

Town of Deer Lake

Municipal Plan 2019-2029

Prepared for

The Town of Deer Lake

Prepared by

Baird Planning Associates

September 2019

Urban and Rural Planning Act 2000 Resolution to Adopt

Town of Deer Lake Municipal Plan 2019 - 2029

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

Adopted by the Town Council of Deer Lake on the 25th day of March 2019.

Signed and sealed this 30 day of September 2019

Mayor:


Dean Ball

(Council Seal)

Clerk:


Lori Humphrey

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*.



John Baird, MCIP



Urban and Rural Planning Act 2000 Resolution to Approve

Town of Deer Lake Municipal Plan 2019 - 2029

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

- (a) Adopted by the Deer Lake Municipal Plan on the 25th day of March 2019.
- (b) Gave notice of the adoption of the Deer Lake Municipal Plan by advertisement inserted on the 28th day of March and the 17th day of April 2019 in the Western Star newspaper.
- (c) Set the 17th day of April 2019 at the Town Hall, Deer Lake 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*, the Town Council of Deer Lake approves the Deer Lake Municipal Plan as adopted.

SIGNED AND SEALED this 30 day of September 2019.

Mayor:



Dean Ball

(Council Seal)

Clerk:



Lori Humphrey

Municipal Plan / Amendment	
REGISTERED	
Number	<u>1380-2020-000</u>
Date	<u>May 13, 2020</u>
Signature	<u>Mary O'Leary</u>

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1.0 INTRODUCTION

1.1 Purpose of the Municipal Plan

The Deer Lake Municipal Plan is a comprehensive policy document to manage development and growth within the Deer Lake municipal planning area over the ten-year planning period 2019-29. The Plan repeals and replaces the Deer Lake Municipal Plan 2004-2014. This document has been prepared in compliance with the *Urban and Rural Planning Act 2000*, (also referred to as the *Act*).

The Plan was drafted following a comprehensive review of the former Municipal Plan and Development Regulations and consultations with Council, residents, and appropriate government agencies. Relevant planning issues have been reviewed as required under the *Act*, including a study of land use, population change, economic and social issues, transportation, municipal services, and environmental issues.

1.2 Plan Preparation

This Municipal Plan reflects the review of land use, environmental, demographic, social, and economic issues, consultations with Town Councillors and staff, and public comments received through the community participation process.

The Plan guides the future growth and physical improvement of the Town by identifying locations and policies for various types of land use development. The Municipal Plan provides the basis for the Land Use, Zoning, and Subdivision Regulations (generally referred to as the Development Regulations), which Council will administer through subdivision approvals and development permits. The Municipal Plan authorizes Council to prevent the undertaking of any development that contravenes a policy stated in the Municipal Plan.

1.3 Contents of the Municipal Plan

The Municipal Plan, comprising this document and the accompanying Future Land Use Maps, constitutes a legal document pursuant to the *Urban and Rural Planning Act 2000*. It contains:

- The aims of Council (goals and objectives).
- Land use policies for future development.
- Future Land Use maps, which allocate land for future development, environmental protection, and natural resource uses.

The Background Report in Section 2.0 describes conditions in the town at the time the Municipal Plan was prepared and provides the rationale behind policies contained in the Municipal Plan. The Background Report does not form part of the legal document.

1.4 Municipal Plan Administration

After Ministerial approval of the Deer Lake Municipal Plan was published in the Newfoundland and Labrador Gazette, the Plan became binding upon Council and all other persons, corporations and organizations. Council administers the Municipal Plan by carrying out the Plan's policies. This is done in several ways:

- By preparing and implementing the Development Regulations,

- By issuing development permits to applicants wishing to subdivide land, erect a building, or change the use of a building or land, or conversely, refusing to issue permits for developments that are not in accordance with the Plan, and
- By adopting or approving development schemes, concept plans, comprehensive plans, and so forth.

In accordance with Section 25 of the *Act*, Council may make amendments to this Plan and Development Regulations at any time. Amendments will be brought into effect by the same process used to bring the Municipal Plan into effect. Sections 14 to 25 apply to an amendment to the plan and development regulations.

1.5 Interpretation

In this Municipal Plan:

- "Council" means the Council of the Town of Deer Lake.
- "Development Regulations" mean the Deer Lake Land Use Zoning and Subdivision Regulations.
- "Municipal Planning Area" means the Deer Lake Municipal Planning Area.
- "Town" means the Town of Deer Lake.

The boundaries between the different land use designations in the Municipal Plan are meant to be general, except where the boundary is delineated by a road or other prominent feature in which case it defines the exact limits between each designation.

Nothing in the Plan will affect the continuance of land uses that were lawfully established on the date that this Plan came into effect.

2.0 BACKGROUND REPORT

2.1 Geographical Setting

The Deer Lake Planning Area includes two communities – the Town of Deer Lake itself and the community of St. Jude's, which is incorporated as a Local Service District. As shown in Exhibit 2.1, the town is located at the north end of Deer Lake at the juncture of the Trans Canada Highway and the Great Northern Peninsula Highway. By road the town lies 51 kilometres east of Corner Brook, 33 kilometres south of Gros Morne National Park, 419 south of St. Anthony, and 214 kilometres west of Grand Falls-Windsor.

Exhibit 2.1 Regional Setting



Deer Lake is one of the province's primary gateways and the transportation hub for Western Newfoundland. Deer Lake Airport is the largest and busiest airport in the region. The town is strategically located at the crossroads of the Trans Canada Highway serving points east and west and the Great Northern Peninsula Highway serving Gros Morne National Park, Bonne Bay, and communities farther north.

Deer Lake is also a provincial hub outdoor sports including hunting, fishing, hiking, snowmobiling, and ATV travel. The Newfoundland T'Railway linear park traverses the Planning Area for approximately 20 kilometres. The town also has a network of local hiking and multi-use trails, connecting to a wider network of regional trails.

Exhibit 2.2 Local Setting

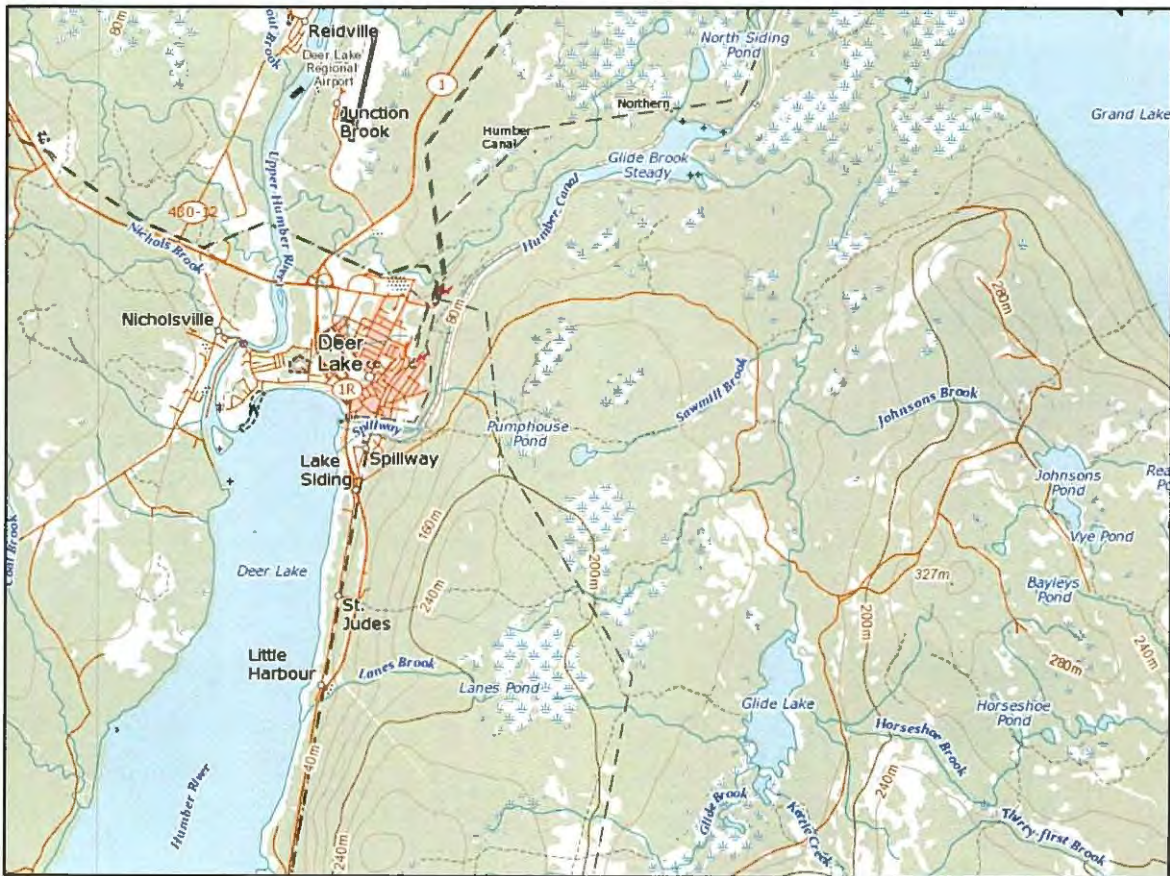
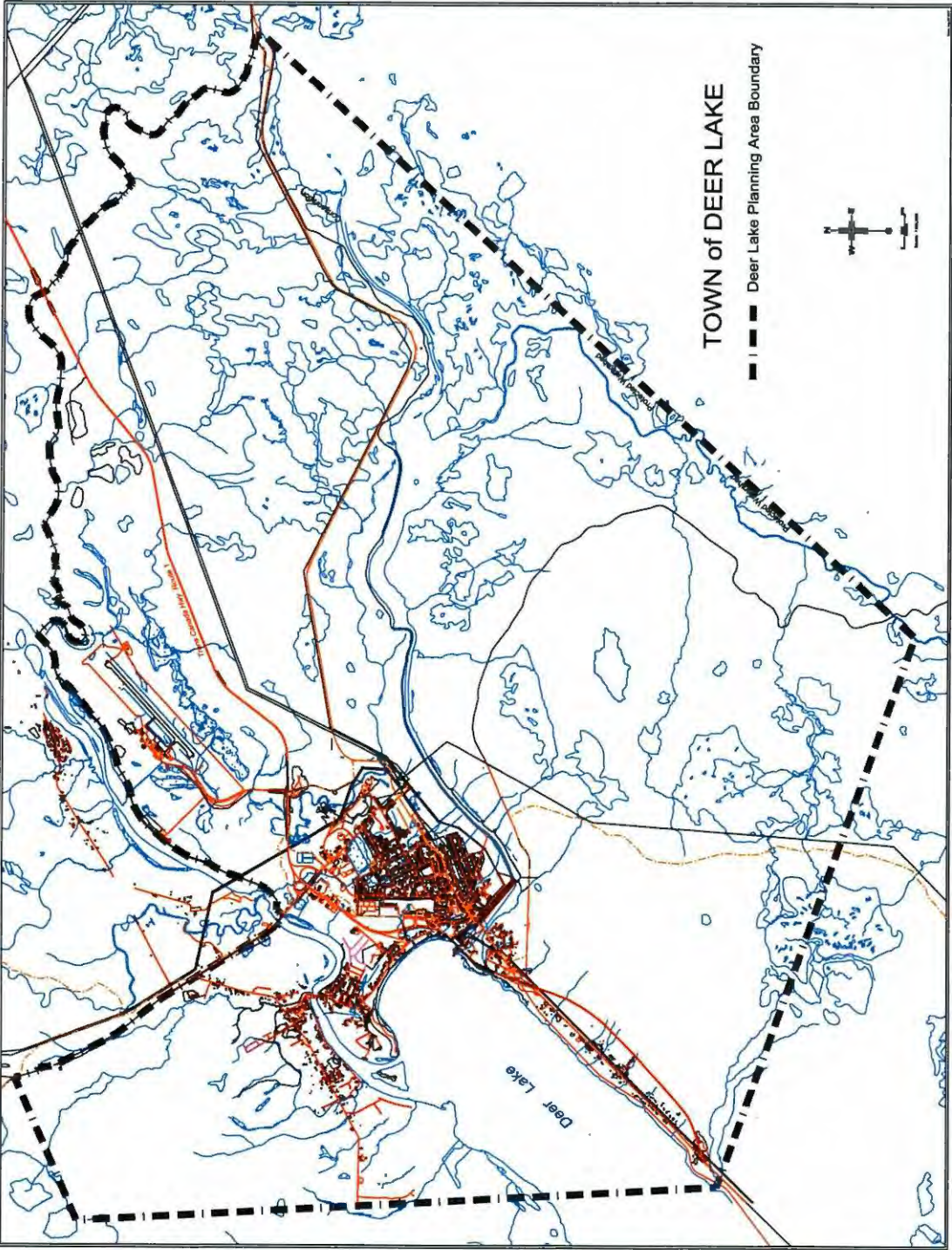


Exhibit 2.3: Deer Lake Municipal Planning Area



2.2 Population and Housing

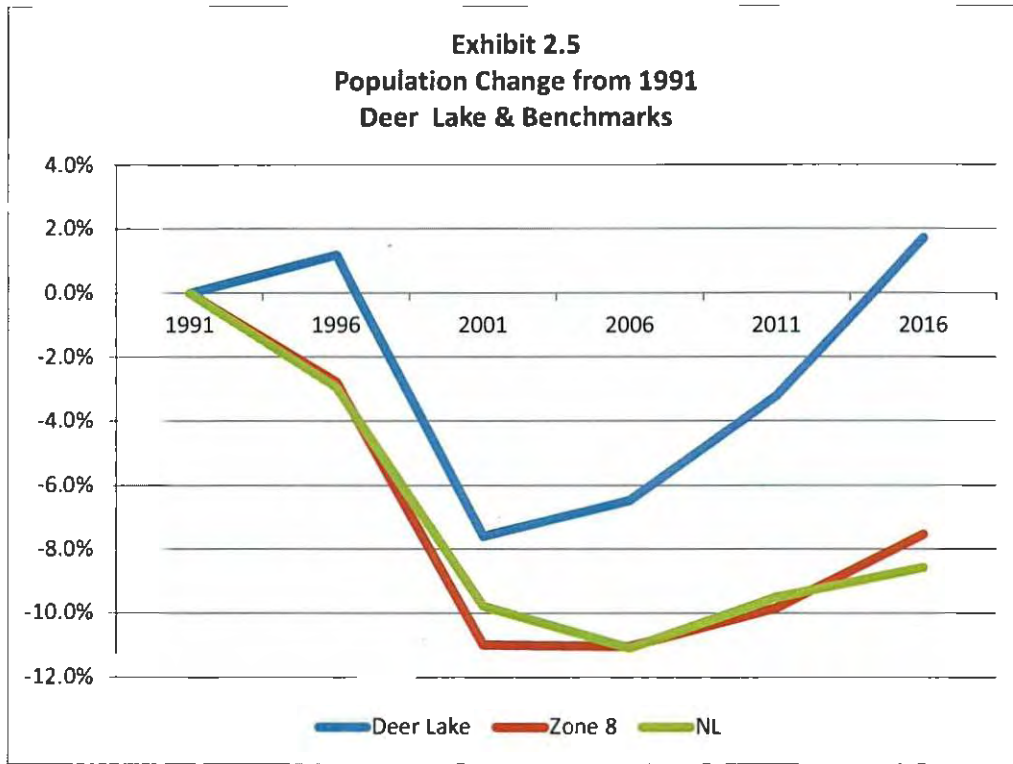
2.2.1 Current and Historical Population

Exhibits 2.4 and 2.5 profile Deer Lake's population change over the period 1991-2016. They compare the Town's population change with two benchmarks - Economic Zone 8, the region of which Deer Lake is a part, and the province as a whole.

After a period of negative growth in the 1990's, Deer Lake's population began a modest recovery after 2001. The town's population of 5,249 in 2016 represented a growth of 8.7% from 2006, reversing a decline of similar magnitude over the preceding decade. This strong growth can be attributed in part to the strong provincial economy driven by high oil and commodity prices and the corresponding construction boom. It can also be attributed to Deer Lake's expanding role as a regional service centre and transportation hub for Western Newfoundland and the Northern Peninsula.

Exhibit 2.4			
Population Change – Deer Lake and Benchmarks			
(Source: Census Profiles & NL Statistics Agency)			
	Deer Lake	Zone 8	NL
Census Population			
1991	5,161	46,430	568,474
1996	5,222	45,140	551,792
2001	4,769	41,328	512,980
2006	4,827	41,308	505,470
2011	4,995	41,867	514,536
2016	5,249	42,931	519,716
5-Year Population Change			
1991-96	1.2%	-2.8%	-2.9%
1996-01	-8.7%	-8.4%	-7.0%
2001-06	+1.2%	0.0%	-1.5%
2006-11	+3.5%	+1.4%	+1.8%
2011-16	+5.1%	+2.5%	+1.0%
25-Year Change	+1.7%	-7.5%	-8.6%

Despite its strong recent growth, the town's 2016 population of 5,249 exceeded its 1991 population by only 88 residents. However, while the 25-year growth rate was only 1.7%, this far outperformed the regional and provincial populations, which saw losses of 7.5% and 8.6% respectively over the same timeframe.



Population change is a consequence of two factors: (1) natural change or births minus deaths plus (2) net migration into or out of the community. Exhibit 2.6 shows the components of Deer Lake's population change in the years 2009-2014. The net gain of 310 residents resulted from a combined loss of 5 residents through natural change with a gain of 315 residents through net migration. Over the same period, the province's growth of 2.1% combined a virtually zero percent natural change with significant net in-migration.

**Exhibit 2.6
Components of Deer Lake Population Change, 2009-14**
(Source: Community Accounts – Tax Filer Indicators)

Year	Population Start	Population End	Births	Deaths	Natural Change	Net Migration
2009	4,990	5,020	35	40	-5	35
2010	5,020	5,150	60	40	20	110
2011	5,150	5,160	50	55	-5	15
2012	5,160	5,070	45	55	-10	-80
2013	5,070	5,260	35	40	-5	195
2014	<u>5,260</u>	<u>5,300</u>	<u>50</u>	<u>50</u>	<u>0</u>	<u>40</u>
Total Change		310 (6.2%)	275	280	-5 (-0.1%)	315 (6.3%)

2.2.2 Age Structure

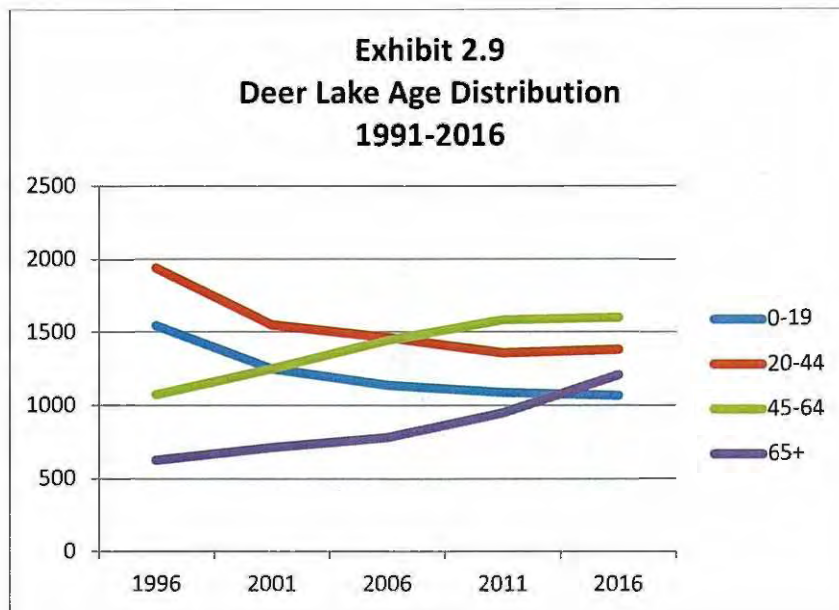
Exhibit 2.7 profiles the median age of Deer Lake's population from 2001 to 2016 and draws a comparison with the census region of which it is a part, the province, and the country. Similar to the benchmarks Deer Lake's population is getting older. Its 2016 median age of 47.6 compared to 48.0 in the surrounding region, 46.0 provincially, and 41.2 nationally. From 2001 to 2016, its median age increased by a margin of 8.2 years compared to 7.9 in the region, 7.6 in the province, and 3.6 in the country. As of 2016 the town's median age was 0.4 years younger than the region, 1.6 years older than the province, and 6.4 years older than the country.

Exhibit 2.7				
Median Age - Deer Lake & Benchmarks				
(Source: Census Profiles)				
Median Age of Population				
	Deer Lake	Division No. 5	NL	Canada
2001	39.4	40.1	38.4	37.6
2006	42.8	43.1	41.7	39.5
2011	45.5	45.6	44.0	40.6
2016	47.6	48.0	46.0	41.2

Note – The regional median age was derived from Census Division No. 5, of which Deer Lake is a part. The median age data for Zone 8 is not available.

