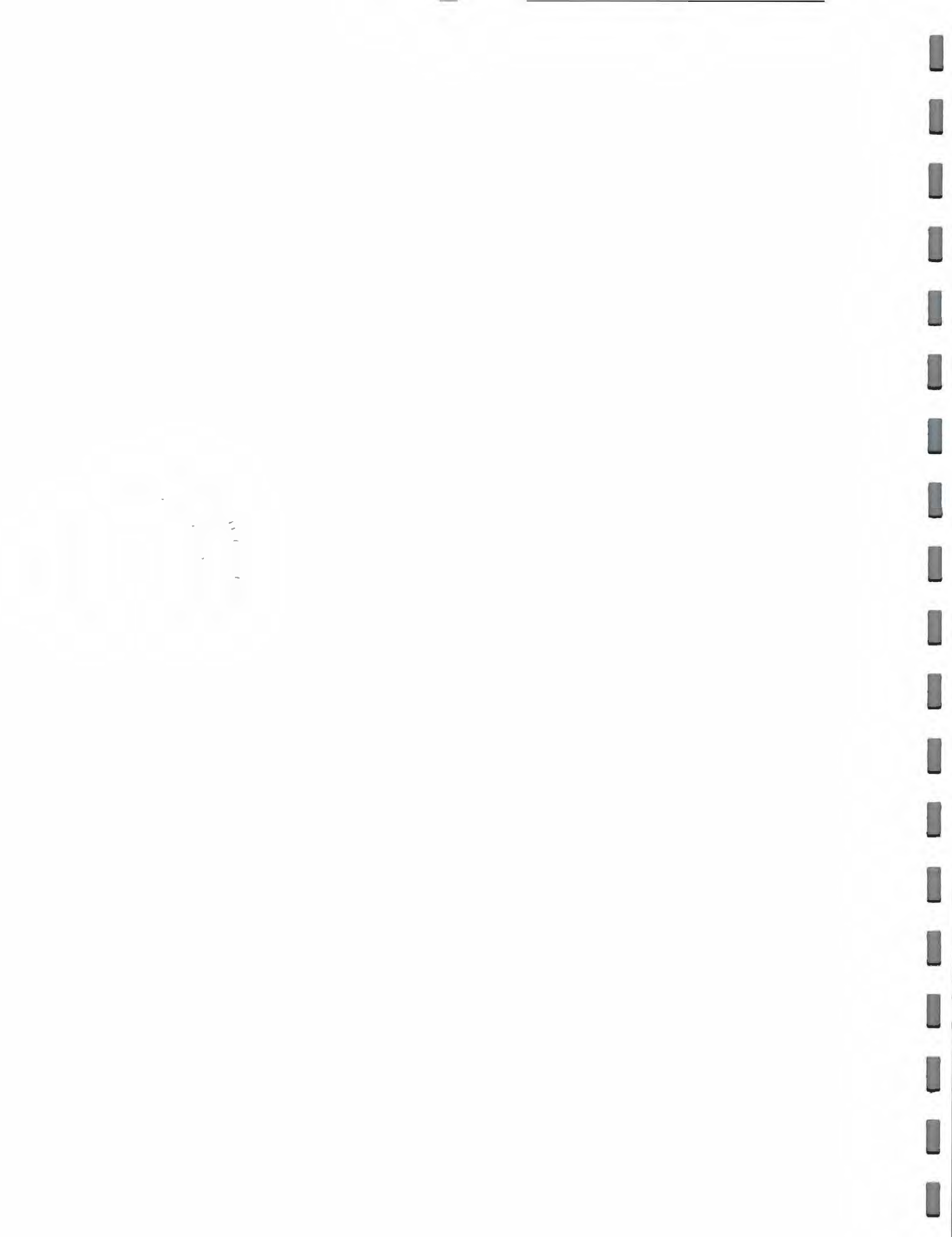


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1. Introduction

1.1. The Purpose of a Municipal Plan

The Municipal Plan is Council's main policy document for providing guidance for decisions on land use and development within the Town. For citizens, the Municipal Plan serves as a reference manual, particularly for those engaged in residential or commercial development. The policies set out in the Plan include provisions for managing growth and development, policies to protect the character and built form of the Town, promote the health and safety of residents, support the local economy, and protect the environment through the efficient utilization of land, water and other resources. The Municipal Plan sets the vision, goals, and objectives for community development and includes written policies and the Future Land Use Map. The Development Regulations implement Town policies through specific requirements that ensure land is controlled and managed in accordance with the Plan.

The Municipal Plan and Development Regulations will guide future sustainable growth and development over a ten-year period – remaining in effect until 2025.

1.2. The Planning Area

The policies of the Municipal Plan apply to all lands within the Municipal Planning Area for the Town as shown in Figure 1 on the next page.

1.3. The Planning Process

The process to review a Municipal Plan takes place in several steps, illustrated in Figure 2. The first step involves researching relevant planning issues, including a review of current land use, demographic, historical, social, and economic data about the Town. The research also involves assessing Town initiatives, reports, studies, and incorporating recommendations that are relevant into the Plan.



Public meeting, Parish Hall June 9th, 2015.

The second step involves consultations with residents. On June 9th, 2015, a consultation meeting was held at the Parish Hall on Harbour Drive. Approximately 40 residents attended and participated in discussions about the purpose of a Municipal Plan, the future of the community and the assets that people value that should be considered in creating a new Plan. Input from various government departments and agencies was also sought and incorporated into the planning documents as appropriate.

Figure 1: Town of Harbour Main – Chapel's Cove – Lakeview Municipal Planning Area