Exhibits 2.8 and 2.9 illustrate changes in Deer Lake's age structure over the quarter century 1991-2016. While the population as a whole increased by 75 residents, there was wide variation between the younger and older age groups. The 0-19 and 20-44 age groups fell by 475 and 555 respectively, while the 45-64 age group increased by 525 and the 65+ age group increased by 580. In proportional terms, the 0-19 age group dropped from 29.8% of the total in 1991 to 20.3% in 2016 while the 20-44 age group dropped from 37.4% to 26.3%. In contrast the 45-64 age group climbed from 20.7% to 30.4% and the 65+ age group climbed from 12.1% to 23.0%.

Exhibit 2.8					
Deer Lake Age Distribution, 1996-2016					
(Source: Census Profiles)					
Age Group	1996	2001	2006	2011	2016
0-19	1545 29.8%	1250 26.2%	1140 23.6%	1090 21.9%	1070 20.3%
20-44	1940 37.4%	1550 32.5%	1465 30.3%	1360 27.3%	1385 26.3%
45-64	1075 20.7%	1250 26.2%	1445 29.9%	1585 31.8%	1600 30.4%
65+	630 12.1%	715 15.0%	785 16.2%	950 19.1%	1210 23.0%
Total	5190 100.0%	4765 100.0%	4835 100.0%	4985 100.0%	5265 100.0%



2.2.3 Population Forecast

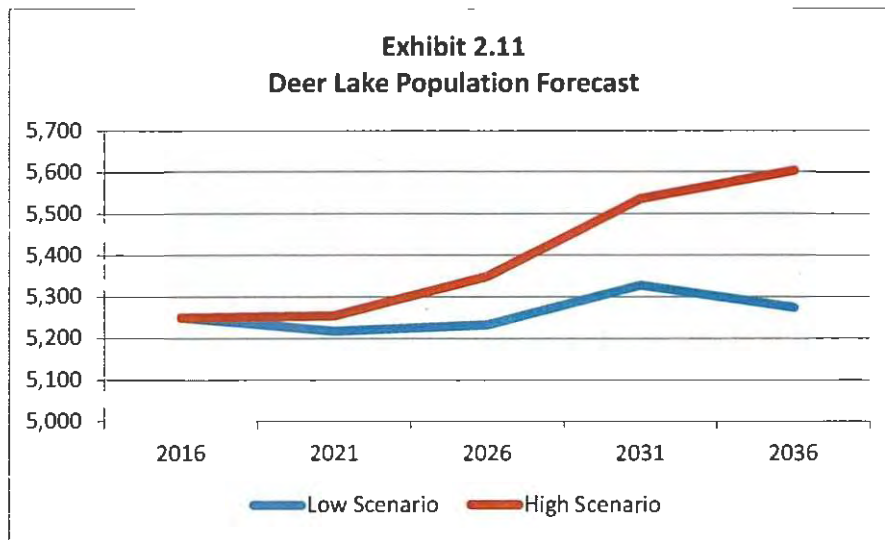
Deer Lake is the second largest community in Zone 8, comprising 12.2% of its population in 2016. As illustrated previously, town's population grew by 1.7% over the 1991-2016 period while Zone 8 as a whole experienced a population loss of 7.5% and Corner Brook had a loss of 11.6%.

The NL Statistics Agency provides population projections to 2036 for the province and each economic zone. These projections are based on low, medium, and high scenarios. Over the next four census periods, both the low and high projections for Zone 8 show the population declining in each five-year period from 2016 to 2036 under each scenario.

Exhibit 2.10 provides the calculated population forecast for Deer Lake as derived from government's low and high projections for Economic Zone 8. It assumes that the average five-year rate of change in Deer Lake will be 2.1 percent higher than the five-year projected rates for Zone 8. This is the approximate differential between Deer Lake and Zone 8's population change over the previous 25 years.

As shown in Exhibit 2.10 and graphically in Exhibit 2.11, Deer Lake's population is forecast to remain stable over the next twenty years. The projected growth from 2016 to 2036 ranges from a low of 25 to a high of 353.

Exhibit 2.10 Population Forecast (Derived from Department of Finance population projections (http://economic.gov.nl.ca/pop-projections.asp))						
Historical Change: 1996-2016						
	Population	Change	Percent			
1996	5,222					
2001	4,769	-453	-8.7%			
2006	4,827	58	1.2%			
2011	4,995	168	3.5%			
2016	5,249	254	5.1%			
20-Yr Change		27	0.5%			
	Low Scenario Forecast			High Scenario Forecast		
	Population	Change	Percent	Population	Change	Percent
2021	5,218	-31	-0.6%	5,254	5	0.1%
2026	5,233	16	0.3%	5,349	95	1.8%
2031	5,327	94	1.8%	5,536	187	3.5%
2036	5,274	-53	-1.0%	5,602	66	1.2%
20-Yr Change		25	0.5%		353	6.7%



2.2.4 Housing

Change in housing needs in a community is driven by two factors – population change and change in average household size. Exhibit 2.12 compares actual changes in Deer Lake's population and its housing stock from 1996 to 2016. It shows a population growth of 27 residents alongside a housing growth of 439 units. While the population increased by only 0.5%, the number of dwelling units increased by 25.5%. This impressive housing growth resulted almost entirely from the drop in the population/dwellings ratio from 3.03 in 1996 to 2.43 by 2016.

	Population	Occupied Dwellings	Population per Dwelling
1996	5,222	1,725	3.03
2001	4,767	1,710	2.79
2006	4,827	1,809	2.67
2011	4,995	1,981	2.52
2016	5,247	2,164	2.43
20-Year Change	27 0.5%	439 25.5%	-0.60 -19.8%

According to Statistics Canada, the shift to smaller households is part of a long-term trend driven by demographic and societal changes. For example, from 1961 to 2011 the average number of children per family dropped from 2.7 to 1.9. Single-person households and couples-without-children households both now outnumber couples-with-children households.

Exhibit 2.13 provides a forecast of Deer Lake's housing needs based on the low and high scenarios of population change provided in Exhibit 2.10. It assumes that average household size will decline at a rate 0.1 persons per household in each five-year interval, similar to the rate of change from 2001 to 2016. Under the low scenario, there will be a need for approximately 434 units over the next twenty years for an average of about 22 units per year. Under the high scenario, there will be a need for 596 units for an average of about 30 units per year.

Exhibit 2.13				
Housing Growth Forecast, 2016-36				
	Population	Population per Dwelling Unit	Dwelling Units	Forecast Change
Existing				
2016	5,249	2.43	2,164	
Forecast - Low Scenario				
2021	5,218	2.33	2,240	76
2026	5,233	2.23	2,347	107
2031	5,327	2.13	2,501	154
2036	5,274	2.03	2,598	97
20-Year Change		-0.40		434
Forecast - High Scenario				
2021	5,254	2.33	2,255	91
2026	5,349	2.23	2,399	144
2031	5,536	2.13	2,599	200
2036	5,602	2.03	2,760	161
20-Year Change		-0.40		596

Exhibit 2.14 profiles Deer Lake's occupied housing stock by dwelling type. It shows that detached dwellings make up over three-quarters of total dwellings. Surprisingly this proportion actually increased over the 2006-16 period. Of the net increase of 360 units over the period, detached units comprised 285 units or 79.9%. This proportional increase is in slight contrast to the provincial trend where detached housing remained steady at about 73 percent of the total over this period.

A recent trend in Deer Lake is the development of mini-homes, which Statistics Canada defines as "movable dwellings." None were counted in the 2006 Census, but 60 were in the 2016 Census. These mini-homes were developed in two new subdivisions - Boulos Place and Woodford Drive.

Exhibit 2.14						
Housing by Dwelling Type 2006-16						
(Source: Census Profiles)						
	2006		2016		Change 2006-16	
	Number	Percent	Number	Percent	Number	Percent
Single Detached	1,405	77.8%	1,690	78.1%	285	0.3%
Semi Detached	160	8.9%	120	5.4%	-40	-3.5%
Row House	30	1.7%	60	2.8%	30	1.1%
Apartment	170	9.4%	225	10.4%	55	1.0%
Other Attached	40	2.2%	10	0.5%	-30	-1.7%
Movable			60	2.8%	60	2.8%
Total	1,805	100.0%	2,165	100.0%	360	

Exhibit 2.15 shows that rental housing experienced a proportional increase over the 2006-16 period. Whereas there were 425 rental units in 2006, this increased to 600 units or by 41.1% by 2016. This can probably be attributed, at least in part, to increasing provision of senior's rental housing in the town.

	2006		2016		Change 2006-16	
	Number	Percent	Number	Percent	Number	Proportional Change
Owner Occupied	1,385	76.5%	1,565	72.3%	180	-4.2%%
Renter Occupied	425	23.5%	600	27.7%	175	4.2%
Total	1,810	100.0%	2,165	100.0%		

2.3 Agency Comments

2.3.1 Water Resources Division (Municipal Affairs and Environment)

Under the authority of the *Water Resources Act*, the Water Resources Management Division is responsible for the management of the water resources of the province. The WRMD has programs to protect, enhance, conserve, develop, control, and effectively utilize the water resources of the province.

- Water Resources Act - <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>
- Water Resources Division (WRMD) <http://www.env.gov.nl.ca/env/waterres/index.html>

General Comments

- Any effluent or runoff leaving the site will be required to conform to the requirements of the *Environmental Control Water and Sewage Regulations, 2003*. <http://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>
- Application forms for permits and licenses, fee schedules, and guidelines are available at www.env.gov.nl.ca/env/waterres/regulations/appforms/index.html

Work in a Body of Water

- Proponents must apply for and obtain a permit under the *Water Resources Act*, specifically Section 48, for any work in any body of water (including wetlands) prior to the start of construction.
Contact: Manager, Water Rights & Investigations Section - (709) 729-4795.
Section 48 – <http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>
- The Water Resources Management Division no longer requires permits under Section 48 of the *Water Resources Act* for works within 15 meters of water bodies (including wetland). The Regional Crown Lands office should be consulted to determine if work is being completed within a Crown Lands reservation (may be around waterbodies, streams, lakes, ponds, coastal areas, etc.)

- The Water Resources Management Division generally does not recommend approval for the construction of residential (single dwelling or subdivision) properties, especially if un-serviced, within wetland areas. There is a risk that adjacent properties could have water quality or quantity issues from these developments. As well, the Water Resources Management Division does not recommend approval for the infilling of water bodies for residential development, nor the diversion of streams to accommodate residential development.

Work Near or in a Body of Water (Within Flood Risk Area)

- The Deer Lake municipal planning area overlaps designated flood risk areas in some places. Therefore, proponents must apply for and obtain a permit under the *Water Resources Act*, 2002, specifically Section 48 for any work within any designated flood risk area prior to the start of construction.
<http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>
- Also, any work within these designated flood risk areas must comply with this Department's Policy for Flood Plain Management.
http://www.env.gov.nl.ca/env/waterres/regulations/policies/flood_plain.html
Contact: Manager, Hydrologic Modeling Section - (709) 729-2295

Wharf/Boathouse/Slipway/Breakwater

- A permit under the *Water Resources Act*, 2002, specifically Section 48 is no longer required for the applied structures. However, proponents must follow the guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses which are available at:
www.env.gov.nl.ca/env/waterres/regulations/appforms/Guidelines_for_Wharves.pdf
- Proponents must apply for and obtain a permit under of the *Water Resources Act*, specifically Section 48 for any infilling or dredging work associated with these structures or other works in any body of water prior to the start of construction.
Contact: Manager, Water Rights & Investigations Section - (709) 729-4795.

Development in Protected Public Water Supply Area

- Proponents must apply for and obtain a permit under the *Water Resources Act*, specifically Section 39 for proposed developments within the Humber Canal Protected Water Supply Area. Also, any work within this designated Protected Public Water Supply Area must comply with this Department's Policy for Land and Water Related Developments in Protected Public Water Supply Areas.
Contact: Environmental Scientist, Drinking Water Section – (709) 729-1157

Development in Protected Public Water Supply Area

- Prior to the start of construction, A proponent must apply for and obtain a permit under the *Water Resources Act*, 2002, specifically Section 39 for the proposed development within the Humber Canal Protected Public Water Supply Area servicing the Community of Deer Lake.
<http://assembly.nl.ca/Legislation/sr/statutes/w04-01.htm>
- Also, any work within this designated Protected Public Water Supply Area must comply with this Department's Policy for Land and Water Related Developments in Protected

Public Water Supply Areas.

http://www.env.gov.nl.ca/env/waterres/regulations/policies/water_related.html. Contact: Manager, Drinking Water & Wastewater Section - (709) 729-4048

- The municipal planning area takes in only a portion of the Humber Canal protected public water supply area.

Pollution Prevention

- All activities associated with this project are subject to the Environmental Protection Act (EPA) and the Water Resources Act (WRA) and their regulations.
- The following comments highlight the pertinent issues of these acts and regulations and the PPD's policies and guidelines.

Environmental Protection Act, Part IV - Waste Disposal and Litter

- Waste receptacles shall be installed at all active areas for use by workers.
- All waste material shall be considered, prior to disposal, for reuse, resale or recycling.
- Waste materials not reused, resold or recycled, shall be disposed at an approved waste disposal site, provided the owner/operator is willing to accept such waste and the local Service Newfoundland and Labrador (SNL) has agreed with the disposal of the waste materials at the site.

Environmental Protection Act, Part VI - Air Quality Management

- All activities associated with this proposal are subject to Air Pollution Control Regulations, 2004.
<http://assembly.nl.ca/Legislation/sr/regulations/rc040039.htm>
- Schedule E of the regulations prohibits the open burning of tires; plastics; treated lumber; asphalt and asphalt products; drywall; demolition waste; hazardous waste; biomedical waste; domestic waste; trash, garbage, or other waste from commercial, industrial or municipal operations; manure; rubber; tar paper; railway ties; paint and paint products; fuel and lubricant containers; used oil; animal cadavers; hazardous substances; materials disposed of as part of the removal or decontamination of equipment, buildings or other structures.

Environmental Protection Act, Part IX - Pesticides

- All pesticide purchase, storage, and use is subject to compliance with the Pesticides Control Regulations, 2012.
<http://assembly.nl.ca/Legislation/sr/regulations/rc120026.htm>
- The regulations stipulate that an applicator must be licensed for the class of pesticide which is intended to be applied. Also, the regulations stipulate that an operator cannot purchase pesticides without the appropriate license(s).
- If the use of a pesticide(s) is required (e.g. for the control of insects, diseases, weeds, vegetation), the Pesticides Control Section must be notified at (709) 729-2565.

Environmental Protection Act

Storage and Handling of Gasoline and Associated Products Regulations

- Petroleum storage and handling, associated with construction and operation of this project/facility, shall be in compliance with the Storage and Handling of Gasoline and Associated Products Regulations, 2003, as amended, <http://assembly.nl.ca/Legislation/sr/regulations/rc030058.htm>.
- All petroleum storage tanks shall be registered with Service NL in accordance with the GAP Regulations and all leaks/spills must be reported to the 24-Hour Environmental Emergency Spill Line at 709-772-2083 or 1-800-563-9089.
- Oils, greases, diesel, gasoline, hydraulic and transmission fluids should be stored at least 100 m from any body of water. Refueling and maintenance activities should also occur at least 100 m from any body of water and on level terrain.
- An environmental emergency contingency plan must be developed for all storage tank systems. This plan details information regarding the location of spill response equipment and a trained contractor, in the event of a spill.

Environmental Protection Act - Used Oil Control Regulations

- The proponent shall comply with the Used Oil Control Regulations. <http://assembly.nl.ca/Legislation/sr/regulations/rc020082.htm>.
- Waste oils and used lubricating oil shall be retained in a tank or closed container and disposed of by a company licensed for handling and disposing of used oil products.

Environmental Protection Act - Halocarbon Regulations

- Any use of regulated substances, for example in fire suppression systems, associated with the proposed activity is subject to the Halocarbon Regulations. <http://assembly.nl.ca/Legislation/sr/regulations/rc050041.htm>.

Water Resources Act - Environmental Control Water and Sewage Regulations

- All waters discharged from the proposed site, during construction and operation, are subject to compliance with the Environmental Control Water and Sewage Regulations, 2003. <http://assembly.nl.ca/Legislation/sr/regulations/rc030065.htm>.
- Should compliance monitoring be necessary, it will be subject to the departmental Accredited Laboratory Policy. PD:PP2001-01.2.

Constructing a Non-Domestic Well

- In the event any development that is not a single family home is considered and to be serviced by a groundwater well, the proponent must apply for and obtain a Permit for Constructing a Non-Domestic Well under the *Water Resources Act*, specifically Section 58 for new drilled well(s) along with following necessary groundwater monitoring requirements prior to the start of construction. Contact: Manager, Groundwater Section - (709) 729-2539

Unserviced Subdivisions

- In the event residential development were to occur within this Planning Boundary of greater than four (4) lots, the proponent will be required to complete a Level I Groundwater Assessment as per the Department of Environment and Conservation's Guidelines: Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Served by Individual Private Wells.

These guidelines require a Level II Groundwater Assessment in the event of known water quality issues. A completed report must be submitted, reviewed and approved by this Department prior to any permitting by Service NL for waste disposal or septic systems within the proposed subdivision.

- A proposed subdivision greater than 4 lots requires a Level I Groundwater Assessment. For proposed subdivisions between 5 to 14 lots, if a Level I Groundwater Assessment's findings recommend a Level II Groundwater Assessment this Department may request a Level II Groundwater Assessment be undertaken. A proposed subdivision of greater than 14 lots requires both a Level I and a Level II Groundwater Assessment.

A Level I Groundwater Assessment generally will consist of a description of the hydrogeology, site characterization, and description of sustainable groundwater quality and quantity for the area. A Level II Groundwater Assessment will require the information in a Level I Groundwater Assessment and additional information as outlined in the Guidelines. Additional data includes information obtained from test well installation(s) and water quality testing. Contact: Manager, Groundwater Section - (709) 729-2539.

2.3.2 Office of Climate Change and Energy Efficiency

- Climate change is expected to result in more precipitation and more frequent extreme weather events that may result in increased flooding, sea surge and coastal erosion. These factors should be considered when allocating land for future developments that are in close proximity to a river, floodplain or coastline.
- CCEE suggests that provincial climate change projections for Nain be considered in development stages. These projections suggest that extreme precipitation events will become more intense. For example:
 - On a 24-hour basis, a 1-in-100 year storm is expected to bring 102 mm of precipitation by mid-century, an increase from the current 87 mm (17% growth);
 - On a 12-hour basis, a 1-in-100 year storm is expected to bring between 79 mm of precipitation by mid-century, an increase from the current 69 mm (15% growth).
- More information on climate data can be provided by contacting Jennifer Forristall-Prim (729-1485) or at the following link:
http://www.exec.gov.nl.ca/exec/ccee/publications/idf_curve_2015.pdf
See page C- 47 for current climate and page D-5 for projected climate.
- Further, CCEE suggests that coastal erosion and sea-level rise data be utilized in development stages. Information is available at the following links:
 - Coastal Erosion:
<http://www.nr.gov.nl.ca/nr/mines/geoscience/publications/currentresearch/2015/Irvine-2015.pdf>

o Sea-level rise:

http://www.nr.gov.nl.ca/mines&en/geosurvey/publications/CR2010/2010_Batters_on-Liverman.pdf

- Recent updates (Section 9.36) to the National Building Code now include energy efficiency requirements for new buildings. Municipalities must comply with these new energy efficiency requirements for new developments within the municipality.

2.3.3 Newfoundland and Labrador Hydro

- NL Hydro must maintain access to our lines for maintenance, repairs and upgrades. There are to be no buildings or other developments in the transmission line or distribution line right of ways. Hydro has a strict policy of not approving developments in our right of ways and we will enforce our right of ways/easements.
- Hydro will not provide service to facilities, building, etc in our right of ways and reserves the right to remove any buildings that impede our upgrade, maintenance or repair work. Any costs to remove impediments will be at the owners' expense.
- For any new developments, Hydro asks that the town or the developer contact us prior to construction so as to identify any issues or conflicts that may arise. Developers need to provide Hydro with easements for electrical services and new development plans should show the easement for electrical service.
- Requests for access roads underneath transmission lines must be made to Hydro by contacting our customer services department.
- Hydro will obtain any necessary permits required for activity within the planning area.

2.3.4 Provincial Archaeology Office

- The Provincial Archaeology Office (PAO) has reviewed the above referral. Evidence of cultures such as Maritime Archaic Indian, Palaeoeskimo and Recent Indian has been confirmed in the Deer Lake/Upper Humber Area. To date there are six (6) known archaeological sites in this area and there is potential for others to be discovered. Due to the known archaeological sites and the potential for other sites to be found within the Town of Deer Lake, the PAO requests that all plans for construction within the town be forwarded to this office for review prior to commencement.
- In the event that archaeological resources are discovered, contact should be made with the PAO immediately for further direction.

2.3.5 Provincial Parks (Tourism, Culture, Industry and Innovation)

- The Newfoundland and Labrador T'Railway Provincial Park transects the planning area. The T'Railway Provincial Park is protected under the Provincial Parks Act and the Provincial Parks Regulations. Note that the protected area (i.e. T'Railway Provincial Park boundary) extends beyond the former railbed surface. In this location, the Park boundary extends 50 feet (15.24 metres) on either side of the centreline of the railbed and runs parallel on each side of the centerline of the old railway bed, for a total Park boundary width of 100 feet (30.48 metres).

- The Provincial Parks Regulations S. 10 prohibits operation of motor vehicles and four-wheel drive vehicles in the Newfoundland and Labrador T'Railway Provincial Park except under the authority of a Temporary Vehicle Access (TVA) Permit issued by the Minister of Municipal Affairs and Environment.
- A Construction and Use (C&U) Permit is required if any planned activities will disturb the natural state of the T'Railway (e.g., upgrading the railbed surface; constructing a driveway, road crossing, or building; removal of trees, etc). TVA and C&U Permits may be requested by contacting the Parks and Natural Areas Division at (709) 637-2040 or by emailing trailway@gov.nl.ca. Requests should be received six to eight weeks prior to commencement of the project.
- The Provincial Parks Act and Regulations can be viewed online at:
<http://assembly.nl.ca/Legislation/sr/statutes/p32.htm>
<http://www.assembly.nl.ca/Legislation/sr/regulations/rc970091.htm> 6

2.3.6 Mines and Energy Division (Natural Resources)

- The Mines Branch, Department of Natural Resources, regulates quarrying, mineral exploration, and mining within the province. Quarrying (generally referred to 'mineral workings' in municipal and planning documents) and mineral exploration are widespread activities throughout the province.
- There are a number of past and present quarry sites within the Town of Deer Lake Municipal Planning Area (MPA). Most of the quarry sites and the largest quarry sites still operating are located in the northeast of the planning area on both sides of the TCH. Those quarry sites located on the north side of the TCH at this location are within a dedicated Mineral Workings zone. Most of the quarry sites located in the centre of the MPA near built up areas are either closed or near closure. The remaining quarry sites within the MPA that are still active (i.e. covered by a quarry permit) are either located in the Rural or the Agricultural zone, both of which allow quarrying (i.e. mineral workings) as a discretionary use. Information about known aggregate resources within the MPA is provided under point 5 below.
- There are currently no mineral licenses (within which mineral exploration may be carried out) issued within the MPA. Historical exploration work in and immediately adjacent to the planning area has mostly focused on the several recognized uranium occurrences scattered near the northern boundary of the planning area (the Nichols Brook, Rocky Brook, and Junction Brook occurrences), as well as a recognized chromite occurrence on Lanes Brook. Recognized mineral occurrences located within the MPA are either within the Rural or the Agricultural zone, both of which allow mineral exploration as a permitted use.
- The Mines Branch offers the following general advice to consider when drafting or revising a Municipal Plan and Development Regulations, interspersed with commentary (italicized) specific to the Town of Deer Lake and its current Municipal Plan and Development Regulations:
 1. Mineral exploration and mineral workings should be defined separately. Mineral workings refers to quarrying whereas mineral exploration refers to the search

for mineral deposits. Mineral exploration ranges from hobby prospecting to advanced techniques such as trenching and diamond drilling. Mineral exploration generally has a much lower environmental impact than mineral workings and should not be subject to the same set of municipal regulations and zoning restrictions. Quarrying and mineral exploration are highly regulated activities and the permitting process for each involves the municipality when the proposed activity is located within a municipal planning area; we ask that municipalities take this into account when developing their municipal plans and development regulations. The following are summaries of how quarrying and mineral exploration are regulated in the province:

(a) The Mineral Lands Division, Mines Branch, Department of Natural Resources, administers the Quarry Materials Act, 1998, under which quarrying may be approved by the issuance of either a quarry permit or lease. Quarry permits are issued for no longer than one year and are not subject to renewal, though the holder of a quarry permit one year gets the first opportunity to apply for a quarry permit covering the same area next year. Once a quarried area is no longer covered by a quarry permit, then the most recent quarry permit holder is required as a condition of that permit to rehabilitate the site by re-sloping pit sides and placing stockpiled organic materials back over the site. Quarry leases are issued instead of quarry permits where a longer term need has been demonstrated, are issued for a period no longer than 20 years, and require a development and reclamation plan and the posting of financial assurance with the Department of Natural Resources in an amount sufficient to complete the reclamation work outlined in the plan should the company be unable to. Development and closure plans and the amount of financial assurance are reviewed and approved by the department and are required to be kept up to date. All applications for quarry permits and leases for areas located within a municipal planning area are referred to the municipality, in addition to other government agencies, and terms and conditions are drafted to address any specific concerns raised during the referral process. The Mineral Lands Division has three regional quarry compliance officers who carry out inspections year-round to ensure that the terms and conditions of quarry permits and quarry leases are adhered to, including that rehabilitation, once due, is completed as required. Should a town have concerns about any quarrying activity, whether before or after the issuance of a quarry permit or lease, it should contact the Mines Branch, Mineral Lands Division in order to have the concerns addressed.

(b) The Mineral Lands Division administers the Mineral Act under which mineral licenses are issued and within the bounds of which mineral exploration may be approved by the issuance of an "exploration approval". Exploration approvals are generally issued for no longer than one year. Applications for exploration approval involving areas within a municipal planning area and where the activities proposed may involve ground disturbance, wildlife disturbance, water quality impairments, or foreseeable land use conflict, are referred to the municipality (in addition to other government agencies), and terms and conditions are drafted to address any specific concerns raised during the referral process. That being said, basic environmental requirements for mineral exploration are already set out in the Mineral Regulations under the Mineral Act, for example, that all excavated, stripped, and grubbed sites be rehabilitated by backfilling or re-contouring, as appropriate, and then placing stockpiled organic

materials back over the site. The Mineral Lands Division conducts inspections year-round to ensure that the Mineral Regulations and the terms and conditions of exploration approvals are adhered to, including that rehabilitation, once due, is completed as required. Should a town have concerns about any mineral exploration activity, whether before or after the issuance of an exploration approval from the Department of Natural Resources to conduct the work, the town should contact the Mines Branch, Mineral Lands Division in order to have the concerns addressed.

- *The current Development Regulations define mineral exploration and mineral workings separately, however oil exploration is included under mineral exploration which it should not be as the two activities almost never coincide, are regulated by different pieces of legislation, and oil exploration and extraction may be associated with potential environmental impacts that are unique to those activities and which are completely unrelated to mineral exploration or mining. For the same reasons, oil and natural gas extraction should not be included in the definition of mining.*
- *Section 14(3) the current Development Regulations states that proponents of mineral workings shall provide a financial guarantee or equivalent. Given, however, that there exists provision for financial security under the Quarry Materials Act, 1998, whether as a firm requirement for quarry leases or as a potential condition of approval for quarry permits, in order to avoid regulatory duplication, section 14(3) should contain a statement to the effect that "financial security posted under a provision of the Quarry Materials Act, 1988, shall be considered sufficient to meet this requirement."*

2. A distinction should be made between mineral exploration that is classed as development and not classed as development. Mineral exploration that is not classed as development by virtue of minimal or no visible impact (e.g. prospecting, ground geophysical surveys, geochemical sampling surveys) should be allowed anywhere in the planning area. Mineral exploration that is classed as development (commonly defined as involving significant ground disturbance or another conspicuous impact) should be at least a discretionary use in all zones, provided that the work is subject to conditions appropriate to the use zone and which address any other concerns specific to the location.

Section 2.12 of the current Municipal Plan and section 40 of the current Development Regulations make the above distinction and provide for mineral exploration to be permitted throughout the vast majority of the MPA subject to certain limitations the reference to 'buggering' in 2.12 of the Municipal Plan needs to be corrected).

Section 32(3) of the current Development Regulations requires a 300 m buffer between mineral exploration classed as development and residential developments. The Town should reconsider this distance as a strict requirement and instead select buffers on a case-by-case basis during its participation in the exploration approval referral process described above.

Section 2.12(2)(c) of the current Municipal Plan and section 40(5) of the current Development Regulations states in respect to mineral exploration that, "where

there is to be ground disturbance, the developer shall provide a site restoration surety and/or satisfactory guarantees of the site landscaping to the Town." The Town should reconsider this requirement given its involvement in the exploration approval referral process described above and given that existing regulations already require the full rehabilitation of sites disturbed in the course of mineral exploration.

3. Mineral exploration associated with mineral licenses (or mining leases or impost lands) whose issuance date is earlier than a zoning or other planning decision, which restricts or disallows mineral exploration should be considered a non-conforming use as per section 108 of the Urban and Rural Planning Act and allowed to continue accordingly.
4. Mineral workings (quarrying) at quarry sites established before a zoning or other planning decision, which restricts or disallows mineral workings should be considered a non-conforming use as per section 108 of the Urban and Rural Planning Act and allowed to continue accordingly.
5. Mineral workings should be a permitted use in areas zoned Rural and at least discretionary in other relatively undeveloped zones in order to ensure that there is adequate space for quarrying within the Planning Area to meet present and future demand for construction aggregate and fill in the town. High-quality aggregate is a valuable and potentially scarce resource and the cost of construction aggregate increases significantly with transportation distance, and this is why it may not be prudent for municipalities to rely on more distant quarries to meet local demand.

Much of the north and west of the MPA are underlain by areas of recognized aggregate resource potential (i.e. areas recognized as containing or likely to contain sand and gravel deposits of suitable size and quality for quarrying). More specifically, areas of recognized aggregate resource potential occur on both shores of Deer Lake and occupy most of the MPA north of the transmission line, as well as the rivers leading into and out of Glide Brook Steady. Almost every past and present quarry site within the MPA is located within one of these areas. It is no exaggeration to state that the Town of Deer Lake MPA is exceptionally endowed with aggregate resources, far in excess of almost every other municipality in the province.

Deer Lake is one of the few municipalities to have a dedicated Mineral Workings zone. Dedicated Mineral Workings zones are perhaps the surest way to avoid land use conflicts involving quarrying. The Mineral Workings, Rural, and Agricultural zones overlap much of the area of recognized aggregate resource potential within the MPA; almost all of the active (i.e. permitted) quarries within the MPA are located within this area of overlap.

6. Development Regulations typically establish minimum separation distances or buffers between mineral workings and adjacent uses (section 32(4) in the current Development Regulations and condition 10(1) of the Mineral Workings use zone which applies to all mineral workings [and repeated amidst mineral workings conditions for other use zones where the activity is permitted or

discretionary]. Development Regulations should also contain a statement to the effect that, where a minimum required distance was originally observed when choosing the location of the quarry, quarrying should not be discontinued or impeded where the buffer is reduced to less than the required distance due to encroachment of development towards the quarry.

7. Quarry materials produced as a by-product of an approved development may be removed from the development site provided that royalties are paid to the province as required by the Quarry Materials Act, 1998. For example, site preparation to construct a building involves removing topsoil, overburden, and possibly rock from the footprint area; these materials may be retained or re-used on the development site (no royalties due) or removed from the site (royalties due). In order to ensure that royalties due the province are paid, it is necessary that the Department of Natural Resources be made aware of approved developments where the removal of quarry materials is taking place or may take place. The Development Regulations should contain a statement to the effect that "For approved developments where the extraction of quarry materials is occurring or may be expected occur, the Town shall send a copy of the development permit to the Mineral Lands Division, Department of Natural Resources. Note that quarry materials include but are not limited to aggregate, fill, rock, stone, gravel, sand, clay, borrow material, topsoil, overburden, subsoil, peat."
8. *In the Table of Use Classes, mineral workings, mineral exploration, and mining should each be listed as their own, distinct Use Class. The same applies to petroleum exploration and extraction. In the current Development Regulations, "oil wells" are listed under the Mining use class.*

Overall, the current Municipal Plan and Development Regulations comprehensively address mineral exploration and quarrying and future revisions should continue to do so. The current Development Regulations, however, contain unnecessary repetition of regulations governing mineral workings, making the document more cumbersome and introducing the potential for confusion; the next revision should seek to eliminate unnecessary repetition. By contrast, the development regulations for mineral exploration (section 40) are referenced under each use zone in which mineral exploration is permitted or discretionary, however not actually repeated; such cross-referencing helps ensure that these regulations do not get overlooked while avoiding making the document significantly more cumbersome.

If you have any questions about any aspect of quarrying or mineral exploration or the above comments, please contact Stephen Hinchey, Exploration Monitoring and Land Use Geologist, Mines Branch, Department of Natural Resources, at 729-5748 or stephenhinchey@gov.nl.ca.

- As part of this response, please find attached a document from the Geological Survey of Newfoundland and Labrador providing general advice to inform the municipal planning process on the subject of geological hazards and climate change.

2.3.7. Geological Survey of Newfoundland and Labrador (Natural Resources)

- The following comments are provided as a general statement from the Geological Survey of Newfoundland and Labrador, Department of Natural Resources, as part of the municipal plan review process. Some of the areas of discussion may not apply to the community under review. More details can be provided by contacting:
Martin Batterson, Director Geological Survey of Newfoundland and Labrador
Phone (709) 729-3419
Email: martinbatterson@gov.nl.ca
- Newfoundland and Labrador has a long history of geological disasters with over 290 incidences of geologically-related impacts having been recorded from 150 communities in the province over a 223-year period. There are likely numerous unrecorded events that have occurred in areas currently within municipal boundaries at a time when there was no impact on infrastructure. With community expansion and the pressure for development, these areas may be considered for residential or commercial uses. To assist the municipal planning process in identifying areas of geological hazard, the Geological Survey has begun a project to identify areas at risk of geologically-related events (landslide, rockfall, avalanche, coastal erosion, flooding) within municipalities in the Province
(<http://www.nr.gov.nl.ca/mines&en/geosurvey/disasters/>)
- The sections below on flooding, landslide and rockfalls, coastal erosion and climate change should be considered in planning decisions:

Flooding: Flooding affects both inland and coastal areas. River flood plains are those areas adjacent to modern rivers that overflow their banks during storm events or as a result of ice jams. Low-lying coastal areas, including areas within the municipality of Deer Lake, may be inundated by the sea during storm surge events, especially if coastal protection (including beaches) is breached. Areas at river mouths are particularly vulnerable during river flooding during periods of unusually high tide or storm events. Flood risk maps for many areas of the Province have been released by Environment Canada and the Newfoundland Department of Environment and Conservation. These maps indicate historical events and show areas of potential threat from 1:100 year flood events. The responsibility for flooding related issue lies with the Water Resources Division, Department of Environment and Conservation, and they should be consulted on this subject. Historical flood events have been compiled in the Geological Survey's database of geological disasters.
(<http://www.nr.gov.nl.ca/mines&en/geosurvey/disasters/>).

Landslide and rockfall: Rockfall and landslide are common in Newfoundland. They are commonly triggered by heavy rainfall on steep slopes. Any development at the base of a steep slope should consider rockfall potential.

These are slope processes that involve the downslope movement of material (unconsolidated sediment, bedrock and snow) in response to gravity. Slope angle and sediment characteristics are important factors that influence slope stability. Rockfalls are the downslope movement of boulders, either by free fall, rolling or sliding. These boulders may be dislodged by freeze-thaw activity, erosion beneath the boulder, bedding plane failure or human activity. Rockfall may also impact a slope below and

trigger a landslide. Rockfalls tend to occur repeatedly, forming a talus cone of boulders at the foot of a steep slope. For single-block rock falls, the concept of a 'shadow angle' is well established. The shadow angle is defined by the angle below horizontal formed by the line lying between the apex of the slope subject to rock fall and the extreme position of rock fall debris (boulders). Numerous studies have shown this to be between 22° and 30°.

Landslides involve the downslope movement of unconsolidated material under the influence of gravity and are capable of producing widespread damage. In Newfoundland and Labrador landslides are commonly triggered by heavy rain or snowmelt, which introduce large quantities of water to the slope. Sediment becomes saturated beyond its shear strength, at which point, movement occurs. This movement may be rapid (e.g., debris flows) or slow (e.g., creep). Historical landslide events have been compiled in the Geological Survey's database of geological disasters (<http://www.nr.gov.nl.ca/mines&en/geosurvey/disasters/>).

Avalanches: Avalanches are another rapid form of slope movement. They generally consist of a combination of snow and ice, but may include sediment, rock, and vegetation. To occur, they require heavy snowfall (either introduced by precipitation or wind), and a steep (30°- 50°) slope. The trigger for avalanche is commonly heavy snowfall over a smooth surface, produced from either a rapid fall in temperature in the days preceding the snowfall or from a period of freezing rain or burial of a weak layer in the snow. Alternatively, high winds blowing over a slope may create a cornice, which may break off, falling to the slope below and triggering an avalanche. Historical avalanche events have been compiled in the Geological Survey's database of geological disasters (<http://www.nr.gov.nl.ca/mines&en/geosurvey/disasters/>).

Climate Change: Wave magnitude and the frequency of extreme wave events (including storm surge) may be expected to increase if predictions of global climate change and associated global sea level rise occur. In Newfoundland and Labrador, the crust continues to move, albeit slowly, in response to the last glacial period. Most of the Island of Newfoundland is currently experiencing rising sea level, which will exacerbate the sea level rise as a result of climate change. Over the next century sea level is expected to rise by over 1 metre in eastern Newfoundland, 80-90cm in western and southern Newfoundland, and less than 70 cm in Labrador; sea-level rise will continue beyond 2099 . (http://www.nr.gov.nl.ca/nr/mines/geoscience/publications/currentresearch/2010/batterson_liverman.pdf).

Rising sea level will increasingly threaten our coastline and thus planning should restrict development in low-lying areas or those adjacent to cliff edges that may experience enhanced erosion. The increased risk of coastal erosion may be accentuated by increasing pressures on the coast for residential development. **Based on the potential future impact of sea level rise and storm surge, areas below the present 2-metre contour are considered to be highly vulnerable to coastal flooding.** Development within this area should be restricted to ensure that appropriate mitigation measures are employed. These could include coastal protection measures or enhanced engineering standards, although communities may choose to remove these areas from development. Areas above the present 2 m contour may also be at risk from coastal flooding.

The Government of Newfoundland and Labrador (Office of Climate Change and Energy Efficiency) commissioned a study of the projected impacts of climate change in the province for the period 2038-2070. The 2013 report, prepared by Dr. Joel Finnis of Memorial University, incorporated data from 7 regional climate model (RCM) simulations provided by the North American Regional Climate Change Assessment Project (NARCCAP). Model projections were compared against observations collected by Environment Canada (EC) climate stations in the province. With regards to predicted changes in temperature and precipitation the report highlights that the climate will become warmer (especially winter temperatures) and wetter (both intensity and duration) and that an increase in rain-on-snow events is likely. The latter could lead to an increased potential for flooding and landslides/ avalanches. Details of the climate change projections report can be found at:

(www.turnbackthetide.ca/whatsnew/2013/nl_climate_change_projections_summary.Pdf)

The Geological Survey is introducing a hazard mapping program for the province. Initial work will focus on the north-east Avalon Peninsula. Maps will be released as they are completed, and mapping will extend to other areas of the province in due course.

(www.nr.gov.nl.ca/nr/mines/geoscience/publications/openfiles/OF_001N-0884.pdf).

As always, the Geological Survey is available for discussions on all geologically-related hazard issues, including the potential impacts of, and adaptations to, climate change.

2.3.8 Land Use Planning/Regional Operations (Municipal Affairs and Environment)

- Any development occurring 100m from the TCH or Route 430 (Protected Roads) within the Municipal Boundary (MB) or 150m from those roads within the Planning Area (Outside of the MB) will require a permit from Service NL.

2.3.9 Crown Lands (Fisheries and Land Resources)

- Crown land applications within the area will require an approved Municipal Recommendation form.
- There are numerous existing titles and sites under application for Crown Land within this Town planning area – any proposed plans should take this into account as well as to giving consideration to some possible future land uses.
- A review of the Provincial Land Use Atlas identifies significant land use interest by Corner Brook Pulp and Paper as well as Deer Lake Power. Both of these companies should be consulted regarding their interests that fall inside the Town of Deer Lake's planning area.

2.3.10 Agricultural Lands Section (Fisheries and Land Resources)

- The Agrifoods Development Branch has reviewed the proposal submitted to ILUC by the Department of Municipal Affairs regarding the Town of Deer Lake Municipal Planning Review. Attached for your information is a map containing the most recent information available to the Branch showing all known agricultural properties in the Deer Lake area. Also identified for your information is the Humber Valley Agriculture Development Area.

- The Branch's mandate includes protecting existing and future agriculture, small and large scale. Land and soil for agricultural development is limited within this province and its protection is vital. We are satisfied with the existing plan provided the following amendments are made. In addition, existing agriculture properties and development must not be negatively impacted and allowed to expand where permissible. This includes properties not identified on the attached map such as small scale home gardens.