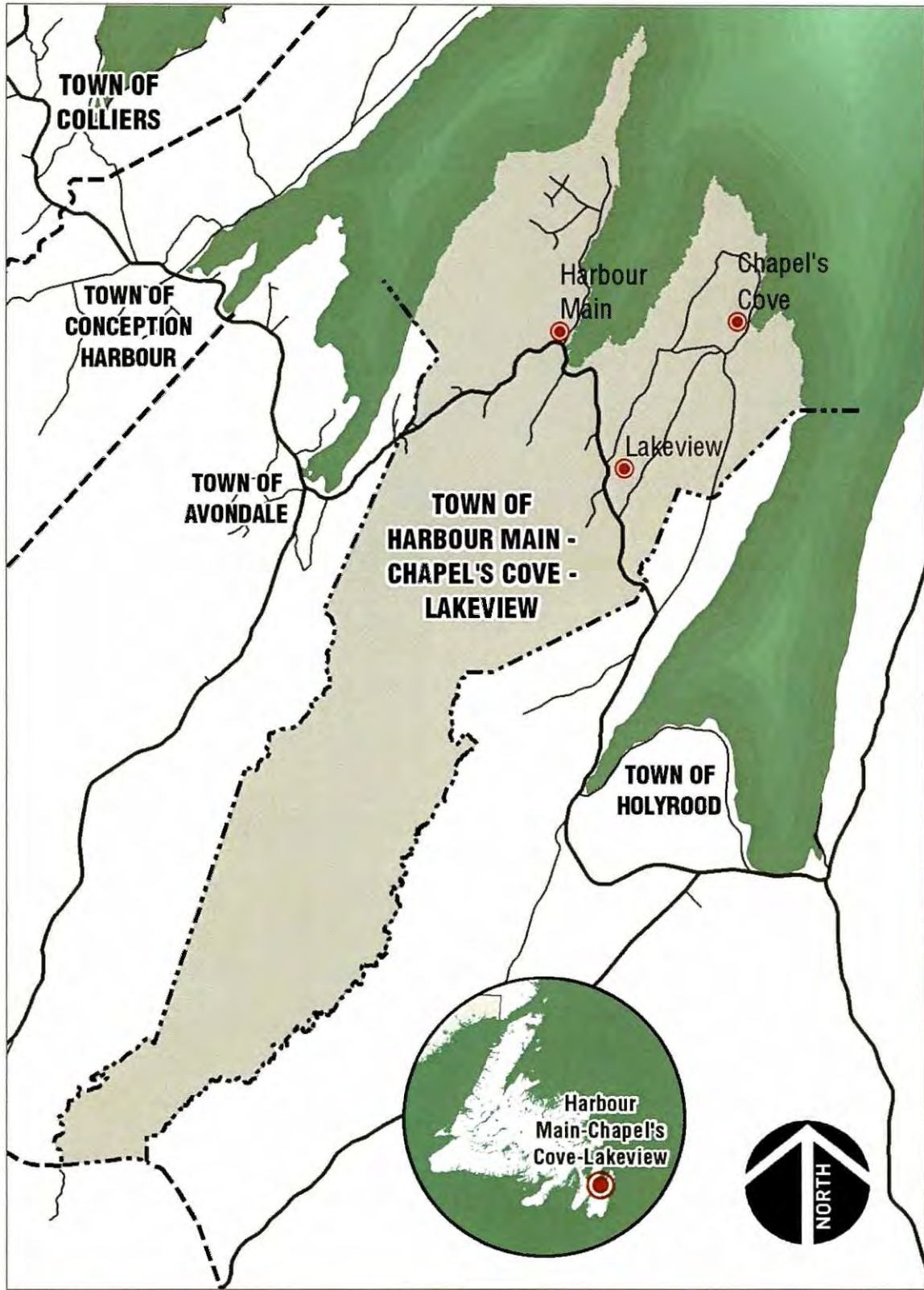




Figure 2: Municipal Plan Process

Next, the Municipal Plan and Development Regulations were written based on the information provided during the research and public consultation stages. The Draft Plan is submitted to the Minister of Municipal Affairs for review to ensure that the Plan conforms to provincial policy and law. Following the completion of the provincial review, Council may, by resolution, formally adopt the Plan in accordance with Section 16 (1) of the Urban and Rural Planning Act (2000). Council then gives notice of a public hearing on the Municipal Plan. At the public hearing, a Commissioner appointed by the Council, hears representations on the Plan, and then writes a report to Council with recommendations for changes to the Plan based on the representations made at the Hearing.

After the Commissioner's report has been submitted, Council considers the recommendations and may approve the Plan, or approve it with changes recommended by the Commissioner. Council then submits the Municipal Plan and Development Regulations to the Minister of Municipal Affairs to be registered in a planning registry established in the Department. The Plan comes into effect on the date notice of its registration is published in the Newfoundland and Labrador Gazette.

1.4. Effect and Implementation

When the Municipal Plan and Development Regulations come into effect, they are legally binding upon Council.

Day-to-day administration of the Municipal Plan and Development Regulations will be conducted by staff members authorized by Council, who

will be responsible for processing applications and issuing permits for developments approved by Council. Staff will also make recommendations to Council on matters pertaining to development in accordance with the Municipal Plan, and enforce the regulations. Details about the implementation of the Plan are outlined in Section 7.

In accordance with the Urban and Rural Planning Act, nothing in this Plan shall affect the continuance of land uses that are lawfully established on the date that this Plan comes into effect.

1.5. Reviewing and Amending the Plan

Under the Urban and Rural Planning Act (2000), Council must review the Plan every five years from the date on which it comes into effect, and if necessary, revise it to reflect changes in the community that can be foreseen during the next 10-year period. The Plan may be amended as necessary prior to the five-year review in response to new development proposals, changed policies, or community priorities. Such amendments must follow the process outlined in Sections 14 to 24 of the Act.

1.6. Organization

This Municipal Plan consists of the Plan document and the Future Land Use Map which is included in Appendix A. Section 2 of the Plan presents background information about the Town and sets the context for the vision, goals and objectives of the Plan contained in Section 3. Section 4 sets out land use policies that apply throughout the Town, followed by policies that apply to specific areas identified on the Future

Land Use Map. Section 6 presents policies for services and infrastructure and the final section deals with how the Plan will be implemented.

1.7. Interpretation

Throughout this document, several frequently used terms are used that shall be interpreted as follows;

- Council shall mean the Council of the Town of Harbour Main - Chapel's Cove - Lakeview.
- Development Regulations shall mean the Harbour Main - Chapel's Cove - Lakeview Development Regulations.
- Planning Area shall mean the Harbour Main - Chapel's Cove - Lakeview Municipal Planning Area.
- The Plan shall mean the Harbour Main - Chapel's Cove - Lakeview Municipal Plan.



2. Planning Context

Preparing a Municipal Plan requires consideration of the historical, social, economic, environmental, and infrastructure contexts of the community, and where land use policy is needed to address challenges and take advantage of opportunities, consistent with community values.

This section of the Plan briefly outlines these considerations and frames the context for planning in Harbour Main - Chapel's Cove - Lakeview.

2.1. Historical Context¹

Amalgamated in 1980, the Town of Harbour Main – Chapel's Cove – Lakeview was originally three separate communities. Harbour Main, being the earliest settled of the three, first appeared on a map believed to have been produced in the 1630s or 1640s while Chapel's Cove and Lakeview first recorded settlers in

¹ Factual basis of historical context provided by: Encyclopedia of Newfoundland and Labrador, Digital Archives Initiative, Centre for Newfoundland Studies of Memorial University of Newfoundland.

1836 and 1935 respectively. As coastal communities, the area benefitted from close proximity to productive inshore fishing grounds. The presence of suitable soils and a favourable micro-climate also meant the area could support local food production.

The earliest recorded resident (1675) was a planter named Jeremy Fortune who operated a prosperous fishing enterprise. Early permanent settlers and seasonal visitors used the Harbour as a fishing station. According to local tradition, Harbour Main was known for its fishery and Chapel's Cove for its small farms and agricultural production. By 1774, maps produced of the area show that there were 34 stages in Harbour Main and Chapel's Cove.

By the time of the first official census in 1836, Harbour Main had a population of 550 residents while nearby Chapel's Cove had a population of 158. The main occupation was the fishery, with as many as 70 boats operating out of Harbour Main. The communities continued to grow, and schools and churches were constructed. By 1857, the population of Harbour Main and Chapel's Cove had reached 1,138. By 1891, the population had increased to 1396.