Some areas to highlight:

- Part II, 32 of Development Regulations, 2(b):
In point 2(b) it states "The structure shall be at least 60 metres from the boundary of the property on which it is to be erected...". We are satisfied with the 60 metres however it should be noted that Provincial Guidelines recommend 45 metres.
- Schedule A – Definitions:
The definition for "Animal Unit" within the town plan is inconsistent with provincial guidelines and recognized definitions. The Branch requires that it be changed to reflect the definitions indicated in the attached documents from the Environmental Farm Practices Guidelines for Livestock and Poultry Producers in Newfoundland & Labrador.

2.4 Public Consultations

2.4.1 First Open House – November 24, 2016

The initial public consultation for the Plan Review took place on November 24, 2016 at the Deer Lake Town Hall. The session included an Open House from 1:00 pm to 5:00 pm and again from 6:30 PM to 7:15 pm. A public forum facilitated by Planner John Baird began at 7:15 pm and ran till about 9:30 pm. Overall attendance included 35 residents and 6 Council representatives.

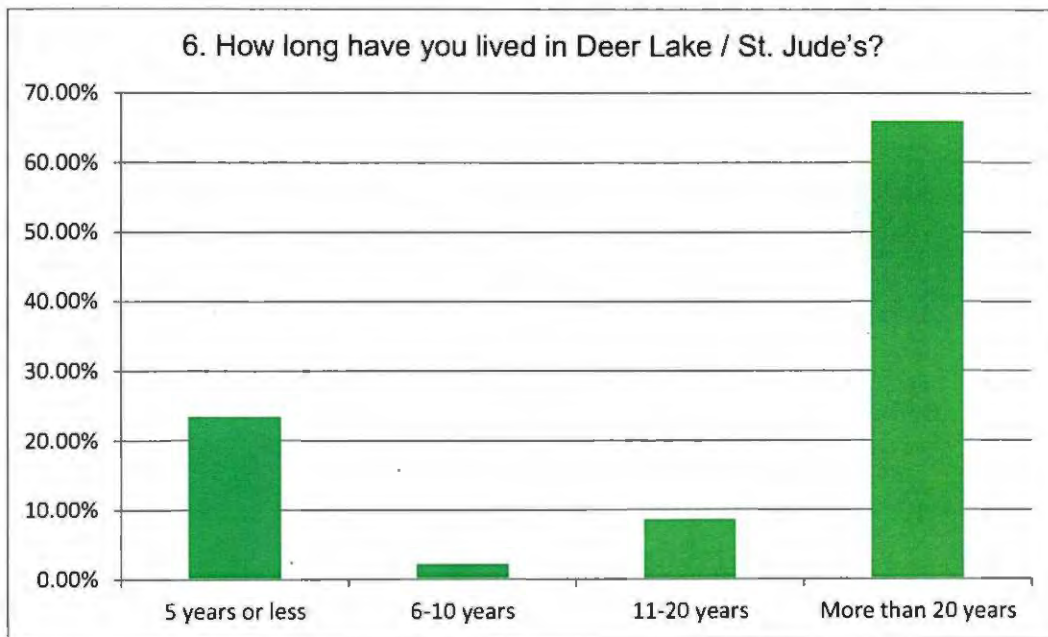
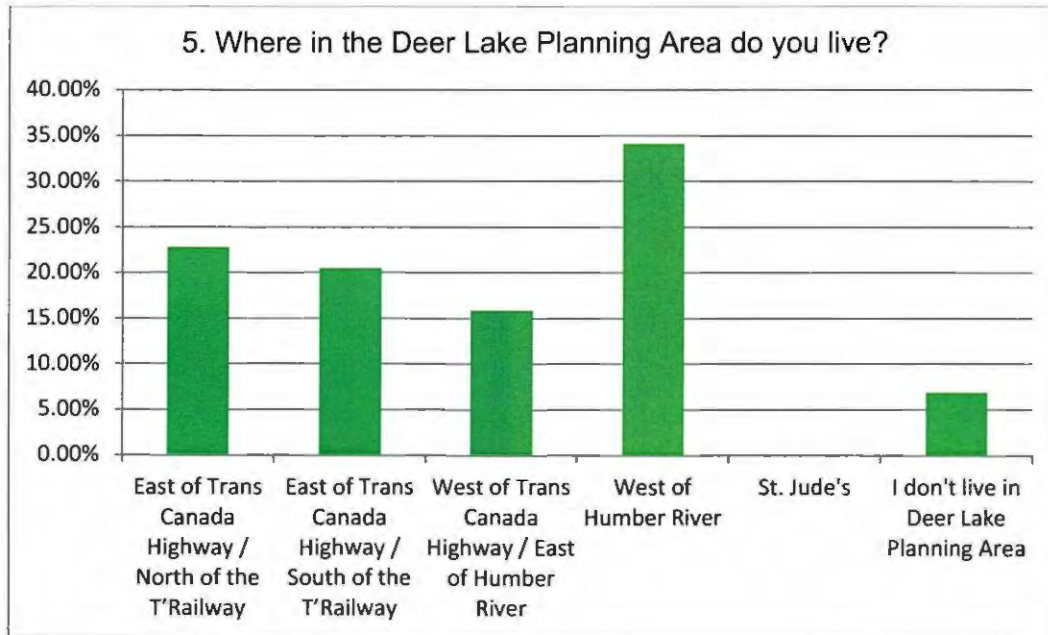
The main planning issues raised during the session included the following:

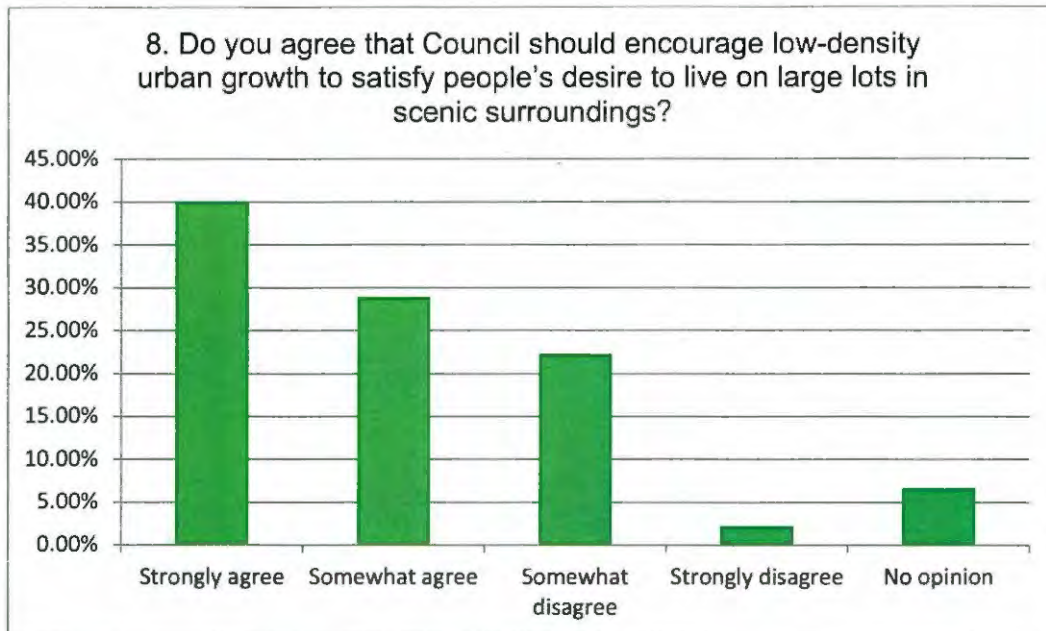
- Boat launch area by Nicholsville Bridge is overused. Council needs to find and develop additional sites.
- The intersection of Farm Road/Chapel Hill and Wight's Road has a lot of accidents. Council should identify solutions to reduce traffic confusion at this busy intersection. Maybe ban parking on right side of Chapel Hill going toward Wight's Road.
- There is limited land available for future retail development.
- Commerce Street and Upper Nicholsville Road run too close together. If they were combined, it would create space for more businesses to develop toward the highway. Town Planner said this is not feasible for a number of reasons: (1) War Memorial takes up some of this land, (2) Foodland parking lot would become separated from the store, which would compromise pedestrian safety, and (3) Mixing highway entering/exiting traffic with local business traffic would create congestion and safety problems. Transportation has proposed a roundabout at this location to improve traffic flow.
- Deer Lake needs a community garden. Why not somewhere in floodway zone?

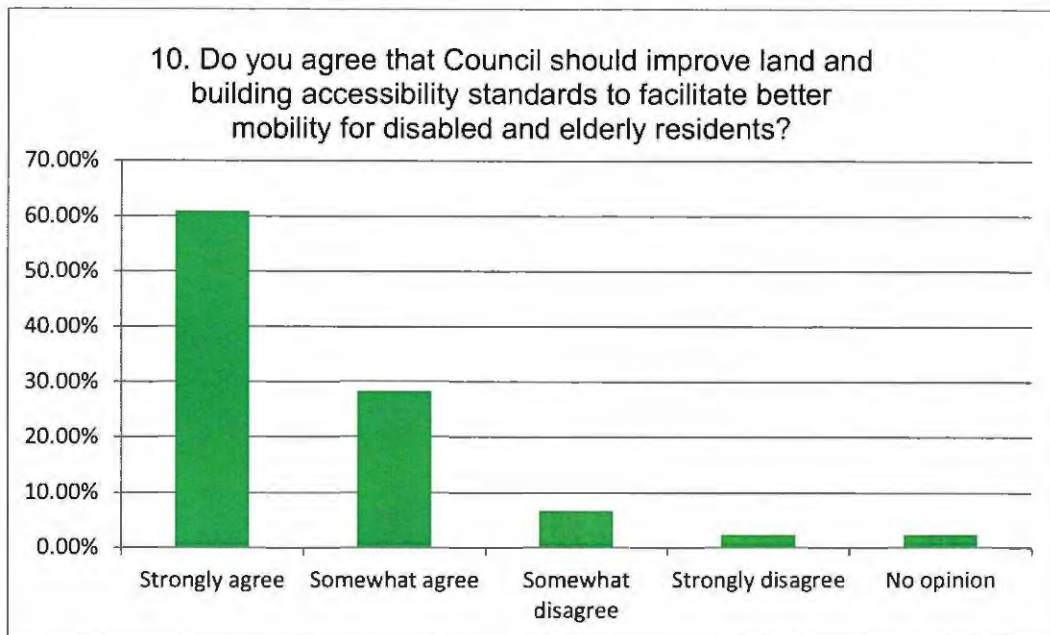
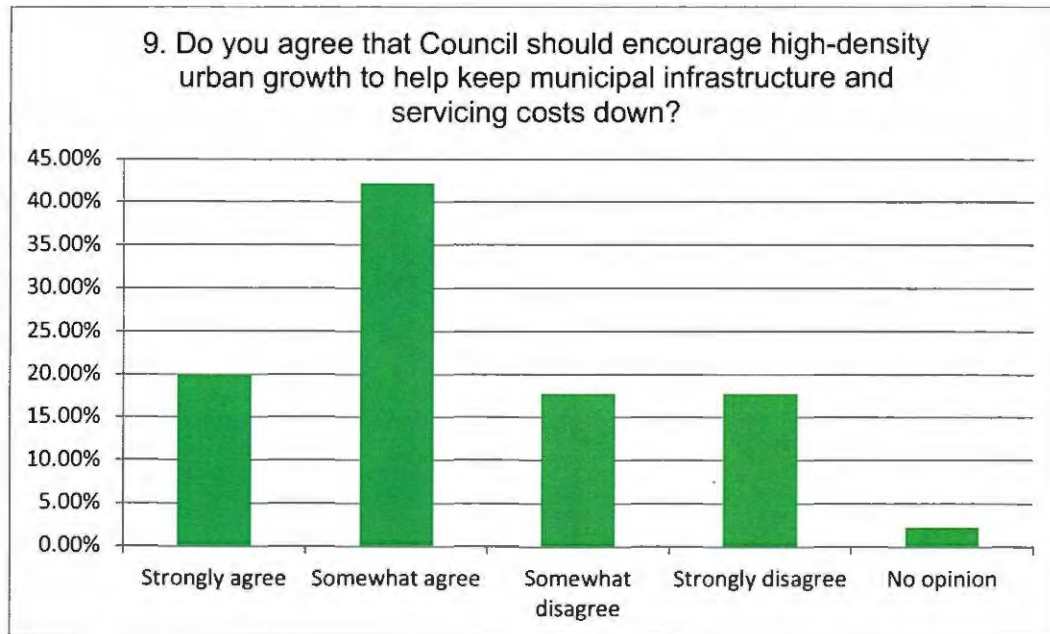
- The development of waterfront houses is making Nicholsville Road more susceptible to snow drifting when lake is frozen over. Problem is getting worse because trees are being removed to accommodate development.
- Traffic flow would be improved by building a connecting road between Garden Road & Middle Road (next to the power substation).
- Traffic flow and safety problem at Squire's Road/Gatehouse Road intersection. Southbound traffic on Gatehouse Road has to yield to northbound traffic turning left onto Squire's Road. Suggested removing yield sign, which would give natural right-of-way to southbound traffic going straight or turning right.
- Crosswalks should be wider and better marked with diagonal marking.
- New sidewalk should be installed on Wight's Road from Scotiabank to Wight's Lane to accommodate school kids going to and from Xavier School. Kids often walk 3 and 4 abreast.
- Objection was raised to the proposed road connecting Murdoch Drive and Cross's Lane. There is not enough space for another residential street. Land should be used for recreation.
- A resident indicated that recent house construction on Reginald Drive, along with the filling in of the ditches, has created runoff problems. Because he lives at the bottom of the hill, runoff now runs into his basement. This occurred this year for the first time ever.
- A resident of Goose Arm Road with a 26-acre property and 1000-foot deep lot would like to subdivide land into lots. Also wants to build a large accessory building but maximum Town will allow is 1000 ft². Says larger accessory building should be permitted on large lots such as his.
- Water is only one problem. Sewage is another. Why is Town pumping sewage to the top of a hill east of Old Bonne Bay Road? Treated sewage gravity feeds to Humber River. If lagoon were at same elevation as river, it would save a lot of energy costs.
- Beach park should have change houses and toilets. Also, the signage on Nicholsville Road for the park needs to be improved. A Councillor responded that Council has a plan to further develop the beach park.
- Occupancy permits are needed to stop people from moving into half-finished houses and sheds.

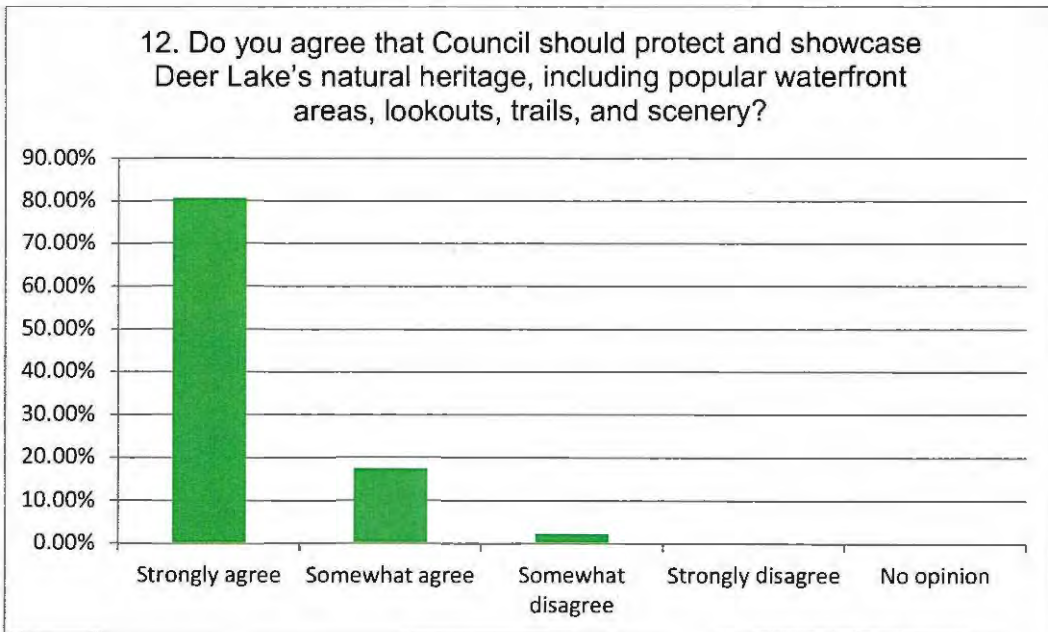
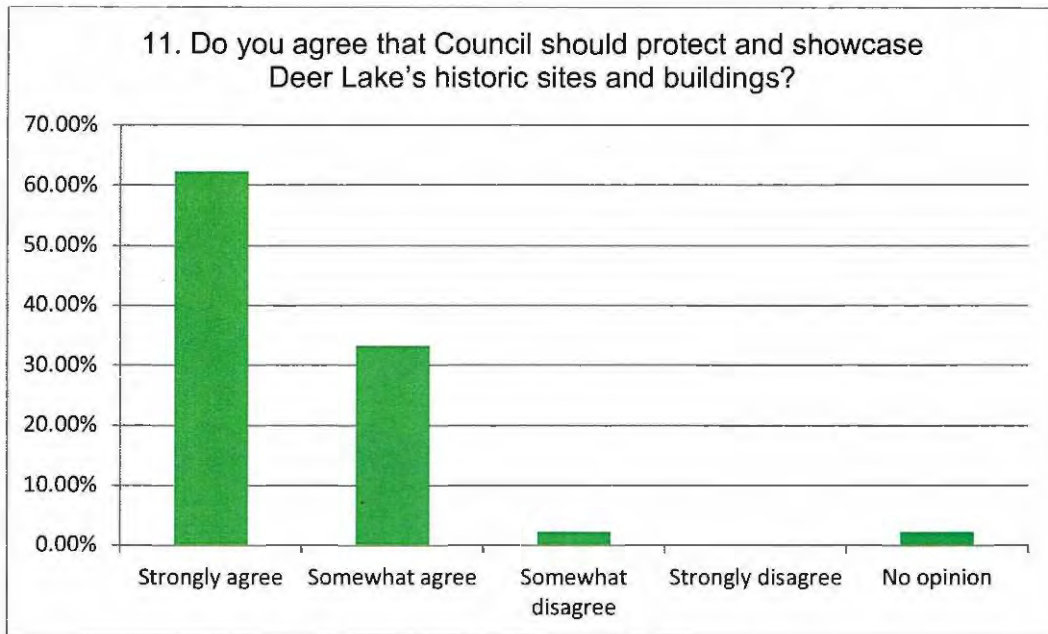
2.4.2 Public Opinion Survey

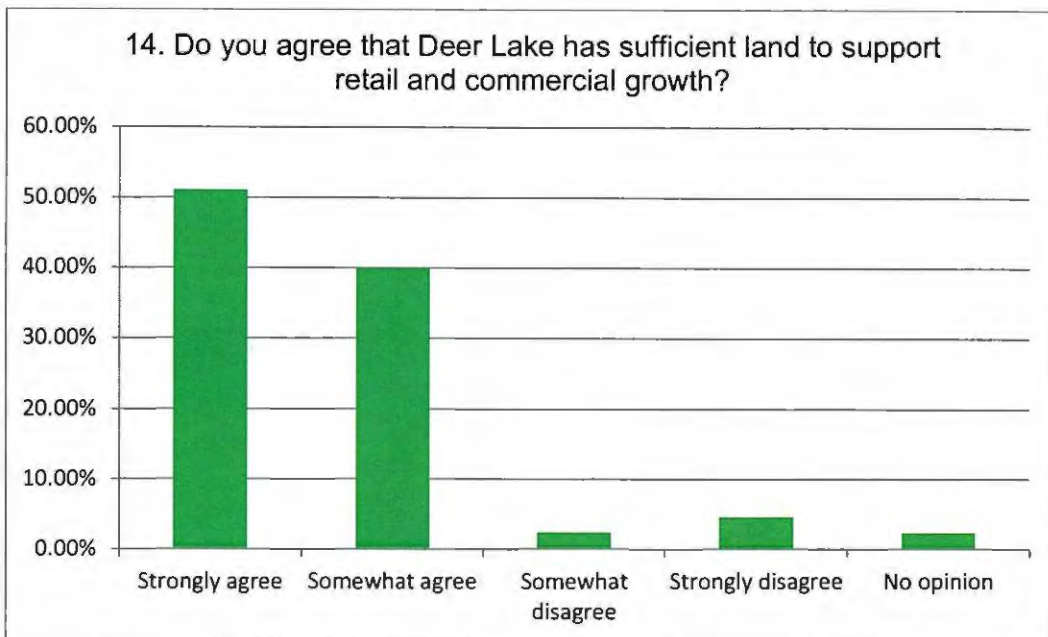
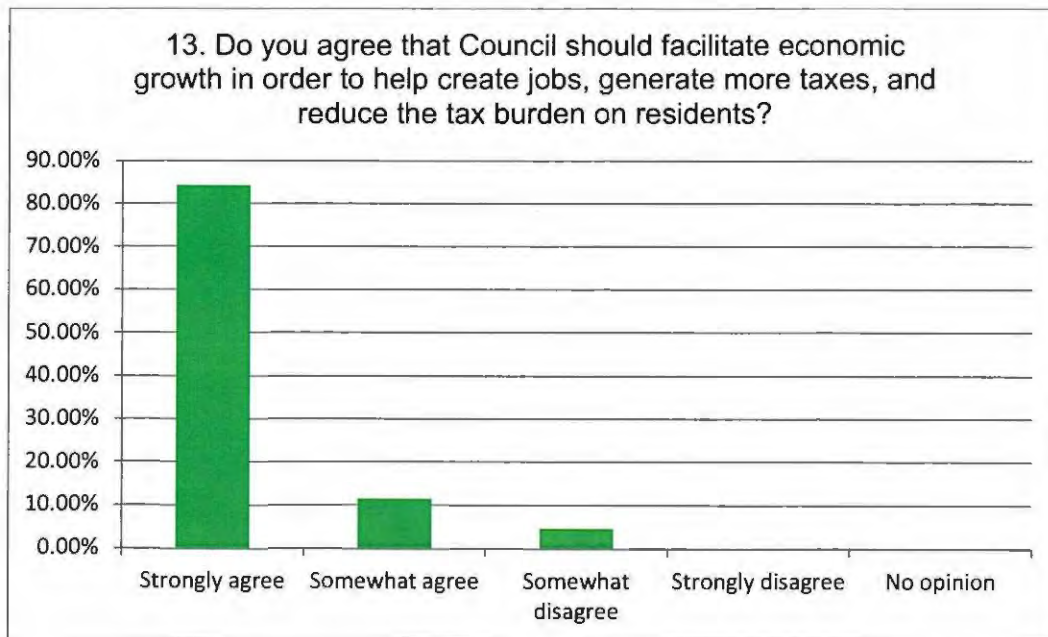
A total of 47 questionnaires were completed - one on paper at the first open house and 46 online. The survey results are provided in the following graphs and comments.