Until the 1950s, residents in the area made their living from fishing and farming. Post-confederation, the construction of highways, the availability of jobs in the urban region of St. John's, combined with a downturn in the fishery meant that more and more residents began moving out of the community or commuting to jobs elsewhere in the region.

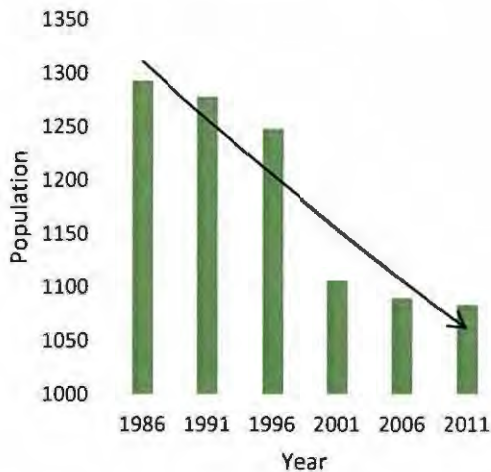
2.2. Social Context²

2.3.1. Demographic Profile

By the 1980s, the town, like many other communities in the province, was experiencing a decline in population. By far the greatest decrease occurred in the period between 1996 and 2001 when the population declined by 150 people to just over 1,100.

In the period between 2001 and the most recent Census year, the data show the population continuing to decline, but at a slower rate. As of the 2011 Census, there were just under 1,100 people living in the community.

Figure 3: Population of Harbour Main – Chapel’s Cove – Lakeview by Census Period, 1976 - 2011



More recent data show an increasing number of births in the community which may help to stabilize or offset the total population decline. In 2013 there were 15 births in Harbour Main-

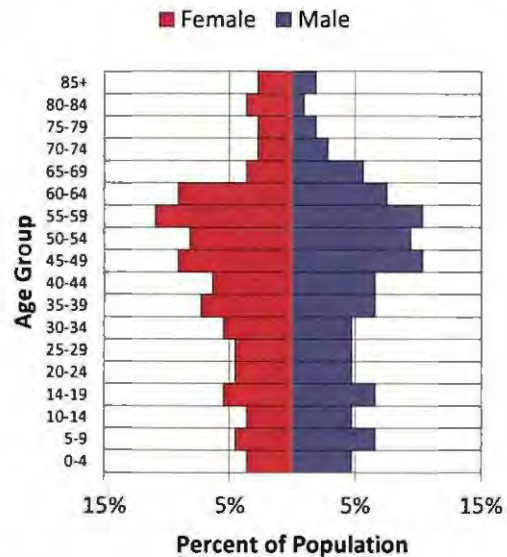
² Social Context data:
 Statistics Canada – National Household Survey
 Statistics Canada – 2006, 2011 Canada Census

Chapel’s Cove-Lakeview, a 50.0% increase over 2012 when there were 10 births³.

While trends in the total population are important for understanding whether growth is occurring in a community, it is also important to consider what is happening within the total population. Data from the 2011 census shows that the current population is largely of middle aged and older persons, with a median age of 46.

Changing demographics such as this create challenges for the Town in terms of services for the growing population of elderly residents, while at the same time trying to improve and maintain amenities such as parks and recreation that will attract new families to the Town.

Figure 4: Population Pyramid - % of population by age group and gender, 2011



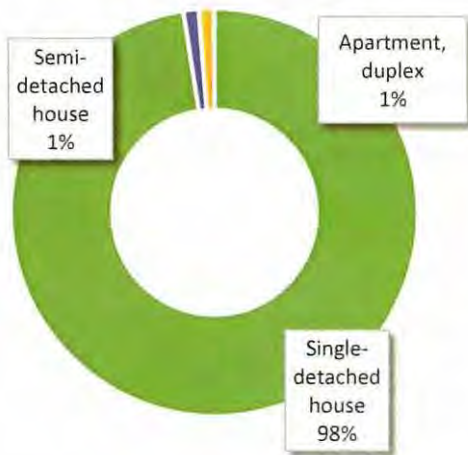
2.3.2. Housing

The 2011 Census recorded 410 dwellings in the community, an increase of 20 (+5%) dwellings over the Census period from 2006 when there were a total of 390 dwellings. This translates to

³ Community Accounts, Harbour Main-Chapel’s Cove-Lakeview Profile.

approximately four dwellings constructed annually. The majority (98%) of the housing stock consists of single-detached dwellings and it is likely that the demand for this form of housing will continue. However, as the proportion of the population that will reach the age of retirement over the next decade continues to grow, there may be some demand for smaller dwelling units, as single dwellings, or as various forms of multi-unit housing for those wishing to remain in the community.

Figure 5: Dwelling Types, 2011



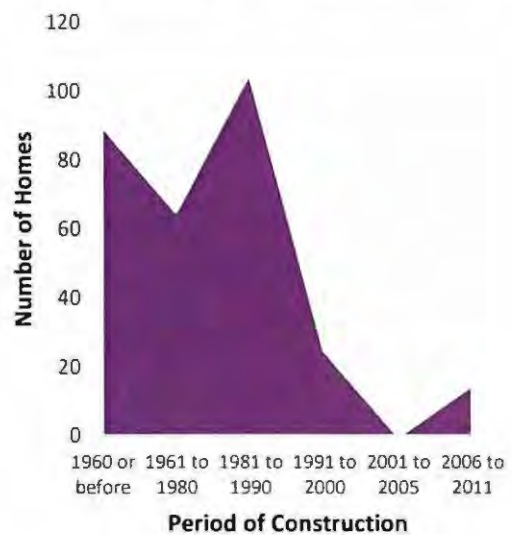
Proximity to the Northeast Avalon has resulted in some pressure on the Town for additional building lots and construction. Such development may not necessarily mean an increase in overall population, as the number of people living in households is also declining. In 2011, the average household size in the community was 2.6, down from 2.8 in 2006.

Housing affordability is important to a community's social and economic health. Affordable housing is housing that meets the needs of a variety of households in the low to moderate income range. Housing that is affordable, typically costs less than 30% of

before-tax household income on shelter costs. Within the Town, the majority (96%) of residents own their own home and spend less than 30% of their incomes on shelter.

The existing housing stock in the community appears to be in good condition. However, the stock is old, with about 86% of all dwellings built before 1990. Of those, about 135 dwellings were built before 1971.

Figure 6: Homes by Period of Construction



2.3. Economic Context

Today, the local economy of the community no longer relies on natural resource industries such as fishing and agriculture for local employment. Geographically, the Town is within easy commuting distance from the Northeast Avalon urban region, which is the provincial centre for employment, retail, education and government. People from the community are also within daily commuting distance to the large-scale industrial sites at Bull Arm and Long Harbour which makes it an attractive place for people employed in these areas to live.

Evidence of high levels of commuting to work outside the community shows that residents

spend a median duration of 45.3 minutes travelling to work.⁴

Income data for the community further illustrates this, showing individual and household incomes higher than average provincial incomes, with people employed mainly in business, finance and administration, education, government, and sales and service. The data also shows a high percentage of people employed in the trades and natural and applied sciences.

The convenience of access to jobs and services elsewhere means that there are few local businesses. Long-standing businesses such as P.J. Kennedy Ltd. have closed and the local fish plant has a reduced level of activity. Businesses that remain include those that provide convenience goods, building supplies and tourist services and accommodations. There are also a few home-based businesses.



Variety Foods Ltd. Plant in Harbour Main

While the population seems to have stabilized in terms of the overall number of people in the community, local business will remain challenged by the proximity of the community to the larger urban centres and wider array of retail and service options. However, there will still be demand for very localized services and the Town could benefit from having a small, identifiable area along the main highway, where new businesses could be encouraged to locate.

⁴ National Household Survey

2.4. Development Pattern

The existing pattern of development in the Town is that of a typical rural residential community. The community is generally characterized by quiet, picturesque residential streets off the Conception Bay Highway into the former communities that make up the town today. In these areas, residential dwellings and their associated outbuildings are set back from the streets, oftentimes to take advantage of scenic views or natural features. Some of the area's agricultural heritage can still be seen in the few remaining farm properties used for crops, hay and gardens.

The main transportation corridor through the Town is the Conception Bay Highway which enters Lakeview in the east, through to Chapel's Cove, and then out of Harbour Main in the west.

In Harbour Main, there is one particular area that has a mix of public, open space, residential, commercial, and industrial uses that include the Fire Hall, Town Hall, Post Office, the former P.J. Kennedy Ltd. store, homes, and the Variety Foods Ltd. plant. This central area provides a focal point for the community where new commercial development could be encouraged to locate.

2.5. Environmental Context

The natural environment plays an important role in the attractiveness of the community as a place to live. The rugged coastline with many coves and pebble beaches, provide scenic vistas and opportunities for recreation.

Rivers, ponds and varied landscapes of forest, coastline, wetlands and open areas, also provide a high amenity value, as well as value for the ecological functions they serve for handling stormwater and providing habitat for plant's, fish and wildlife.

2.6.1. Topography

The topography of Harbour Main-Chapel's Cove-Lakeview is defined by numerous valleys and rugged hills capped with igneous rock masses that rise to over 130m above sea level.



Hills capped with igneous rock masses in Chapel's Cove.

Early development in the Town occurred primarily within the flat, low-lying valley areas near the harbours. In more recent years as land values have increased, developments have occurred in other, more challenging locations, such as a new residential development occurring at the top of Cemetery Road. In a town such as Harbour Main - Chapel's Cove - Lakeview with limited piped services, development on steep slopes and hilltops can be difficult and costly to service, or to guarantee a sustained supply of groundwater.



Earthworks for residential development occurring on hilltop along Cemetery Road.

2.6.2. Natural Areas

The Town is characterized by ponds and rivers throughout the planning area. Two main rivers, Maloney's River and Long River are the largest and most significant river systems.

Maloney's River and its associated watershed is a provincially designated Protected Public Water Supply Area, occupying 44% of the total Planning Area. The Lee's Pond watershed is also a Protected Water Supply Area for the Town of Avondale. Together, these two watersheds encompass over 50% of the Town's total Planning Area.

As land values in the region have increased, many areas that have not been considered developable in the past, are of interest for development and there is evidence throughout the town of wetlands and shorelines around ponds for example, being filled in for the purposes of development.



Wetland infilling on Harbour Drive.

The Town has a high forest cover, in both developed and undeveloped areas. Forested areas provide amenity, habitat for wildlife and opportunities for recreation and resource use. Protecting and managing forest resources are an important consideration in many communities as climate-induced changes are expected to result in longer, drier summers, increasing the risk of forest fires.

2.6.3. Groundwater Protection

Groundwater resources are becoming an increasingly important area of concern for many municipalities in the province. In Towns like Harbour Main – Chapel’s Cove – Lakeview where many homes rely on groundwater as their source of potable water, ensuring that this resource is protected is in everyone’s interest when the cost of providing piped services to rural residential areas is considered.

In addition to the many private wells, there are two community wells - Flynn’s Hill and Holden’s Road wells. It will be important for the Town to maintain these wells and manage development within the wellhead areas of these wells to prevent contamination of these water supplies.

2.6.4. Parks, Recreation, and Open Space

Parks, open spaces, and natural areas are an integral element of community design that contributes to the health and well-being of residents. The park and open space system of Harbour Main – Chapel’s Cove – Lakeview includes playing fields, sports grounds, parks and playgrounds and in some cases, natural, undisturbed landscapes.



Park on Conrars Road

A 2014 study of regional recreation and leisure in Conception Bay Centre⁵ included an inventory of recreation facilities in the town.

⁵ CBS Regional Recreation & Leisure Master Plan – Tract Consulting Inc. 2014.

These facilities include the Tide swimming area and beach park in Harbour Main, a playground in Chapel’s Cove, beaches, marinas, and coastal trails.

Two indoor facilities - the Town Hall basement and the Harbour Main Parish Hall - provide space for recreation programs, community gatherings, and public functions.

The Recreation & Leisure Master Plan recommended several amenities that could be developed including:

- extending Gaskiers Coastal Trail,
- upgrading the Parish Hall area,
- Enhancements at the Tide, and
- Upgrades to the Chapel’s Cove Ballfield.

Proposals for these areas are shown in Figure 7.

A portion of the Provincial T’Railway Park passes through the southern area of the Town. This multi-purpose trail is recommended to become part of an integrated regional railway system in the Regional Recreation Master Plan.

Since the completion of the Regional Recreation Master Plan, the Town has upgraded the Gaskiers Trail (now known as the Goat Shore Walking Trail) which included trail widening, installation of signage and brush removal in overgrown areas.

It is Council’s intention to continue to work with its regional partners to implement the Regional Recreation Plan.

Figure 7: CBC Regional Recreation & Leisure Master Plan Proposed Development Concepts



Proposed Upgrades to Gaskiers Coastal Trail



Proposed Upgrades to St. Peter and Paul's Park



Proposed Upgrades to the Tide



Proposed Upgrades to Chapel's Cove Ball Field

2.6.5. Climate Change

Changes in local weather patterns and events has been a concern of municipal governments for a number of years. As the global climate heats up, the local effects include such things as rising sea levels, more frequent and intense storms, longer drier summers and unpredictable freeze/thaw cycles. All these things affect communities directly.

In low-lying coastal areas, properties and infrastructure are at risk from storm surges, erosion of the coastline and the flow of stormwater to the sea.

The Town has already experienced damage to the Tide beach park from storms, and has placed armour stone on the beach to prevent

further erosion and damage to the swimming and park area.



Shoreline armoring along The Tide.