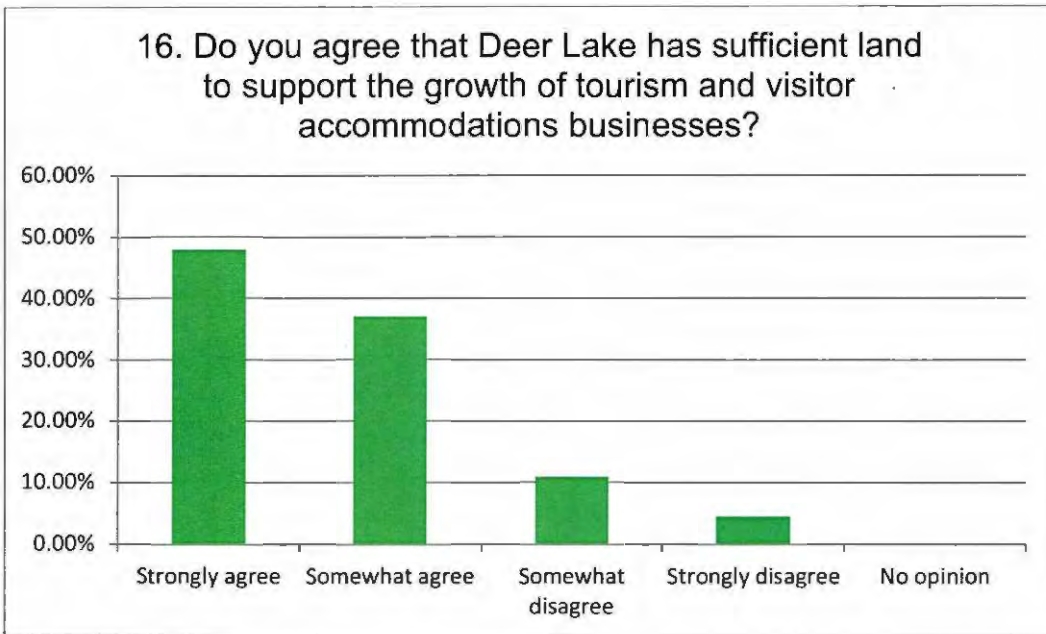
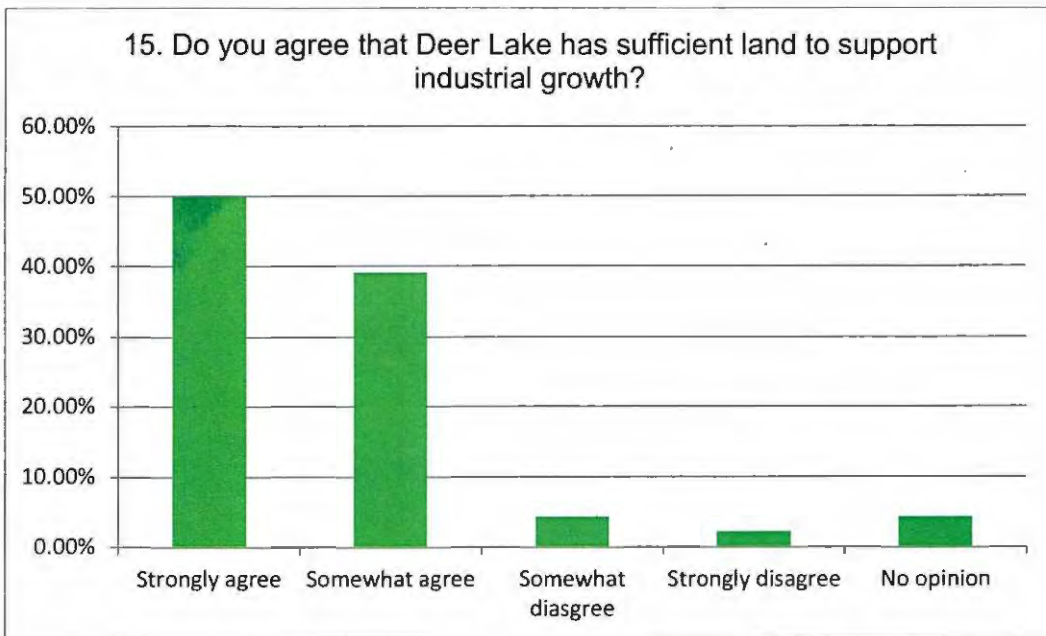


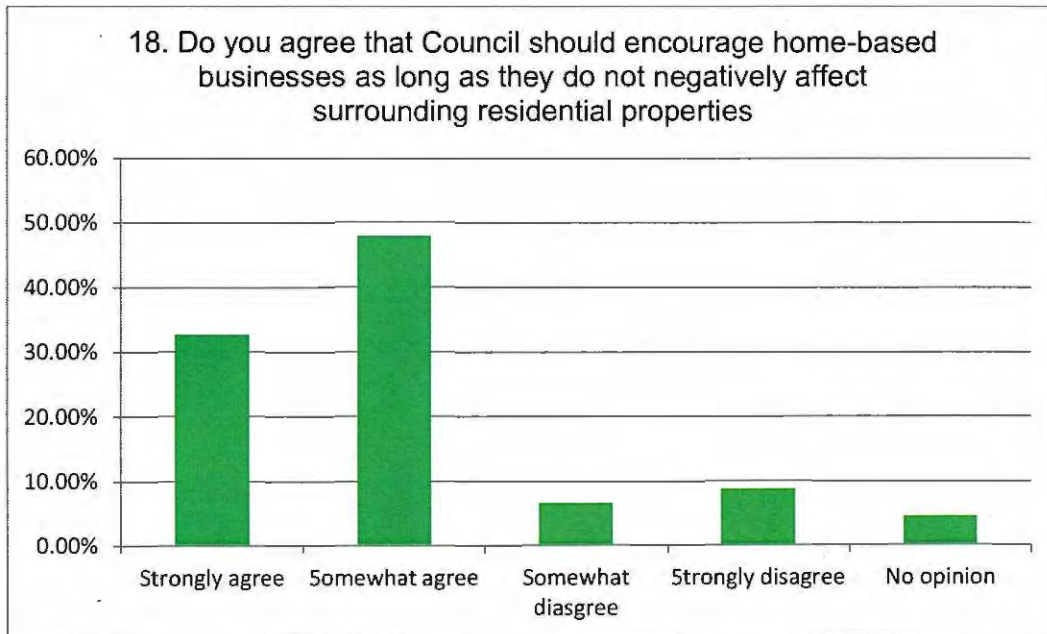
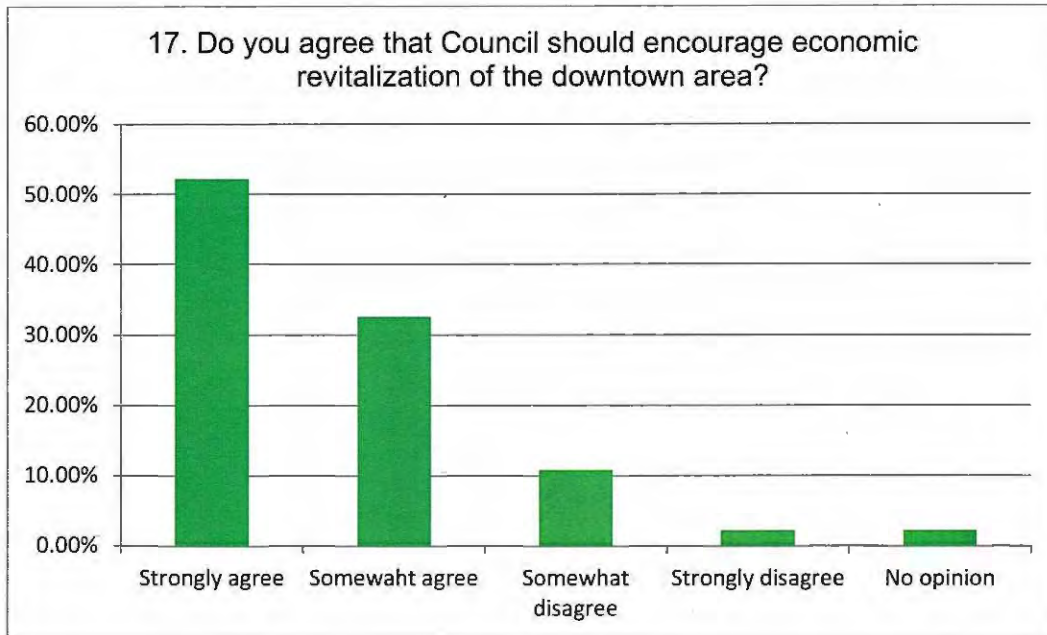


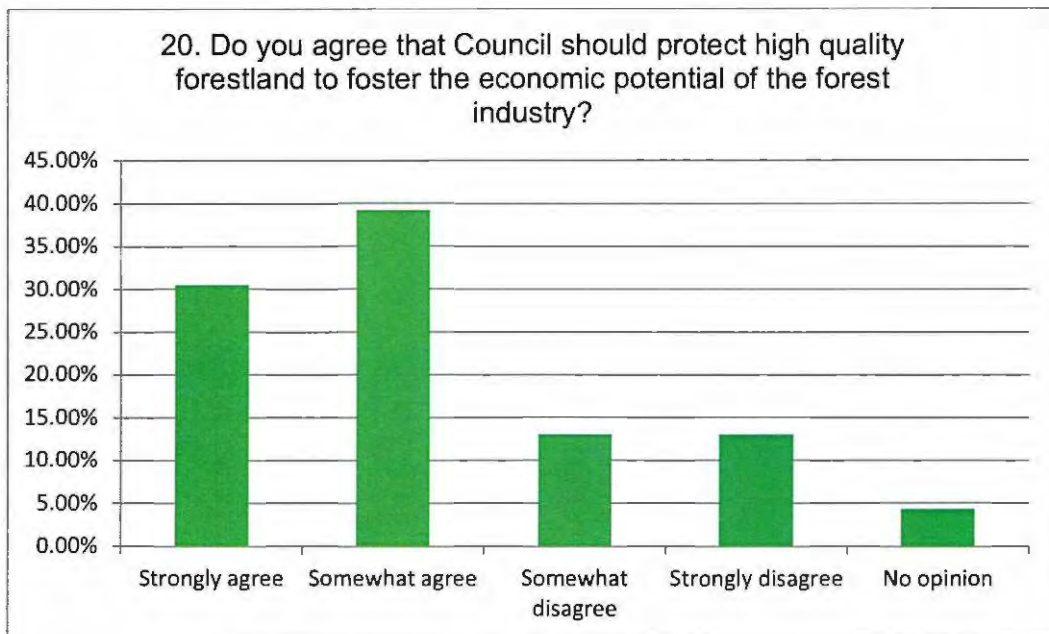
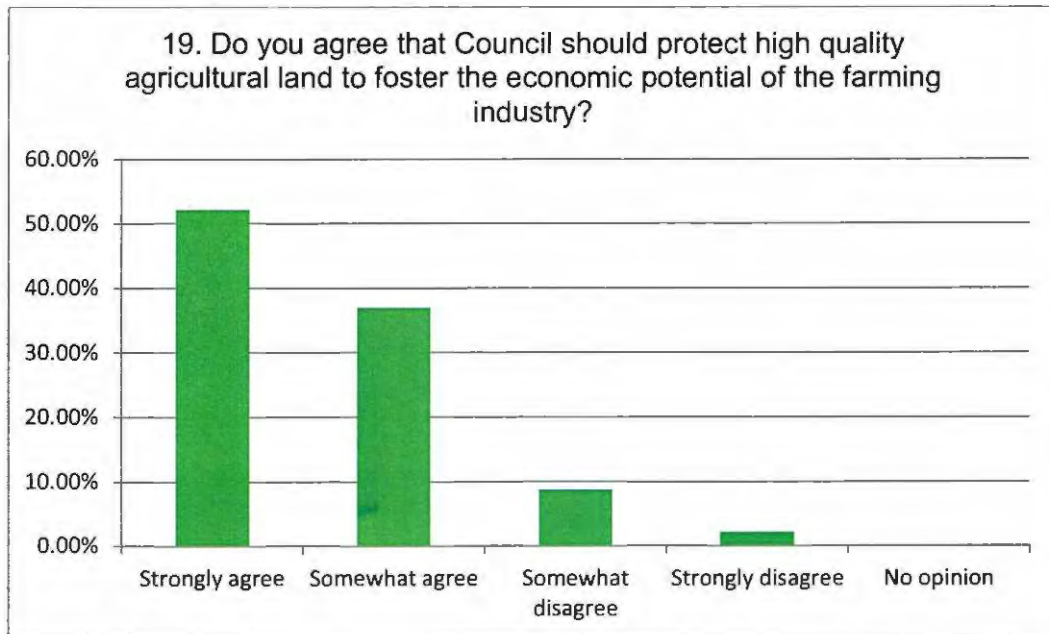


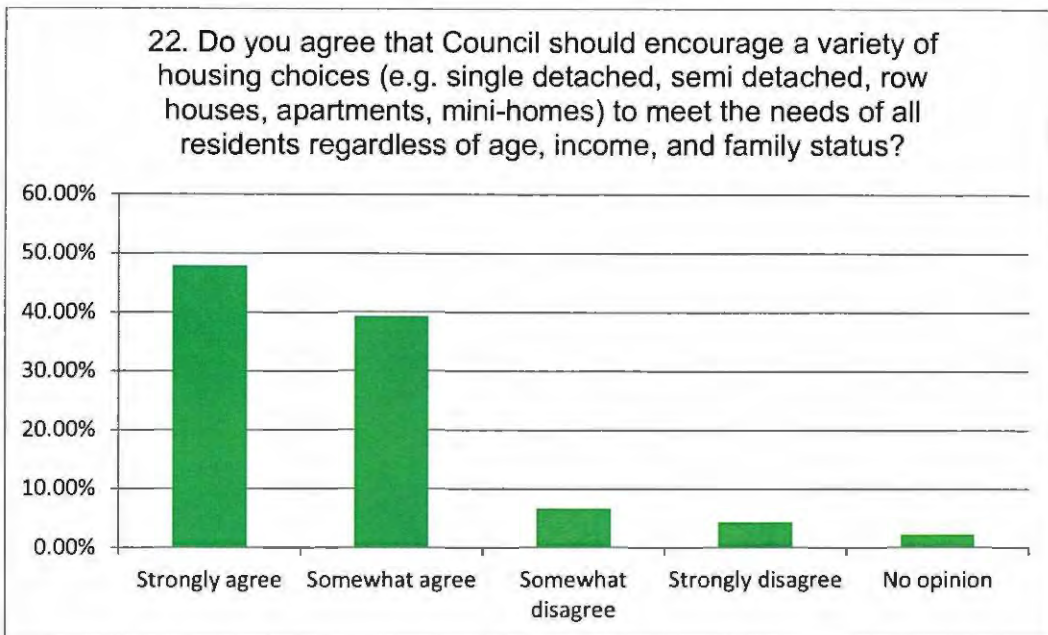
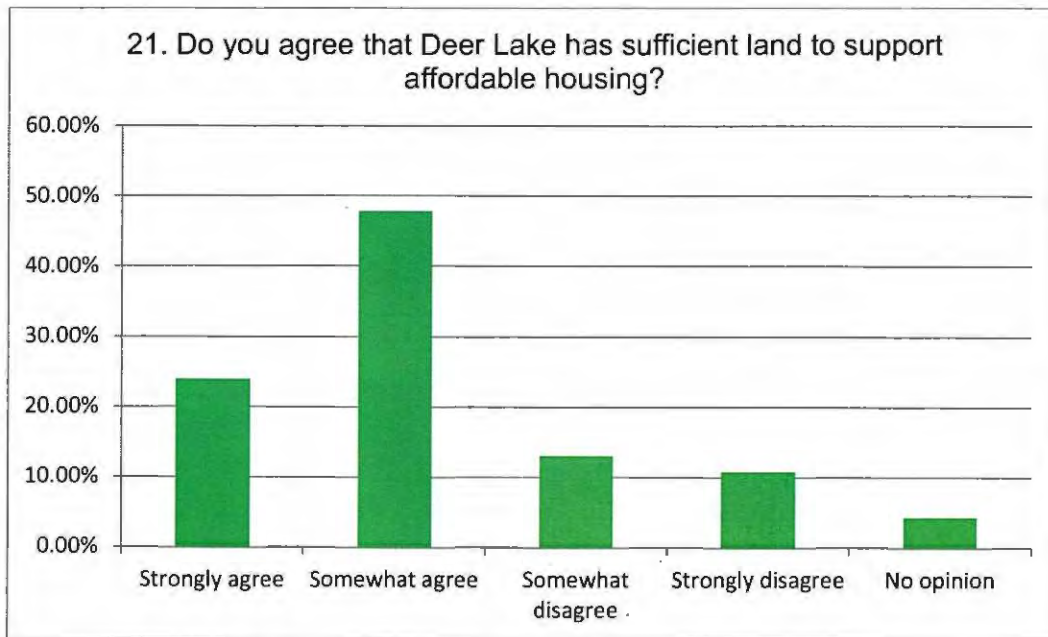