In built up areas of the community, particularly in the river valleys, the mapping of floodplains that consider the forecasts of future precipitation, help identify vulnerable areas where it is not safe to permit residential development. In addition, identifying areas where existing stormwater infrastructure such as bridges and culverts many not be adequate, and implementing a program to upgrade it, can improve public safety in the long term.

2.6. Infrastructure

2.7.1. Roads, Water and Sewage

The Town continues to invest in water and sewer upgrading and road upgrading through a program of municipal capital works. This included the recent backfill, patching, and recapping of Ridge Road and extensions and upgrades to the water supply system.

The Province maintains development control along Routes 60, 60-23, 60-24 and the Trans Canada Highway, controlling access, setbacks and signage.

Stormwater in the Town is handled through open roadside ditches.

The management of wastewater is particularly important in the context of environmental

sustainability. Within the next ten years, the federal government will enact higher standards of treatment for wastewater discharged into marine environments. Like most other towns in the province, the Town currently does not meet federal requirements for wastewater discharge. While the Town has a trunk sewer that runs along the Conception Bay Highway, there are a number of gaps in the system with outfalls into Conception Bay at Chapel's Cove and Harbour Main. It is also likely that there are direct sewer discharges from individual homes.

Water in the community is provide by a municipal system from Maloney's River, and from two community wells. Many homes in the community have private wells and on-site septic systems.



Fire flow water distribution system in Harbour Main.

2.7.2. Service Limits

The Town has a Limit of Service (LOS) agreement with the Department of Municipal and Intergovernmental Affairs that identifies specific roads that are eligible for provincial cost-shared funding for the capital cost of municipal infrastructure such as roads, water distribution/supply systems, and sewage collection and disposal systems. Outside the Limits of Service, the cost of servicing is not eligible for funding.

As a result, it is important to manage development in a manner that does not result in long-term servicing costs to the taxpayers of the community.

Figure 8: Limit of Service Plan



2.7.3. Emergency Response Services

Harbour Main - Chapel's Cove - Lakeview shares many municipal services with neighbouring towns of Holyrood and Avondale, including emergency response services. The Town's Volunteer Fire Department has a station located in Harbour Main on Highway 60 (the Conception Bay Highway).

2.7.4. Education

There are currently no schools in the community. School age children from the Town travel to Holyrood to attend elementary school at Holy Cross Elementary (P-6), and then high school at Roncalli Central High in Avondale.



3. Vision and Planning Goals

3.1. Community Vision

The following statement conveys the desired future for Harbour Main – Chapel’s Cove – Lakeview that emerged during the planning process:

The Town of Harbour Main-Chapel’s Cove-Lakeview continues to provide a distinctive rural residential living environment, where natural and cultural resources, and scenic qualities of the town are valued and protected, and where a sense of togetherness is nurtured through community events, celebrations of history, and good governance.

3.2. Community Wide Goals

The Town will pursue the following community-wide goals:

1. Growth Management and Community Structure

To encourage new growth in a manner that ensures orderly development, efficient use and provision of municipal services, compatibility between land uses, and protection of the Town’s natural features.

2. Economic Long-Term Sustainability

To create a climate that encourages economic development in local retail services, tourism, marine industries and other sectors.

3. Environmental Protection and Stewardship

To enhance, protect, and conserve our natural environment including our land, coastal and freshwater resources, the ecology of our streams, forests, and wetland areas, and of our natural energy resources.

4. Community Health and Well-Being

To enhance the well-being of residents by ensuring opportunities for physical activity and social interaction.





4. Community Wide Policies

The Municipal Plan designates land within the Planning Area for general land uses that are considered most appropriate for future development. The Future Land Use Map identifies the major land use categories for the Town of Harbour Main - Chapel's Cove - Lakeview.

Section 5 of this Plan sets out specific policies that apply to each of the land use designations shown on the Future Land Use Map. Within the Municipal Planning Area, there are a number of policies that will apply generally to all types of development, regardless of their designation. The following objectives and policies shall apply throughout the municipality.

Objectives

1. Ensure that development occurs in an efficient, environmentally safe, and responsible manner.
2. Preserve prominent features that define the Town's character, including heights of land, shorelines, floodplains, open spaces, trails, and scenic vistas.

Community Wide Policies

Policy CW-1 Non-Conforming Uses

In accordance with Section 108 of the Urban and Rural Planning Act, 2000, Council shall recognize that any development or land use that legally exists on the day this Plan comes into effect, may continue. Where a building or use exists which does not comply with the intent of this Plan, it shall not be substantially expanded. Minor extensions may be approved, and a change from one non-conforming use to a more acceptable use may be permitted. Specific provisions concerning legal non-conforming uses are set out in the Development Regulations.

Policy CW-2 Servicing

Council will ensure that new development does not result in future servicing demands or costs. Where piped municipal services are available, new development will be required to connect to it wherever possible. Where a development is proposed and it is not feasible to provide municipal sewer and water services, Council may permit development serviced with on-site wells and septic systems subject to the approval of the Government Service Centre (Service NL).

Policy CW-3 Public Utilities

The location and placement of utilities, including telecommunications structures may be permitted throughout the Planning Area. Council may require appropriate screening and buffering or other measures to minimize visual impacts on surrounding properties.

Policy CW-4 Road Frontage and Access

All development must have proper access and frontage onto a public road, the standards for which are set out in the Development Regulations. Where new streets, street extensions, and services are part of a proposed development, the street and services shall be constructed by the developer to Town standards. Ownership of new streets and

service infrastructure will be required to be transferred, at no cost to the Municipality upon satisfactory completion.

Policy CW-5 Growth Management

It is a policy of Council that development along existing roads will be the preferred form of development in the community. Empty buildings and existing undeveloped lots provide opportunities for new residential and commercial uses within existing built-up areas of the Town.

Policy CW-6 Setbacks from Streets

All development, including but not limited to buildings, fences, sheds, and parking lots, shall be set back from the right of way of a public road far enough to provide an adequate level of public safety and space for snow clearing and maintenance. Along Routes 60, 60-23, 60-24 and the Trans Canada Highway, development will be required to be referred to the Provincial Department of Transportation and Works for approval.

Policy CW-7 Development in Hazardous Areas

It shall be a policy of Council to generally restrict development in areas that are not suitable for development such as areas of steep slopes, on unstable soils or rock outcrops, and along shoreline areas and waterways susceptible to erosion or flooding. Council will require residential development to be set back from the coastline, and from streams and wetlands to reduce the risk of damage due to erosion, storm surges, and flooding. Council may require detailed engineering studies to evaluate the suitability of land for development in developed areas that are vulnerable to natural hazards, or in undeveloped areas, where backfilling is proposed, or where there may be potential for flooding, erosion or other hazard to occur.

Policy CW-8 Development Agreements

The Town may require agreements for new developments involving residential, commercial, industrial or resource developments, and for the subdivision of land. Such an agreement will be negotiated between the developer and the Town, and include conditions for development and for financing of any necessary infrastructure to service the development.

Policy CW-9 Use of Discretionary Authority

Council may exercise its discretionary authority to prohibit, or set conditions on development when, in its opinion, the development might result in undesirable consequences for property owners (for example flood damage) or environmental impacts (for example, excessive run-off onto adjacent properties, flooding, erosion, siltation of streams, or unpreventable exposure of contaminated soils.

Policy CW-10 Home Occupations

It is Council's intent to foster growth of small businesses as home occupations in a manner compatible with surrounding land uses. Businesses in the form of home occupations may be considered in any residential dwelling in any land use designation. Business uses that consist only of an office in a dwelling will be a permitted use. Businesses operating as home occupations shall not be highly visible, generate traffic, noise, odours or create any nuisance to adjacent residential properties.

Policy CW-11 Signs

All signs within the Planning Area shall be developed in accordance with the standards set out in the Development Regulations.

Policy CW-12 Community Trails

New development in Harbour Main - Chapel's Cove - Lakeview must take into account and provide for the continuation of traditional footpaths, right of ways, and trail networks, including the T'Railway Provincial Park, in the

community. In considering applications for development, or the use of a public right of way for access to private property, Council will ensure that pedestrian pathways remain open and accessible as a condition of approval. New development may be required to provide a separation buffer between a proposed development and existing trail or pathway. Over the planning period, it shall be a policy of Council to formally identify and map all traditional footpaths, right of ways and community trails which shall be protected when assessing future proposals for development.

Policy CW-13 Public Access to Shorelines

The shoreline of Harbour Main - Chapel's Cove - Lakeview Harbour is a valued community asset. Maintaining an open and accessible shoreline shall be a priority to the Town. When considering proposals for development adjacent to the coast, Council will require that existing public access points to shoreline areas be retained. Developments that enhance public access and recreational usage of shoreline areas are encouraged.

Policy CW-14 Waterways, Waterbodies and Wetlands

The Town recognizes the natural and recreational value of rivers, streams, wetlands, and ponds. It shall be a policy of Council to protect the quality of local streams, rivers and wetlands by ensuring that all necessary Federal and Provincial approvals for development, including appropriate building setback requirements, have been obtained prior to issuing approvals or permits for development near these sensitive areas.

Policy CW-15 Groundwater Protection

Where development is proposed that will rely on private wells and septic systems, it shall be a policy of Council to require an assessment of groundwater quantity and quality in accordance with the Provincial Department of Environment

and Conservation Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Services by Individual Private Wells.

Policy CW-16 Planning for Climate Change

It shall be the intention of Council to seek map areas of the community that are vulnerable to the impacts of the changing climate and prevent development from occurring in such areas. Over the planning period, Council will endeavour to formally identify and map all areas susceptible to climate change impacts such as river and coastal floodplains and take necessary measures to upgrade municipal infrastructure to reduce the risk of climate-induced damage.



5. Managing Land Use

The Municipal Plan designates land within the Planning Area into general land categories that are considered most appropriate for future development of the Town. The Future Land Use Map included in Appendix A identifies the major land use categories for the Town of Harbour Main - Chapel's Cove - Lakeview.

Land use will be managed in accordance with the general land use policies set out in Section 4 of this Plan and policies for each of the land use designations listed below.

Land Use Designations

	Residential
	Community Centre
	Environmental Protection
	Open Space Recreation
	Rural
	Protected Public Water Supply

Maps and graphics included in this section are for illustration only.

5.1. Residential

The Residential land use designation is applied to areas along the existing streets of the community characterized by predominantly rural residential land use. Other areas, accessible to existing streets and suitable for development are also included in this land use designation.

Objectives

1. To identify areas to accommodate residential development within the community.
2. To ensure land uses are compatible with the rural character, including the overall density of development.
3. To encourage and facilitate new residential developments in backland areas which are serviceable from the municipal water and sewer system.
4. To ensure a high quality of development that will attract new families to the community.

Residential Policies

Policy R-1 Permitted and Discretionary Land Uses

The Residential land use designation shall accommodate primarily single and double dwellings, including subsidiary apartments. Other forms of residential uses, such as supportive living complexes will also be permitted.

Non-residential uses that will be permitted include home-based businesses in the form of home offices, childcare, tourism accommodations, and small-scale agriculture. Conservation and recreational open space uses will also be permitted in this land use designation.

Other land uses that may be considered by Council include such home-based occupations such as personal and general services such as beauty salons, teaching studios, small-scale manufacturing/workshops and repair shops.

A variety of commercial, industrial, and public and assembly types of uses such as stores, banks, offices, schools, churches, cemeteries, arenas, civic, and government buildings may also be permitted in the residential land use designation at the discretion of Council.

The site of Hickeys Building Supply store shall be recognized as a permitted use in the Residential land use designation and use zone.



Policy R-2 Subdivision Development

Residential subdivision development will only be considered for approval as part of a development agreement with a layout approved by Council. Proposed subdivisions will be subjected to evaluation for conformity with the goals, objectives and policies of this Municipal Plan and the requirements set out in the Development Regulations.

The developer shall be responsible for the cost of development, including all road, water and sewer extensions in accordance with Policy CW-4. Preparation of land for subdivision development will be carried out in a way that respects the environment and provides for proper site drainage, avoids erosion, and does

not contribute to pollution, on or off site. Because mature trees prevent erosion, shield houses from wind and blowing snow, and provide aesthetic benefits, developers will have regard to preserving mature trees when preparing a site for subdivision development.

Policy R-3 Back Lot Residential Development

Notwithstanding Policy CW-4, back lot development may be considered on a limited basis in areas designated for residential development on the Future Land Use Map. Such development may be considered where:

1. There is sufficient land for a lot to be developed, but topography or other constraints would preclude development of adjoining lands on a more comprehensive basis;
2. The lot will have adequate access to an existing public street; and
3. There is no objection from abutting property owners who may be affected by the proposed development.
4. The development would not prevent future development of adjoining undeveloped lands.



Policy R-4 Non-Residential Uses

To ensure the compatibility of non-residential uses that may be permitted in the Residential land use designation, Council may require a buffer between the development and adjoining residential uses in the form of a fence, a separation distance, or other means. Adequate off-street parking space must be provided and pedestrian and vehicular access well-designed to ensure safety and efficient flow of traffic.



5.2. Community Centre

The Community Centre land use designation applies to a small area in Harbour Main that has a concentration of public buildings and commercial premises. Within this area, a range of commercial uses shall be encouraged in addition to existing land uses.

Objectives

1. To encourage business investment through adaptive reuse of existing buildings in the Town centre area.
2. To encourage commercial uses to locate in a central area of the Town.

Community Centre Policies

Policy CC-1 Permitted and Discretionary Uses

Within the area designated Community Centre, it is Council's intent to allow a range of residential, commercial, assembly, and public uses such as stores, banks, offices, churches, cemeteries, arenas and civic buildings.

A Community Centre Land use zone shall be established in the Development Regulations that identifies specific uses that may be considered which may include such things as restaurants, service stations and light and general industry uses.