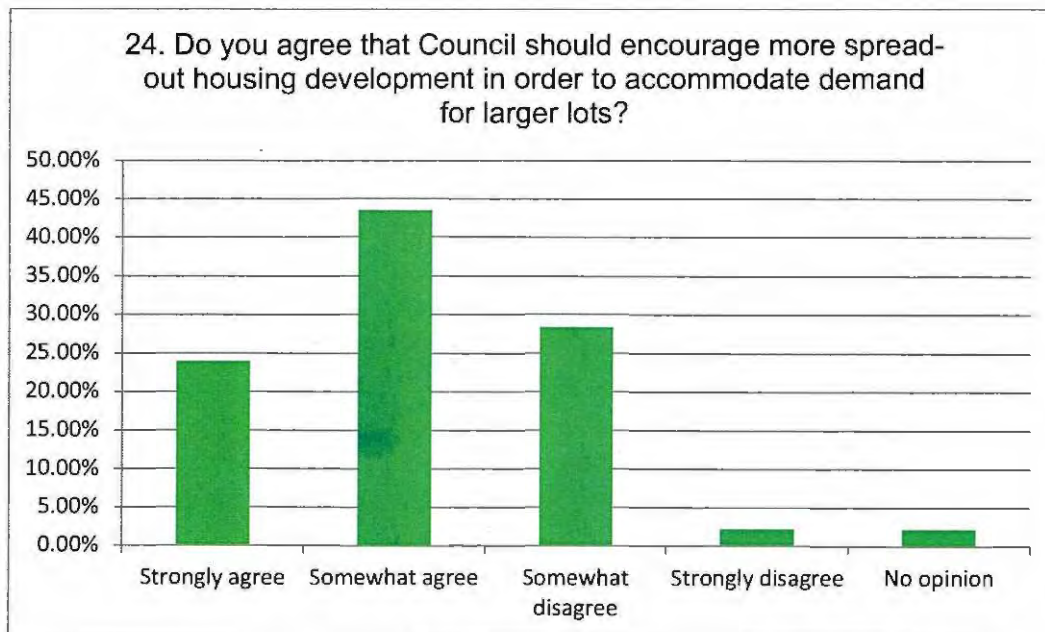
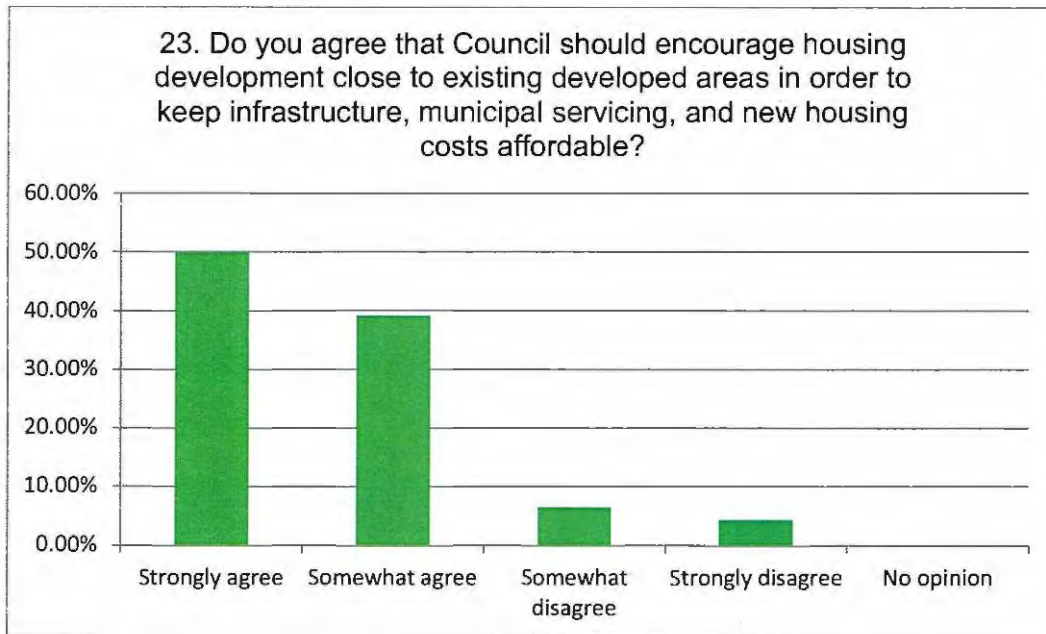


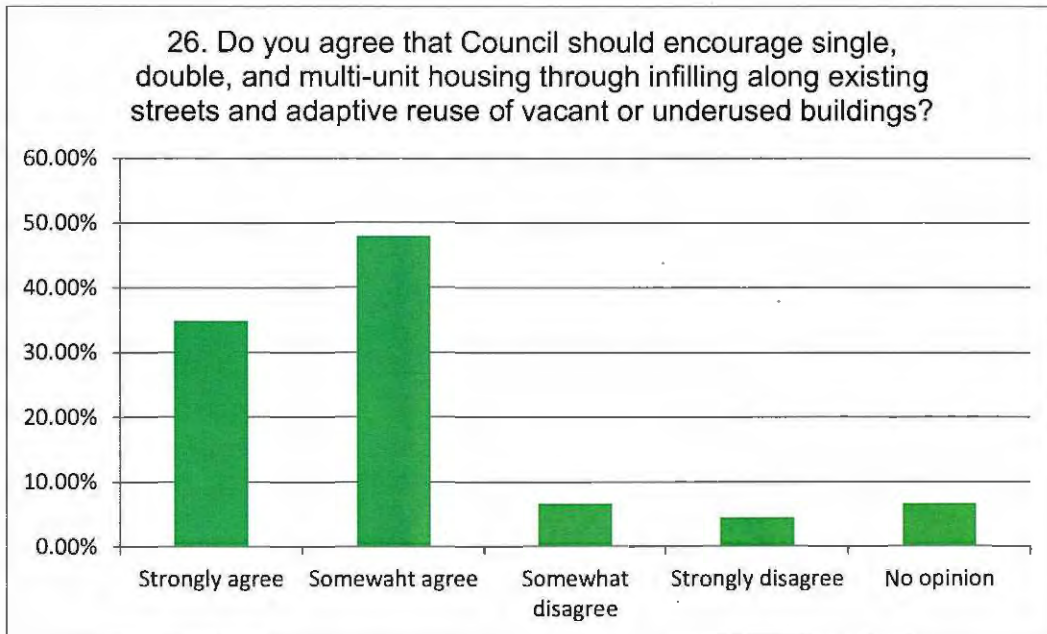
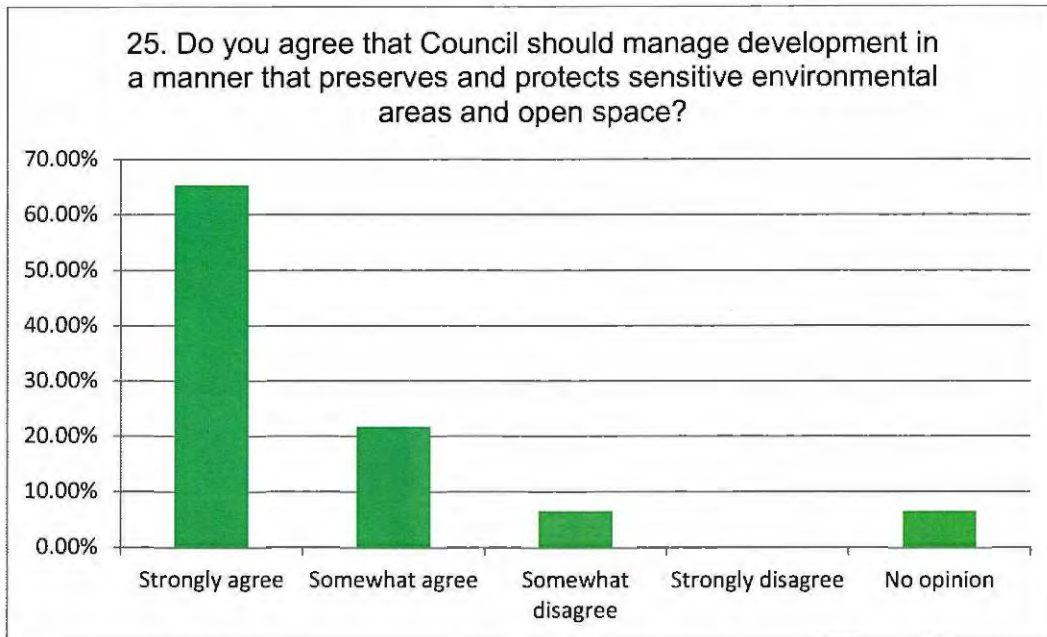


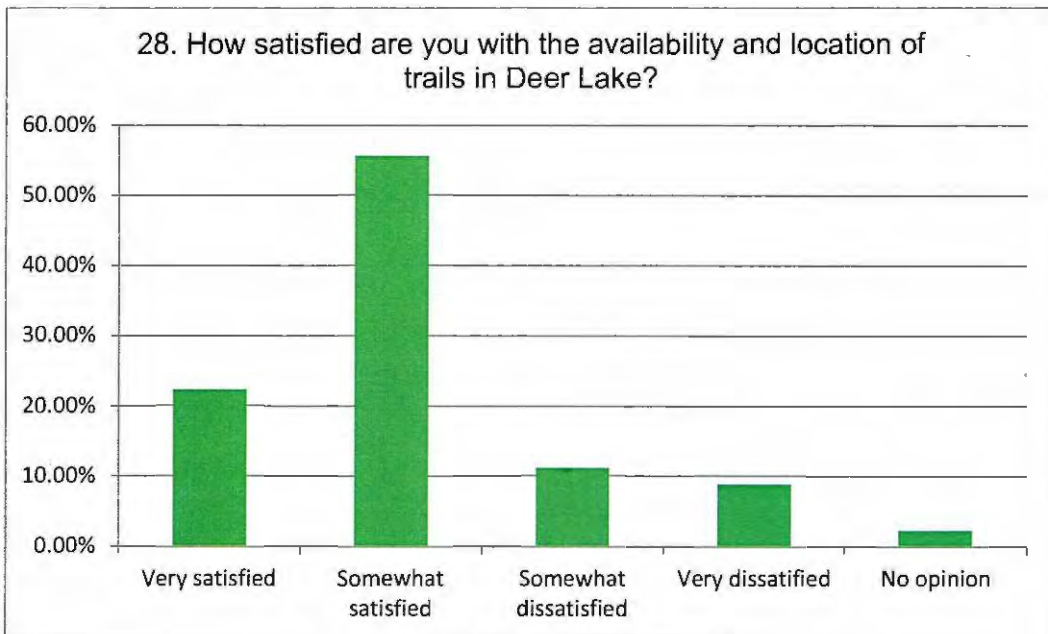
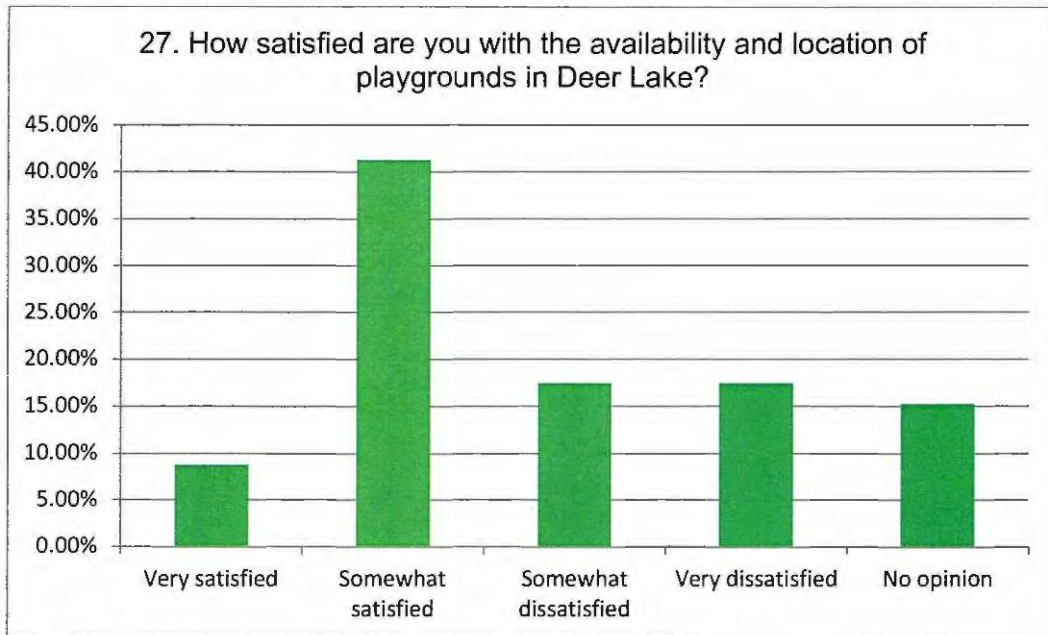


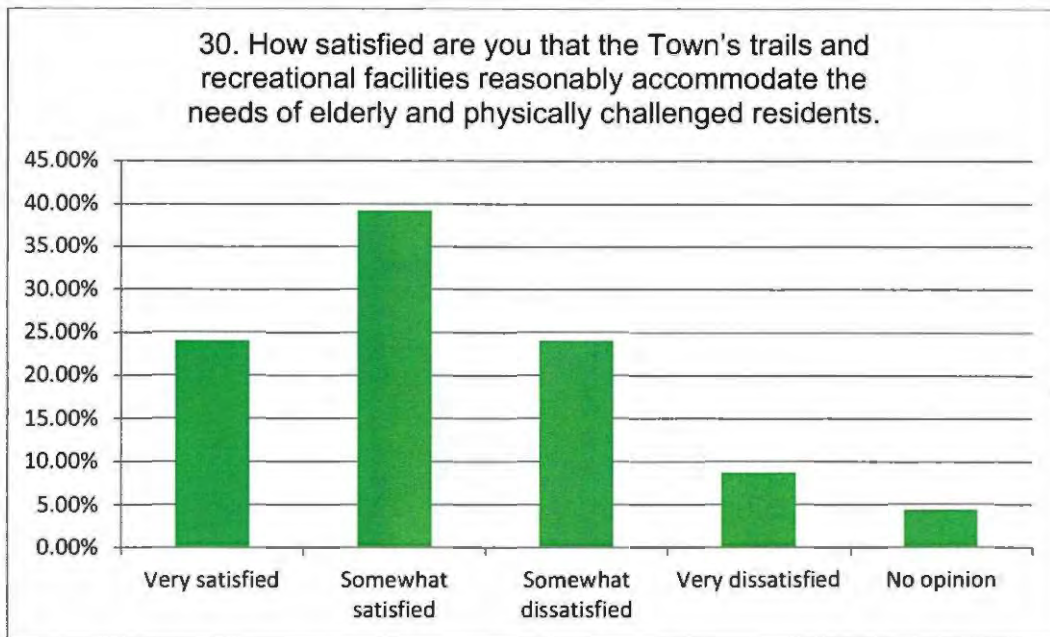
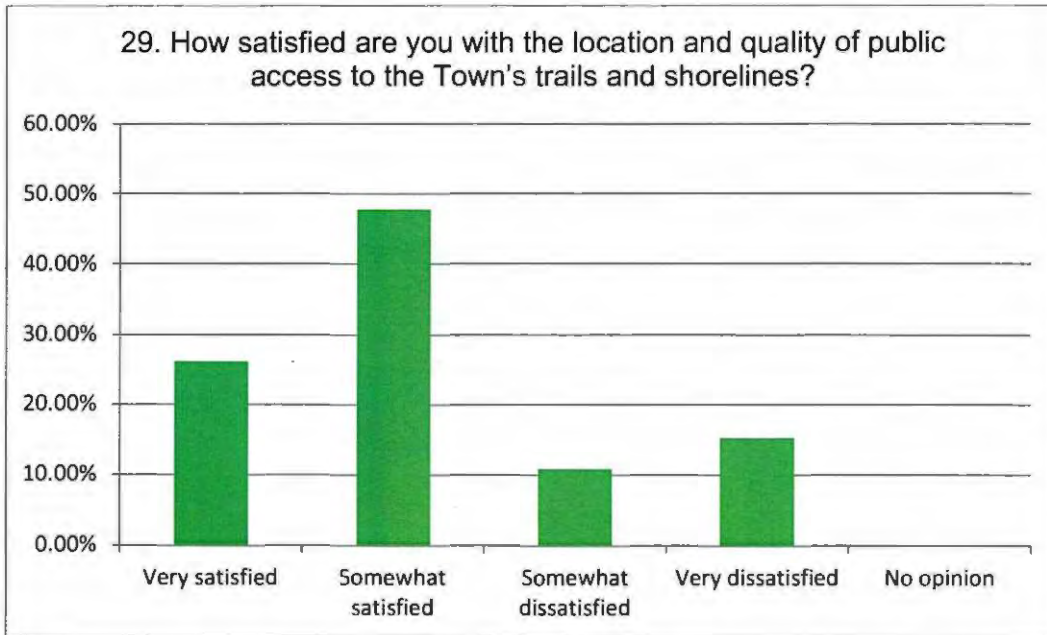


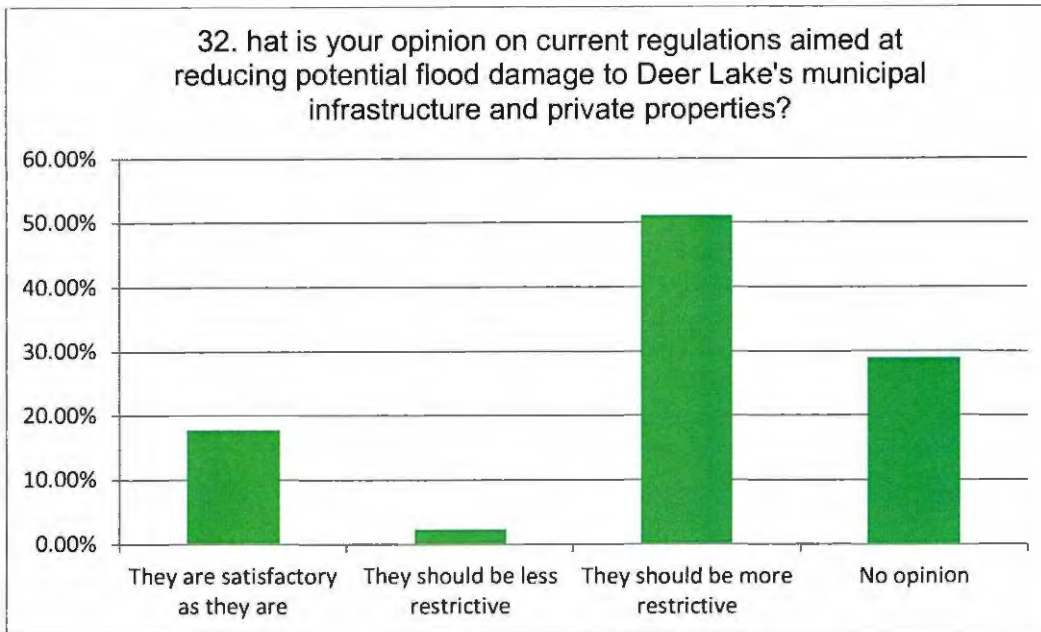
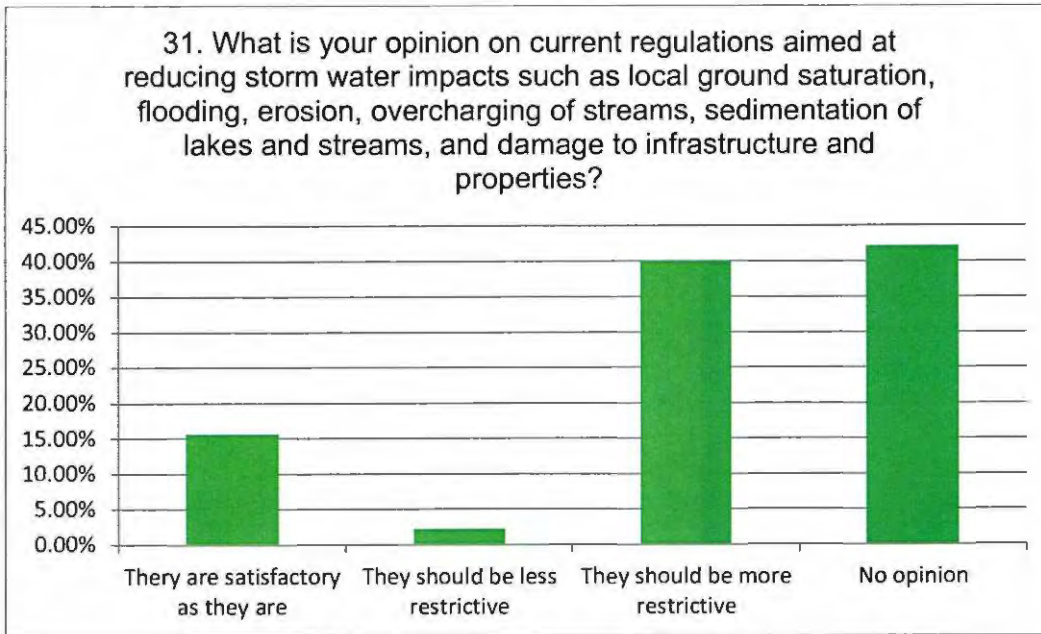