Residential Uses

Policy CC-2 Residential Development

Residential development in the Community Centre land use designation shall be subject to the policies of the Residential land use designation of this Plan and the Residential Land Use Zone set out in the Development Regulations.

Non-Residential Uses

Policy CC-3 Adaptive Reuse

It shall be a policy of Council to encourage the adaptive reuse of existing buildings and properties, such as the P.J. Kennedy store, in the Community Centre designation.

Policy CC-4 Compatibility with Adjoining Uses

In considering proposals for non-residential uses in the Community Centre Area, Council will consider the compatibility of the proposed use with adjoining residential properties and may require appropriate measures to be taken to reduce or eliminate potential conflicts.

Council shall ensure that all areas for outdoor storage associated with any use, including the storage of waste, is located in rear or side yards, with appropriate screening and containment.

5.3. Environmental Protection

The Environmental Protection land use designation is applied to areas where it is desirable to protect the natural features from development. These features include the coastlines, watercourses, wetlands, ponds, and areas of steep slope.

Objectives

1. To identify environmentally valuable areas that should be retained in their natural condition.

Environmental Protection Policies

Policy EP-1 Permitted and Discretionary Uses

The intent of the Environmental Protection designation is to protect and conserve environmentally sensitive and important lands in the community. In these area non-building uses, such as recreational trails and associated infrastructure such as trail signage may be permitted.

It is recognized that there are existing structures in areas that are identified for conservation. Such structures may be permitted to expand or change if the change or expansion can be done safely and in a manner that is not detrimental to the adjacent watercourse or wetland and subject to approval by the appropriate federal and/or provincial environmental authority.

5.4. Open Space Recreation

The Open Space Recreation land use designation is applied to community recreation areas, both passive and active, which include parks and natural areas. The Tide Park is included in the Open Space Recreation land use designation.

Objectives

1. To provide active and passive recreation opportunities and activities on land within the community.
2. To ensure recreation uses are designed for compatibility with existing land uses.
3. To encourage a range of recreational land use that provides opportunities to serve the needs of Town residents of all ages.

Open Space Recreation Policies

Policy OSR-1 Permitted and Discretionary Uses

Within the Open Space Recreation land use designation, permitted uses include sports fields, parks and trails.

Other uses that may be permitted include indoor recreation facilities such as a recreation centre and outdoor facilities such as community festival areas, and picnic and day use parks.

Policy OSR-2 CBC Regional Recreation Master Plan

It is Council's intention to continue to work with its municipal partners to implement the recommendations of the Conception Bay Centre Regional Recreation Master Plan.

Council will ensure that new development does not conflict with the aims and objectives of the Conception Bay Centre Regional Recreation Master Plan or prevent its successful implementation.



Policy OSR-3 Land Use Compatibility

Development and operation of recreation facilities shall not impose adverse effects on adjacent residential land uses with regard to light, noise, traffic, and hours of operation.

5.5. Rural

The Rural designation includes areas outside the built-up area of the community and those lands identified for future development. Rural lands provide areas for rural resource uses such as agriculture, forestry and aggregate extraction uses. Where undisturbed, rural lands provide wildlife habitat, and opportunities for passive recreation.

Objectives

- | |
|--|
| 1. To permit existing natural resource lands and associated uses to continue, and to preserve land for future development within the Town. |
| 2. To allocate lands for rural resource use. |
| 3. To ensure that natural resource uses occur in a manner that is environmentally responsible. |

Rural Policies

Policy RUR-1 Permitted and Discretionary Uses

Lands designated Rural are reserved for rural and resource based uses, such as forestry, agriculture and mineral exploration. Within the Rural land use designation conservation and recreation uses such as nature parks and hiking trails will also be permitted.

Other uses, such as cemeteries, general industry, mineral workings, and assembly uses may also be permitted.

Policy RUR-2 Agriculture

Agriculture is permitted in the Rural land use designation subject to any requirements of the Forestry and Agrifoods Agency. Agricultural uses shall be carried out in accordance with agricultural best practices for managing livestock wastes and general land use management.

Policy RUR-3 Mineral Workings and Mineral Exploration

Mineral exploration and aggregate extraction activities will be required to obtain a permit or licence from the Mineral Lands Division of the Department of Natural Resources and comply with all conditions for development, operation, decommissioning and rehabilitation.

Policy RUR-4 Extractive Resources

Extractive resource activities and land uses in this designation shall be screened from public roads, residential areas, parks, trails, and if appropriate, from other rural uses where possible, by leaving existing tree cover in place.

5.6. Protected Water Supply

The Town of Harbour Main - Chapel's Cove - Lakeview obtains its water supply from Maloney's River, which is designated a Protected Water Supply Area under the Water Resources Act. This important designation protects the water supply and its surrounding watershed.

Areas around the wellheads of two community wells are also included in this land use designation.

The Town of Avondale, a neighbouring municipality, has a water supply that is obtained from Lee's Pond. A portion of the Protected Water Supply Area lies within the Town of Harbour Main- Lakeview- Chapel's Cove and is also included in this land use designation.

Objectives

1. To ensure that Harbour Main - Chapel's Cove - Lakeview has an adequate supply of safe, high quality potable water.
2. To support regional coordination of water resources.
3. To protect groundwater quality in community wells.

Protected Water Supply Policies

Policy PWS-1 Permitted and Discretionary Uses

Within the Protected Water Supply land use designation, only uses that are directly related to the functioning of the water supply system will be permitted. Other uses such as natural resource uses or passive recreation may only be permitted with the approval of the Department of Environment and Conservation Water Resources Management Division.

Policy PWS-2 Wellhead Protection

The Protected Water Supply designation is applied to an area around each of the drilled

wells that serve several homes in the Town. Surface land use and geology have potential to impact water quality in these wells.

Council recognizes that there are at present several dwellings and other uses such as agriculture within the area of influence of these wells. Existing uses shall be permitted to continue. No expansion of existing uses, a change of use, or new uses shall be permitted within 100m of these wellheads without approval from the Water Resources Management Division, Department of Municipal Affairs and Environment. Council will work with the Water Resources Management Division and property owners within the wellhead protection area to develop plans to ensure the safety of these water supplies.

Should municipal water service be extended such that use of these wells is no longer required, development in the protected areas shall be permitted without amendment to this Plan in accordance with the policies of the Residential land use designation and use zone set out in the Development Regulations.



6. Services & Infrastructure

The provision of municipal infrastructure such as streets, sidewalks, water treatment and distribution systems, sewers and sewage treatment facilities, and waste collection and disposal are the primary responsibilities of municipal government. This infrastructure supports growth and development of the community and contributes to community safety, health, and well-being.

Objectives

1. Provide a safe, convenient, and efficient street network in the community
2. Investigate appropriate solutions for the collection and treatment of municipal sewage wastes.
3. Ensure continued safety, supply, and distribution of potable water in the community.

Municipal Services Infrastructure Policies

6.1. Transportation

Policy SI-1 Street Standards and Function

Council shall adopt road design standards specified in the Development Regulations in implementing this plan. All new road

development shall conform to these standards. It is Council's intention to ensure the safety, maintenance, and upgrading of Town streets as a priority for municipal capital works programming.

6.2. Water and Wastewater

Policy SI-2 Drinking Water Distribution System

Council will monitor the capacity and quality of water in the Protected Water Supply Area of Maloney's River and to ensure that the system provides an adequate supply of potable water to the community.

Policy SI-3 Fire Flows

Council will ensure that the water distribution system in the community is maintained to provide sufficient water pressure for emergency fire services.

Policy SI-4 Wastewater

Council will maintain the wastewater collection system to reduce the risk of damages due to extreme weather events by placing a priority on maintenance and upgrading before extending the piped sewer system.

Policy SI-5 Waste Reduction Measures

The Town will continue to participate in provincial waste management strategies. To minimize costs of transporting and disposing garbage, Council will undertake initiatives to reduce household garbage encouraging residents and businesses to compost and recycle.



7. Implementation

The Harbour Main - Chapel's Cove - Lakeview Municipal Plan serves as the blueprint for the community's future development.

Successful implementation of the Plan involves:

- effective administration of the Plan;
- adoption of Development Regulations;
- adoption of annual municipal capital works budgets;
- preparing and implementing recommended studies;
- a consistent procedure for considering amendments to the Plan; and
- working in partnership with citizens, groups and organizations to achieve the collective goals of the Community.

7.1. Administration of the Municipal Plan

The Municipal Plan must serve as a continuing reference and guide to Council and its officials in order to achieve the goals, objectives, policies and programs which it contains.

The boundaries between land use designations on the Future Land Use Map coincide where possible with roads, fences, property lines or other prominent physical features. Where a property proposed for development straddles more than one land use designation, minor adjustments to the boundaries between the land use

designations may be made without amendment, to accommodate the development.

All proposed development within the Planning Area must conform to the policies of the Plan and Development Regulations, and be approved by Council. Council will ensure that development proposals are given a comprehensive review, including circulation to appropriate public departments and agencies.

Council may refuse or approve applications, with or without conditions. Decisions of Council made according to the provisions of this Plan and the accompanying Development Regulations may be appealed to the appropriate Appeal Board established under Part VI of the Urban and Rural Planning Act, 2000.

7.2. Development Regulations

To implement the goals, objectives and policies of the Municipal Plan, Council will prepare and adopt Development Regulations pursuant to Section 35 of the Urban and Rural Planning Act.

All land within the municipal planning area will be covered by land use zones which provide detailed requirements such as lot size, frontage, building setbacks and parking standards.

In order for consideration of any proposals for an amendment to the Development Regulations (i.e., a rezoning), Council shall require a formal proposal to be submitted. Such a proposal must clearly show:

- The location of the subject property, to scale, showing lot dimensions, area, street frontages;
- The means by which the site is/will be serviced;
- The proposed location of all driveways and parking areas;
- Areas that are to be landscaped or left in a natural state to provide necessary buffers;
- The proposed location of all buildings on the site; and
- Existing land uses, including natural hazards or sensitive natural areas both on-site and on adjoining properties that may be affected by the development.

In its review of proposals for amendments to the Development Regulations, Council shall consider all appropriate policies set out in this Plan and have regard for the following:

- The financial ability of the Town to absorb any costs relating to the development;
- The adequacy of municipal water and sewer services, or where on-site services are proposed, the quantity of groundwater and physical site conditions to accommodate development;
- The adequacy and proximity of schools, recreation and community facilities;
- The adequacy of the road network in, adjacent to, or leading to the development;
- The potential for the contamination or sedimentation of watercourses or for erosion;
- Environmental impacts such as air, water and soil pollution and noise impacts;
- Previous uses of the site which may have caused soil or groundwater contamination;
- Suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses and wetlands;
- Compatibility of the development in terms of height, scale, lot coverage and bulk with adjacent properties; and
- That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town by-laws and regulations.

7.3. Public Consultation

Council is committed to consultation with citizens and will seek input from the public on planning and development matters that:

- Require an exercise of Council discretion in arriving at a decision on a development application;
- Involve significant development proposals that are of interest to the community at large;
- Would require a change of Town policy, amendment to the Plan or Development Regulations;
- Would result in significant expenditures of town resources for implementation.

Council shall follow the procedures and processes for public consultation as set out in the Development Regulations consistent with the requirements of the Urban and Rural Planning Act, 2000.

7.4. Amending and Reviewing the Municipal Plan

Since conditions in the Town may change during the planning period, amendments to the Municipal Plan may be adopted by Council from time to time. Council may consider amendments to the Municipal Plan when:

- There is an apparent need to change policy due to changing circumstances;
- Studies have been undertaken which contain recommendations or policies which should be incorporated into the Municipal Plan;
- A Provincial Land Use Policy has been released that requires a change in policy by the Town; and
- There is a development proposal which provides sufficient information and rationale to support a change in the Municipal Plan.

After five years from the date on which this Plan comes into effect, Council shall review the Plan and revise it if necessary. Revisions will take account of development which can be foreseen during the following 10 years. Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.

In accordance with Section 27 of the Urban and Rural Planning Act, 2000, Council will charge a proportion of the cost of carrying out an amendment to the person or association of persons, who request an amendment. The proportion to be charged will be set by Council as part of its annual budget process in setting its Schedule of Rates and Fees. The costs may include, but are not limited to research and preparation of amendments, public notices and consultation, administrative processing costs and the costs associated with a Public Hearing.

7.5. Municipal Land Assembly

Municipalities are empowered by the Municipalities Act to acquire lands for municipal works or economic development purposes. Such projects generally entail the Town acquiring parcels of land from private

landowners or other levels of government for a variety of reasons including:

- To facilitate new growth and development in an area which is actively being revitalized or redeveloped where such land assemblies cannot by virtue of time or money be assembled privately;
- To facilitate the development of municipal parks, recreation and conservation areas;
- To facilitate development of municipal parking lots;
- To encourage or make available lands which by virtue of ownership are not available for development but which are necessary for logical and contiguous growth of the community; and
- To facilitate redevelopment of a major non-conforming use where the redevelopment is either a conforming use or is consistent with the Municipal Plan.

During the planning period, Council may undertake land assembly projects and transactions which are consistent with the objectives of this Plan.

7.6. Professional Advice

Council may obtain professional advice in regard to any proposed amendment to the Municipal Plan or Development Regulations or in regards to the evaluation of proposals for development within the community, where, in the opinion of Council, such advice is warranted.

7.7. Municipal Budget and Capital Works Program

Like most businesses, the Town has a budget which directs annual expenditures. Where and how the Town chooses to spend funds each year can have a significant impact on the future development. The various policies related to municipal infrastructure in the Municipal Plan will be implemented through expenditures in accordance with a Capital Works Plan.



APPENDICES

Appendix A

Future Land Use Map