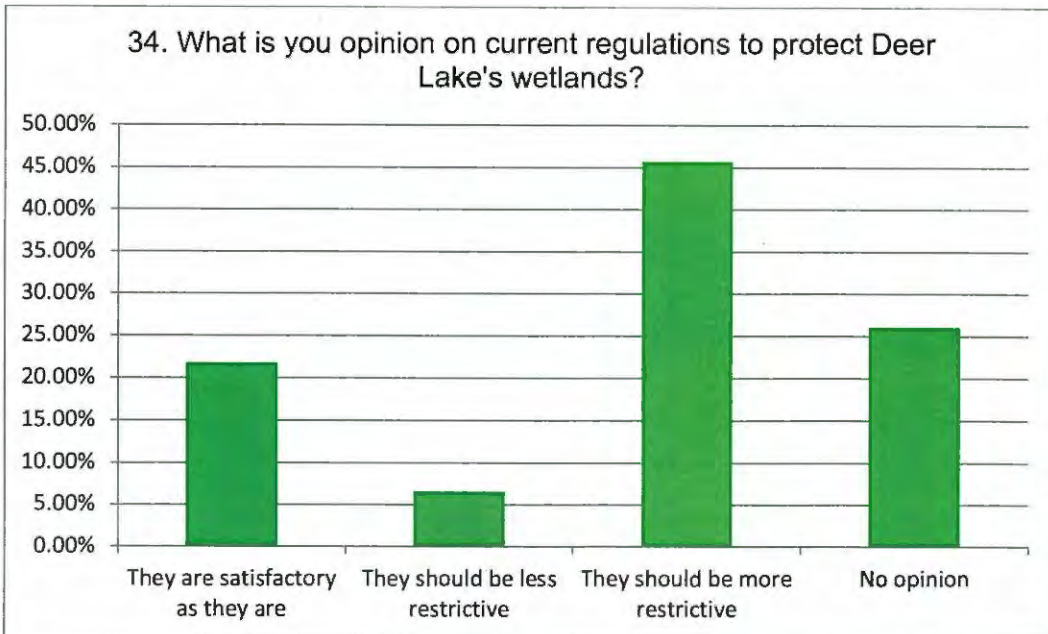
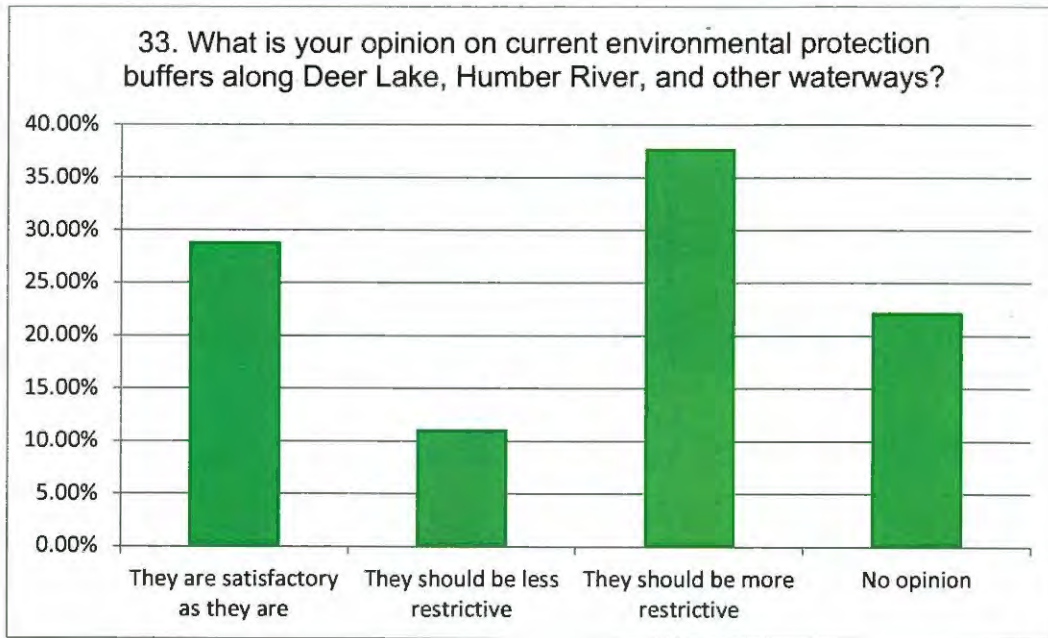












35. PLEASE ADD ANY COMMENTS ON THESE QUESTIONS OR OTHER PLANNING ISSUES THAT YOU THINK ARE IMPORTANT.

- I agree with an increase in small business in town, however we have to be aware of how the increased traffic will affect the peaceful setting of certain neighborhoods. If the small business will increase traffic/business in a certain area, that business should be accommodated in the industrial park. I also believe that more land should be released around the waterfront areas for condo building and or housing provided that this development doesn't restrict citizens access to those water front areas, beaches, etc.
- If question 23 is applicable then I wonder why the retail development off Bonne Bay Road to Evergreen is going to land-lock about 20 parcels of land that could be developed for housing at the least amount of infrastructure cost?
- No backyard businesses.
- [Council] discourages any development or improvements to broaden the local tax base. All questions are returned negatively instead of helping to promote and encourage opportunities. [Council] should want to help Deer Lake move forward. The old school management needs to end in order to promote a more positive environment.
- As for Questions 31, 32, and 33, as far as we are concerned, there are at this time no regulations existing to reduce or stop flooding in these areas. Our greatest concern is the cutting of trees on the lake side of Nicholsville Road. Please no more development in this area.
- Speed of watercraft using the Humber should be closely monitored and the speed limit strictly enforced. Damage is being caused to the river banks due to the speed of some craft. Animals living along the riverbank have been disturbed.
- There needs to be a change in allowing usage of ATV vehicles in town. There are plenty of trails to ride on and they should not be used in town limits. While some townfolk are respectful to private property and safety measures, more are not.
- Some areas have no drainage and nearby wetlands are being backfilled and developed.
- ...Lower your taxes. Bring in more business so we won't have to go to Corner Brook to shop....Stop wasting our tax dollars, we can't afford to live now...shouldn't have to make the choice if we're going to eat or heat our homes during the winter. More programs in place for seniors and low-income families. Do something with the dam and the canal before it's too late and lives are lost.
- On the matters where I chose No Opinion, I do not know enough about these issues to form an opinion. In new development areas, (e.g. Nichols Landing) sidewalks should have been installed by the contractor and at least one lot left vacant and developed into a playground in order to give a place for kids to play rather than on the street More than one may be required depending on the age of the people living there and they maybe also be used as a meeting place for the elderly as the area may develop into more of a seniors area.

2.4.3 Second Open House – May 14, 2018

The second public consultation session for the Plan Review took place on May 14, 2018 at the Deer Lake Town Hall. The session included an Open House from 1:00 pm to 5:00 pm and again from 6:30 PM to 8:30 PM. The session was attended by 19 residents, three Councillors, the Town Manager, and the Development Officer.

The main issue commented on was the proposal to list crematorium as a discretionary use in non-industrial areas of the town. In fact, that was the main issue raised by most of the residents present. One person expressed the opinion that commercial beekeeping should not be permitted in Deer Lake.

3.0 GOALS AND OBJECTIVES

This section outlines the Town's planning goals and objectives for the 2019-2029 period. A goal is a desired state, which reflects the long-term intent of Council and relates to a major area of interest or concern. An objective is a short-range step towards achieving the goal. In this context, an objective is an outcome or output desired by Council in less than 10-years.

3.1 Community Structure and Character

Goals: Encourage a growth structure for Deer Lake that ensures orderly development, efficient development and use of municipal services, compatibility between land uses, avoidance of sprawl, and retention of the Town's attractive natural and built features.

Objectives: Encourage and facilitate new development through infilling along existing serviced streets, as well as through new streets built in close proximity to existing streets and infrastructure.

Preserve and protect environmentally important and sensitive areas including water supply areas, river and lake shorelines, ponds, streams, wetlands, steep slopes, and visually significant features.

Encourage lot layout designs that are efficient in the use of municipal infrastructure and sensitive to the existing physical form and character of the community.

Encourage preservation and maintenance of heritage areas and buildings.

Improve land and building accessibility standards to facilitate better mobility by disabled and elderly residents.

3.2 Economic Growth and Development

Goal: Encourage diversified and balanced economic development that fosters employment opportunities, promotes a high quality of life, contributes financially to the municipality, and protects the environment.

Objectives: Foster the economic growth of Deer Lake particularly in regard to the potential for industrial development, tourism, retail sales and services, air and road transportation services, and housing development.

Build on Deer Lake's economic strengths and opportunities as the travel and transportation hub of Western Newfoundland, particularly with respect to Deer Lake Airport and its status as the gateway to Gros Morne National Park and the Great Northern Peninsula.

Encourage continued diversification of the local economy through the attraction of new businesses and support of existing businesses.

Encourage and accommodate compatible commercial, industrial, and tourism opportunities in suitable locations.

Allocate good quality land in desirable locations for a range of business activities.

Allow for compatible mixed development of residential, commercial, industrial, institutional, and recreational land uses.

Promote Deer Lake as an attractive place to live, drawing upon its advantageous location, commercial and community services, waterfront access, and recreational amenities.

Support resources and activities that enhance tourism such as the preservation and development of trails, shorelines, heritage sites, marina services, and visitor facilities.

Promote the older downtown streets for mixed development including retail and service outlets, public buildings, multi-unit housing, and outdoor public spaces.

Encourage home occupations that fit with the neighbourhood character and do not impinge on the reasonable enjoyment of neighbouring residential properties.

3.3 Environment

Goal: Conserve, protect, and enhance important and sensitive environmental resources.

Objectives: Provide municipal services at environmentally acceptable standards.

Conserve, protect, and enhance important and sensitive environmental resources, including lakes, streams, estuaries, wetlands, riparian areas, steep slopes, and scenic vistas.

Protect the Deer Lake drinking water supply from land uses and activities that could negatively affect water quality and quantity.

In accordance with the *Habitat Conservation Plan for the Town of Deer Lake*, protect wetlands within designated Habitat Management Units from land uses that could negatively affect waterfowl habitat.

Reduce stormwater flows, erosion, and impacts on receiving waters by improving how runoff is managed in developed and developing areas.
Limit development in high flood risk areas.

3.4 Health and Social Well-Being

Goal: Provide for the welfare of all Deer Lake residents by addressing basic human needs, community services, and quality of life.

Objectives: Promote opportunities to meet the needs of residents for food, shelter, health care, education, employment, income, and safety.

Promote access to childcare, youth programs, and family services.

Facilitate the housing needs of residents of all ages, income levels, and physical and mental abilities (also see Section 3.5).

Enhance Deer Lake as an accessible and age-friendly community by improving development standards for the mobility needs of disabled and elderly residents.

Promote opportunities for inclusion of low-income and disadvantaged residents into all aspects of community life.

3.5 Housing

Goal: Promote and facilitate adequate housing for all residents regardless of age, income, abilities, and family status.

Ensure development proceeds in a way that maintains a pleasant residential environment.

Objectives: Allocate sufficient residential land to meet anticipated requirements for the next ten years.

Protect residential quality of life and property values.

Accommodate a range of housing types to satisfy market needs and ensure affordable housing is available for residents of different income levels, age groups, family structures, and abilities.

Manage residential development in a manner that preserves and protects sensitive environments and public open space.

Encourage development of single, double, and multi-unit housing in appropriate locations through infilling along existing streets, new subdivisions, and adaptive reuse of existing buildings in mixed-use areas.

3.6 Transportation

Goal: Maintain an efficient transportation network to serve motorized and non-motorized transportation needs in Deer Lake.

Objectives: Maintain safe and efficient access to all residential developments, commercial establishments, and recreational areas.

Ensure new development provides for traffic circulation that avoids congestion and hazardous intersections.

Ensure the needs of disabled and elderly residents are appropriately addressed in the planning and design of streets, sidewalks, crosswalks, parking areas, and trail systems.

3.7 Open Space and Recreation

Goals: Maintain built facilities and natural areas to accommodate a range of active and passive recreational needs of Deer Lake residents.

Objectives: Encourage public participation in the planning of open space and conservation lands.

Encourage and support recreational groups and community organizations in organizing sports, recreation, and festival activities and events.

Protect and enhance public access to the town's freshwater shorelines.

3.8 Culture and Heritage

Goal: Develop and protect the town's cultural and natural heritage.

Objectives: Support efforts to showcase Deer Lake's history and culture.

Protect and enhance sites and buildings important to showcasing the town's natural heritage, including key lookout sites and nature trails.

3.9 Capital Works

Goal: Provide an acceptable and consistent level of water, sewer, and storm sewer services.

As much as possible, utilize existing capacity prior to investing in new streets and municipal infrastructure.

Objectives: Maintain a water system within the Town capable of providing domestic water and fire flows to all feasible areas.

Provide a system of sanitary sewer trunk mains, local service lines, and wastewater treatment capable of accommodating existing and future sewage flows.

Improve stormwater management to control erosion and protect properties, watercourses, and environmentally sensitive areas.

3.10 Governance

Goal: Provide municipal services and administration effectively, efficiently, and equitably to all residents within the fiscal capacity of the Town.

Collaborate with other levels of government, community organizations, and the business community to facilitate opportunities to improve local governance and municipal services.

Objectives: Encourage public interest and participation in municipal governing processes, including Council elections, committee activities, and public participation in decision-making.

Deliver municipal administration and services effectively, efficiently, openly, and within the Town's fiscal capacity.

Ensure the Town is governed in compliance with relevant legislation such as the *Municipalities Act* and the *Urban and Rural Planning Act 2000*.

3.11 Municipal Finance

Goal: Manage municipal expenditures and revenues so as to provide municipal services within a framework of long-term financial stability.

Objectives: Manage municipal expenditures and debt burdens in a prudent manner and according to the Town's ability to pay.

Encourage an enlarged economic base in the Town in order to generate more tax revenues.

Ensure that growth-related capital costs for new developments do not place an undue burden on residents' ability to pay.

4.0 COMMUNITY WIDE POLICIES

4.1 Policy Framework

This section provides the policy framework for the planning of Deer Lake as expressed in the Goals and Objectives outlined in Section 3.0.

The overriding thrust of the Municipal Plan is to ensure the continuance of a vibrant, efficient, and sustainable community and to maintain the town's attractive character based on a compatible mix of built-up land uses and green space. This is important in order to provide continuity with the past, achieve the Town's development vision, maintain a distinct identity, and contribute to environmental, economic, social, and financial sustainability.

To accomplish the overall intent of the Plan, the following policy initiatives are put forward:

- i) Areas that can be developed and serviced at the most reasonable long-term costs to the Town will be given priority for the Town's growth and expansion. Highest priority is placed on the infilling of vacant land along serviced streets. Second priority is placed on areas that are affordably close to existing streets and piped services. Development will be restricted in areas that would entail prohibitive or unnecessary costs to develop and maintain new infrastructure and provide services.
- ii) Prominent features that help to preserve community character, such as heights of land, waterfronts, open space, and scenic vistas, will be preserved.
- iii) A high standard will be maintained for both the natural and built environments, particularly the protection of environmentally sensitive resources such as shorelines, wetlands, steep slopes, archaeological resources, and historic areas.
- iv) Streets and infrastructure will be designed to achieve a high standard with respect to safety, traffic and pedestrian mobility, water and sewer distribution, and ease of maintenance.
- v) Capital works will be undertaken in an efficient, financially prudent, and environmentally responsible manner.

4.2 General Land Use Policies

4.2.1 General Layout of the Town

- (1) Council will encourage the consolidation of development in areas that are economical to connect to existing roads and service with water and sewer.
- (2) Council will give priority to infilling vacant serviced land over the development of new streets and infrastructure.
- (3) Council may refuse proposed developments in locations where municipal services are inadequate or it would be uneconomic to provide and maintain municipal services.

- (4) Council will require land developments to include reasonable measures to reduce stormwater runoff from the site, including as necessary the setting-aside of green areas for stormwater control and infiltration.

4.2.2 Compatibility of Uses

As much as possible, Council will ensure that new developments will not negatively affect existing land uses through the creation of hazards or nuisances such as noise, dust, odour, congestion, or unsightly appearance.

4.2.3 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 shall be allowed to continue irrespective of its conformity to the Plan or Development Regulations. Specific provisions concerning legal non-conforming uses are set out in the Development Regulations.

4.2.4 Land Development and Subdivision Proposals

(1) Site Suitability

When reviewing a proposed land development, Council will consider the site's suitability in terms of soils, geology, location of watercourses and wetlands, steepness of grades, and overall environmental sensitivity. When considering approval, Council will ensure that the development will have minimal negative effects on water resources and surrounding properties.

(2) Professional Review

If in Council's opinion, a proposed development could result in undesirable environmental effects, high infrastructure and servicing costs, or constraints to the development of nearby properties, Council may require an assessment of the proposed development by a certified engineer.

Among other matters, the review shall evaluate the adequacy of proposed site grading, drainage, stormwater control, and landscaping, as well as the potential of the development to negatively affect nearby properties and bodies of water due to storm drainage, erosion, or pollution.

(3) Environmental Protection

When approving a proposed development, Council will require that environmentally sensitive lands are protected.

(4) Stormwater Control

When approving a proposed development, Council will require that adequate measures are to taken to reduce and control stormwater drainage and erosion.

(5) Land for Public Use

In accordance with Section 37 of the *Act*, for each subdivision approval, Council shall require the developer to convey an area of land to the Town for open space or other public use. This conveyance would be equal to up to ten per cent of the gross area of the land to be developed. Land to be set aside must be high quality land suitable for the purpose.

Alternatively, in lieu of land dedication, Council may accept a sum of money that is equivalent to the value of the land that would have been conveyed.

(6) Coordination with Surrounding Development

Subdivisions and other developments will be coordinated with surrounding existing and proposed developments, the street network, and municipal infrastructure.

Such developments may be required to provide for access to adjacent undeveloped lands.

(7) Municipal Services and Access

The scale of new development must be appropriate with the provision of municipal services and street access. Council will ensure that a new development will make efficient use of existing streets and infrastructure and will not create unreasonable servicing demands or costs. If Council deems that a proposed development cannot be efficiently connected to or serviced by existing infrastructure, it may refuse the development.

(8) Public Input

Council may seek input from nearby residents and landowners when reviewing development proposals.

(9) Council Decision

Council will review each development application on a case by case basis and may:

- (a) Approve the development as proposed,
- (b) Approve the development subject to certain terms or conditions,
- (c) Defer a decision subject to more detailed information or requested modifications to the proposal, or
- (d) Not approve the development if it deems that it would be unsuitable for the location, would be prohibitively expensive to service or maintain, or would create environmental or other problems that cannot be sufficiently corrected or mitigated.

(9) Subdivision Agreement

Council shall require an applicant to enter into a subdivision agreement with the Town as a condition of approval.

4.2.5 Consolidation and Infill of Serviced Areas

- (1) Council will encourage intensification of development in areas that are accessible to piped water and sewer services. This can occur through infilling of vacant land along existing roads and keeping new street development in close proximity to existing infrastructure.
- (2) Site plans for infill development and land use intensification must meet the approval of Council. Developments must be compatible with the existing neighbourhood character and in accordance with Council's development standards with respect to lot size, frontages, road widening, alignments, installation of municipal services, environmental protection, retention of open space, and matters concerning current or future public works.

4.2.6 Public Streets

Subject to conditions to mitigate environmental impacts, new public streets may be permitted in all areas except lands that are identified as environmentally sensitive or subject to flood risk.

4.2.7 Public Access to Watercourses

Council will ensure that sufficient and appropriate public access is maintained to Deer Lake, Humber River, and other watercourses provided that such access does not unreasonably impinge on the use and enjoyment of abutting private lands.

4.2.8 Adaptive Re-use of Existing Buildings and Properties

Council will encourage the adaptive reuse of existing buildings and properties for land uses that are permitted within the designation and would be compatible with nearby existing land uses.

4.2.9 Heritage and Archaeological Resources

- (1) Council will encourage the preservation of individual sites and buildings that have archaeological or heritage significance.
- (2) In reviewing development proposals, Council will give priority to ensuring that new buildings and site developments will be of a scale, mass, and architectural style that is compatible with, and will not detract from, nearby heritage sites and buildings.
- (3) Council will cooperate with landowners to identify new or enhanced uses for older buildings and make owners aware of public programs aimed at preserving built-heritage.
- (4) Archaeological sites are protected under the *Historic Resources Act*. If such a site is discovered, development must stop and the Provincial Archaeology Office of the Department of Tourism, Culture and Recreation will be notified and consulted on how the development should best proceed.

4.2.10 Discretionary Uses

Council may decide that a land use should be set out as a discretionary use in a particular zone in the Development Regulations, where:

- (a) the suitability of the use is not clear and may depend on the land use characteristics and circumstances of individual locations within the zone,
- (b) Council determines that the use could negatively affect the predominant uses of the zone and, in order to mitigate this impact, it would be desirable to consult with the public prior to issuing, issuing subject to conditions, or refusing a development permit, or
- (c) it is necessary to attach conditions to an approval to ensure that the use is developed in a way that is compatible with nearby uses and the predominant uses of the zone.

4.2.11 Mineral and Petroleum Exploration

- (1) Subject to other provisions of this Municipal Plan, mineral and petroleum exploration that is not classed as a development (by virtue of drilling, appreciable ground disturbance, or construction of access roads) may be permitted anywhere in the Planning Area, provided that the Town is given previous notice.
- (2) In accordance with Sections 12 and 13 of the *Mineral Act*, no exploration of any type will be permitted on privately owned land without the consent of the landowner.
- (3) Mineral and petroleum exploration that is classed as a development may be permitted in certain designations, provided that adequate provision is made for environmental protection, site reinstatement, landscaping, buffering, or mitigations of impacts on residential, commercial, industrial, institutional and recreational areas.
- (4) Mineral and petroleum exploration will be permitted only if all necessary Provincial approvals have been obtained.

4.2.12 Mineral Working

- (1) Mineral working operations, where permitted, will be subject to terms and conditions to minimize impacts on environmentally sensitive areas and nearby existing development.
- (2) Mineral working operations will take measures to minimize negative impacts on water resources and other sensitive environmental resources.

4.2.13 Forest Resources and Trees

- (1) Forests will be preserved and protected for the production of timber-based products as well as the realization of important non-timber values such as fish and wildlife habitat, water quantity and quality, biodiversity, scenery, recreation and tourism.
- (2) Harvesting of forests and trees will respect the Town's objectives for environmental protection, preservation of scenery, outdoor recreation, stormwater control, and drinking water protection.
- (3) In order to preserve a site's natural characteristics and attractiveness for development, Council may restrict, or set conditions on, tree removal in areas planned for future residential development.

4.2.14 Utilities

- (1) **Utility Easements and Facilities**
Utility facilities, such as transmission lines, communication towers, stormwater drains, water and sewer pipes and treatment facilities, energy generation facilities, and pollution control, may be permitted in all land use designations subject to conditions set by Council. Council may restrict, or place conditions on, the development of certain utilities within the Environmental Protection designation.

(2) Alternative Energy Facilities

Wind, small hydro, and solar energy generation facilities may be permitted in any land use designation subject to conditions set by Council, including:

- (a) The location and design of such utilities shall take into consideration potential impacts on nearby land uses, persons, and the natural environment.
- (b) Wind generators permitted within built-up areas will be limited to single turbines designed to serve individual properties.
- (c) To provide for adequate safety and comfort of persons and properties, Council will ensure that there is an adequate separation distance between any type of wind generator and nearby buildings and structures.
- (d) Energy utilities are subject to required approvals by relevant provincial and federal departments.

4.2.15 Provision for the Disabled and Elderly

Council will consider the mobility needs of disabled and elderly residents in the planning and design of municipal streets, buildings, and recreational facilities, and when approving commercial, public, and large residential buildings and facilities.

4.2.16 Highway Building Control Lines

- (1) Under the Provincial *Protected Road Zoning Regulations*, all proposed developments within the protected road building control line require a development permit from Service Newfoundland and Labrador. The building control line is 100 metres from the centreline for a protected road within a municipal boundary and 150 metres from the centreline outside a municipal boundary but within a municipal planning area.
- (2) Within the Deer Lake municipal boundary, Council will not issue a permit for any development within 100 metres of the centreline of the Trans Canada Highway or the Great Northern Peninsula Highway unless a permit has first been issued by Service Newfoundland and Labrador.
- (3) Outside the Deer Lake municipal boundary, but within the Deer Lake Municipal Planning Area, Council will not issue a permit for any development within 150 metres of the centreline of the Trans Canada Highway unless a permit has first been issued by Service Newfoundland and Labrador.

4.3 General Environmental Policies

Conservation values are intrinsic to this Municipal Plan. High priority is given to protecting sensitive areas and preventing stormwater impacts, soil erosion, and watercourse sedimentation. Land use decisions will duly consider environmental sustainability and biodiversity objectives.

4.3.1 General Environment

(1) Protection of Sensitive Areas

Environmentally sensitive lands, including the water supply area, watercourses, riparian areas, wetlands, steep slopes, wet and unstable soils, and important habitat, will be protected from potentially damaging development.

(2) Consideration of Environmental Impacts

Potential environmental effects will be considered when reviewing development applications. At its discretion, or in accordance with other statutory requirements, Council may refer development proposals for advice and/or regulatory approval to government departments such as Municipal Affairs and Environment, Service Newfoundland and Labrador, Health and Community Services, Fisheries and Oceans Canada, and Environment Canada.

4.3.2 Soils and Drainage

Development shall be permitted only on lands with soil and drainage conditions that, in the opinion of Council, are suitable for the proposed use.

4.3.3 Watercourse and Wetland Protection

- (1) Development in the vicinity of a watercourse or wetland will be carried out in a manner that minimizes the potential for environmental impacts, protects natural drainage, and preserves existing public access to the water.
- (2) Conservation buffers will be established to protect watercourses from stormwater discharges, erosion, sedimentation, and pollution.
- (3) Where it believes that a proposed development may affect a wetland, at its discretion, Council may:
 - (a) require the developer to have the wetland delineated by a qualified consultant,
 - (b) establish a sufficient buffer from the edge of the wetland in which development may not be permitted,
 - (c) require such other conditions or restrictions to protect the wetland, and/or
 - (d) refuse to approve the development if it believes that identified impacts cannot be sufficiently minimized or mitigated.

4.3.4 Unstable Geology and Soils

Development in areas that are environmentally sensitive or hazardous due to wet or unstable soils, a high water table, or unstable geological conditions, may be restricted or subjected to terms and conditions to reduce potential impacts.

4.3.5 Shorelines

Development in the vicinity of lake and river shorelines shall be carried out in a manner that minimizes potential environmental impacts, protects natural features, and preserves existing public accesses to and along the shoreline.

4.3.6 Steep and Unstable Slopes

Steep and unstable slopes may be subject to development restrictions or other conservation measures designed to minimize environmental impacts and hazards to humans and properties resulting from development.

4.3.7 Storm Drainage

- (1) Development will not be undertaken in a manner that causes excessive increases in stormwater runoff such that it could be detrimental to adjacent properties, unstable slopes, nearby watercourses, or other sensitive areas.
- (2) In areas where there is concern that development may contribute to excessive increases in stormwater runoff, Council may require developers and landowners to:
 - (a) Discharge stormwater to open areas where it can naturally infiltrate into the soil.
 - (b) Maintain vegetated buffers between stormwater drainage outlets and watercourses to minimize direct discharges into watercourses.
 - (c) Preserve existing trees or plant additional trees and shrubs to promote soil infiltration and capture sediments.
 - (d) Channel runoff to gardens and low-lying areas on the development site and on individual lots.
 - (e) Take advantage of the topography to reduce storm drainage, for example, retain natural depressions in the landscape to accumulate runoff and promote soil infiltration.
 - (f) Re-establish vegetative cover immediately on gravel surfaces, banks, drainage ditches, and other areas disturbed by construction activity.

4.3.8 Habitat Conservation

Council decisions affecting wetlands and known waterfowl habitat will be guided by the Deer Lake Habitat Conservation Plan, which is the basis of a Stewardship Agreement entered into between the Town and the Province. Council will ensure existing and future Habitat Management Units are environmentally protected. As of the adoption of this Municipal Plan, these include the Junction Brook Bog, Island, and Upper Humber River Habitat Management Units. All lands within these Units are designated Conservation on the Future Land Use maps.

4.3.9 Climate Change

Climate change is forecast to generate more precipitation and more frequent extreme weather events, and consequently increased flooding and shoreline erosion. This Municipal Plan has considered climate change factors in designating land for future development in proximity to watercourses and flood risk areas.

4.3.10 Humber Canal Protected Water Supply Area

The Humber Canal Protected Water Supply Area is designated under the *Water Resources Act* as the source water protection area for Deer Lake's drinking water supply. The protected area boundaries include lands inside and outside of the Town's Planning Area.

Inside the Planning Area, the Humber Canal Protected Water Supply Area is included in Conservation designation on the Future Land Use maps.

On the Land Use Zoning maps, it is covered by two zones - Protected Watershed and Environmental Protection. The Protected Watershed zone corresponds to land use controls required under the Provincial designation. The Environmental Protection zone provides for a higher level of land use control abutting watercourses as well as in an

area north of Humber Canal where development control is needed to prevent increases in stormwater drainage toward built-up areas of the town.

4.3.11 Use of Discretionary Authority

Council may exercise its discretionary authority to prohibit or set conditions on development when, in its opinion, the development might have undesirable environmental impacts, for example, excessive run-off onto adjacent properties, flooding, soil erosion, siltation of streams, or exposure of contaminated soils.

4.4 Infrastructure Policies

4.4.1 Water Supply System

(1) Council will maintain its water supply system, including intake, treatment plant, and distribution system, in good working order to ensure the availability of an adequate quantity and quality of water for residents, businesses, and public facilities.

(2) Adequate fire flows will be maintained in all areas served by municipal water.

4.4.2 Sanitary Sewer System

Council will maintain the town's sanitary sewer system in good working order.

4.4.3 Stormwater Management

Council will maintain storm drainage ditches and facilities in good working order.

4.4.4 Water and Sewer Requirements for New Development

(1) All water and sewer infrastructure associated with new land development must meet the minimum standards of the Town and be approved by the Town's engineer.

(2) The costs of installing water and sewer services and connecting new lots to the municipal system will be the sole responsibility of the developer.

4.5 Transportation Policies

The transportation system in Deer Lake includes a hierarchy of arterial, collector, and local roads, as well as public trails and walkways.

4.5.1 Consideration of Environmental Impacts

New highways, streets, water crossings, and associated infrastructure will be located and constructed so as to minimize adverse impacts on environmentally sensitive areas and resources.

4.5.2 Arterial Roads

(1) Purpose

The primary purpose of an arterial road is to provide safe and efficient traffic flow for vehicles travelling to and through the Planning Area. A secondary purpose is to distribute traffic within the Planning Area.

- (2) **Description**
Route 1 (Trans Canada Highway) and Route 430 (Great Northern Peninsula Highway) are Deer Lake's only Arterial Roads.
- (3) **Individual Accesses**
Council will use its discretionary authority if necessary to prevent development of any driveway and other private access along Routes 1 and 430 where it deems that such access would adversely affect traffic safety and/or efficiency.

4.5.3 Collector Roads

- (1) **Purpose**
The primary purpose of collector roads is to distribute traffic between major points and local streets within the Town.
- (2) **Description**
Collector roads in the Deer Lake Planning Area include:

George Aaron Drive	North Main Street
Goose Arm Road	Old Bonne Bay Road
High Street	St. Jude's Main Road
Mayor Avenue	Upper Nicholasville Road
Nicholsville Road	Wight's Road
- (3) **Individual Accesses**
Access to abutting properties on collector roads will not be restricted but will be properly planned to ensure they do not impede safety and traffic efficiency.

4.5.4 Local Streets

- (1) **Purpose**
Local streets are intended to serve properties located on the street and generally are not used by traffic except to access these properties and adjoining local streets.
- (2) **Description**
Local streets include all remaining streets not referred to as arterials or collectors.
- (3) **Future Road Connections**
Council will ensure that appropriate street reservations are reserved along Local Streets to provide for future connections to backland areas with development potential.

4.5.5 Street Design and Construction

- (1) The location, design, and construction of public streets will meet Council's minimum requirements for public safety, traffic efficiency, access to adjoining land, and construction quality.
- (2) Except where it is not physically feasible, new streets shall be located such that there will be sufficient land to develop lots on both sides in accordance with the development standards of the zone.

- (3) The layout of a new street will provide adequate reservations to accommodate road extensions and access to backland areas for future development.
- (4) The costs of constructing and connecting new streets to the municipal street system will be the sole responsibility of the developer.

4.5.6 Provision for the Disabled and Elderly

Streets, sidewalks, public walkways, parking areas, and access points to public and commercial buildings will be designed to facilitate easy access and movement by disabled and elderly persons.

5.0 LAND USE DESIGNATIONS

The Town's growth and development will be managed by designating lands within the Planning Area according to broad land use categories. These designations are shown on Future Land Use Maps 1, 2, and 3. Policies outlined in this section specify Council's intent related to land use and forms of development in each of the following land use designations.

Future Land Use Designations	Zones	
Conservation	Environmental Protection Protected Watershed Floodway	EP PW FW
Residential	Residential Medium Density Residential High Density Residential Mini-Home Residential Floodway Fringe Rural Community	RMD RHD RMH RFF RC
Town Centre	Town Centre	TC
Commercial/Industrial	Commercial General Commercial-Light Industrial Commercial Highway Tourism Recreation Industrial General	CG CLI CH TR IG
Public Use	Public Use	PU
Open Space	Open Space	OS
Airport	Airport	AIR
Utility	Utility	UT
Highway Corridor	Highway Corridor	HC
Rural	Mineral Working	MW
	Rural	RU

5.1 Conservation

The overriding goal of the Conservation designation is to protect environmentally vulnerable and important lands and natural resources including Deer Lake's drinking water supply, other surface water resources, wetlands, flood risk areas, steep slopes, and protected waterfowl habitat.

5.1.1 Land Use Zones

The Development Regulations will establish three land use zones within the Conservation designation.

Conservation Designation - Land Use Zones		
Zone	Intent	Application
Environmental Protection	Protect watercourses, wetlands, waterfowl habitat, flood risk areas, steep slopes, and other sensitive lands. Provide highest level of source water protection within the Deer Lake municipal water supply area.	Protective watercourse buffers within the Humber Canal Protected Water Supply Area and along other rivers, lakes, streams, and wetlands. Protects steep slopes and designated waterfowl habitat.
Protected Watershed	Protect source water for the Deer Lake municipal water supply.	In combination with the Environmental Protection zone, corresponds to the boundaries of the Humber Canal Protected Water Supply Area (<i>WS-S-0214</i> under the <i>Water Resources Act</i>)
Floodway	Minimize flood damage to properties, infrastructure and the environment. Maintain the natural capability of waterways to convey flood flows.	In combination with the Environmental Protection zone, corresponds to the boundaries of identified 1:20 year flood risk areas.

5.1.2 Environmental Protection Zone

1. Land Use

- (1) Conservation uses are permitted.
- (2) At its discretion, Council may permit open space uses such as walking trails and boardwalks in appropriate locations. It may also permit recreational docks and marinas in appropriate locations. It may also permit recreational open space in the form of multi-use trails. Before approving such developments, it must be clearly demonstrated to Council that potential adverse effects on the site, adjacent water bodies, and aquatic and waterfowl habitat will be minimal. Also, Council must be satisfied that a proposed development will not unreasonably impede public access to or along the shoreline.
- (3) At its discretion, Council may permit transportation developments, for example, road crossings of streams, bridges, culverts, and stormwater drains, but only if alternative locations are not feasible and Council considers the proposed development to be in the public interest. Council may consult with the Department of Environment and Conservation, Fisheries and Oceans Canada, and other relevant agencies before approving any such development.
- (4) Excavation and infilling of land and water will not be permitted unless it is to redirect stormwater or is a public work that has been approved by the Water Resources Division of the Department of Environment and Conservation.

5.1.3 Protected Watershed Zone

Deer Lake's drinking water supply area is located within the Humber Canal Protected Water Supply Area, which is designated under the *Water Resources Act* (Regulation WS-S-02). Within this water supply area, in combination with the Environmental Protection zone, the Protected Watershed is established to protect the quality of source water for the Town of Deer Lake.

1. Land Use

- (1) Conservation and open space uses are permitted.
- (2) Discretionary uses may include personal use agriculture, forestry, transportation, mineral exploration, petroleum exploration, and recreational open space in the form of multi-use trails.

2. Department of Municipal Affairs and Environment

No development will be permitted in designated Protected Watershed areas without the approval and guidance of the Water Resources Management Division of the Department of Environment and Conservation.

3. Watershed Monitoring and Enforcement

- (1) Council will closely monitor land uses and activities in the Protected Watershed designation to ensure they are being carried out in a manner that will not harm water quantity and quality.
- (2) Uses or activities that are found to be taking place in a manner deleterious to the water supply will be subject to an immediate stop-work order.

5.1.4 Floodway Zone

Significant areas abutting the mouth of the Upper Humber River and the upper shoreline of Deer Lake are vulnerable to flooding. The Floodway zone corresponds to 1:20 year flood risk areas identified on maps provided by the Department of Municipal Affairs and Environment. It should be noted that the most recent floodway mapping for the Deer Lake area was completed in the 1980's and is significantly out of date. The Water Resources Division has advised that actual flood risk can be expected to be higher due to climate change effects.

1. Land Use

- (1) Permitted uses of land in this zone will include conservation, open space, and personal use agriculture.
- (2) Land uses permitted at Council's discretion may include campgrounds, crop agriculture, recreational open space, and communications.
- (3) In accordance with the Provincial *Policy for Floodplain Management* for 1:20 year floodplains, new buildings will not be permitted or may be subject to special conditions and infilling higher than the base flood level will not be permitted.

2. Department of Municipal Affairs and Environment

No development will be permitted in designated Floodway areas without the approval and guidance of the Water Resources Branch of the Department of Environment and Conservation.

3. Floodway Monitoring and Enforcement

(1) Council will closely monitor land uses and activities in the Floodway zone to ensure they are being carried out in a manner that will not increase flood risk or harm to people, properties, and infrastructure.

(2) Uses or development that are found to be taking place in a manner that may increase flood risk or harm to people, properties, or infrastructure will be subject to an immediate stop-work order.

5.2 Residential

Areas are designated Residential in order to preserve the amenity of existing residential areas and accommodate new housing needs. Existing residential development consists primarily of single detached dwellings. Other types of development include mini home subdivisions, apartment buildings, and a small number of double and row house developments.

The general intent of the Residential designation is to facilitate housing for all residents regardless of age, income, abilities, and family status, and to ensure development proceeds in a way that maintains a pleasant residential environment. By permitting a variety of housing forms, it is Council's objective to ensure housing remains affordable for all socio-economic groups. The intent is also to manage residential development in a manner that preserves and protects sensitive environments and public open space.

5.2.1 Guiding Principles

In guiding residential growth, Council will endeavour to achieve a balance between the following principles:

- (a) Future development will maintain the Town's natural and scenic character.
- (b) Future development will accommodate an appropriate mix of housing types to meet changing market conditions and socio-demographic needs of residents.
- (c) Future development will proceed in a way that ensures municipal infrastructure and services can be delivered and maintained at a reasonable cost to taxpayers.

5.2.2 Land Use Zones

The Development Regulations shall establish five land use zones within the Residential designation.

Residential Designation - Land Use Zones		
Zone	Intent	Application
Residential Medium Density	Recognize existing neighbourhoods of predominantly single-detached dwellings. Accommodate future needs for single, double, and small multi-unit dwellings.	Existing neighbourhoods and future subdivisions.
Residential High Density	Recognize existing and accommodate future high-density developments including apartment buildings, double dwellings, and row housing.	Scattered existing high density housing areas as well as new development.
Residential Mini home	Recognize existing and accommodate needs for future mini home neighbourhoods.	Existing neighbourhoods and new subdivisions.
Residential Floodway Fringe	Recognize existing neighbourhoods of single dwellings in the 1:100 year flood risk area. Allow for infill along existing streets.	Existing neighbourhoods.
Rural Community	Recognize existing rural residential development and provide for limited complementary commercial uses and agriculture.	Existing and future unserved residential and compatible uses in St. Jude's Local Service District.

5.2.3 Residential Medium Density Zone

The Residential Medium Density zone applies to the majority of existing residential areas in Deer Lake and to newly developing subdivisions. Single detached dwellings will remain the predominant housing form in this zone. Higher density housing may be encouraged as well in appropriate locations. Highest priority for development will be to optimize the use of existing infrastructure through infill along existing streets and locating new subdivisions in areas that can be economically connected to existing streets and piped services.

1. Land Use

- (1) Permitted housing in the Residential Medium Density zone will include single and double dwellings and subsidiary apartments in single dwellings.

Accessory buildings will be permitted on residential lots subject to standards and conditions required by Council.

Other permitted uses include conservation, open space, personal use agriculture, and home offices.

- (2) Residential uses that may be permitted at Council's discretion include row houses, apartment buildings, boarding houses, retirement homes, and residential care facilities.
- (3) At Council's discretion, a home occupation may be permitted within a residential dwelling or an accessory building in accordance with conditions required by Council.
- (4) At Council's discretion, childcare uses, bed and breakfasts, visitor rental dwellings, communications, convenience stores, emergency services, energy generation facilities, recreational open space, personal livestock uses, and transportation uses may be permitted.

5.2.4 Residential High Density Zone

The Residential High Density zone applies to only a few existing areas in Deer Lake. These areas are dominated by a mix of apartment buildings, semi-detached, row, and single dwellings. No new areas for high-density development are designated, however it will be encouraged in locations that are appropriate in terms a municipal servicing capacity and compatibility with existing development.

1. Land Use

- (1) Permitted housing in the Residential High Density zone will include single, double, and row dwellings, as well as subsidiary apartments in single dwellings.

Accessory buildings are permitted on residential lots subject to standards and conditions required by Council.

Other permitted uses include conservation, open space, personal use agriculture, and home offices.

- (2) Apartment buildings, boarding houses, retirement homes, and residential care homes may be permitted at Council's discretion.
- (3) At Council's discretion, a home occupation may be permitted within a residential dwelling or an accessory building in accordance with conditions required by Council.
- (4) At Council's discretion, childcare uses, bed and breakfasts, visitor rental dwellings, communications, convenience stores, emergency services, energy generation facilities, recreational open space, and transportation uses may be permitted.

5.2.5 Residential Mini Home Zone

The Residential Mini home zone applies to two existing mini home subdivisions located on Boulos Place and Woodford Avenue. Mini homes are the prevailing form of development on these streets, although there are also single and semi-detached dwellings. The intent of the zone is to accommodate the development of mini homes as an affordable housing form.

1. Land Use

- (1) Permitted housing in the Residential Mini home zone will include mini-homes.

Accessory buildings are permitted on residential lots subject to standards and conditions required by Council.

Other permitted uses include conservation, open space, personal use agriculture, and home offices.

- (2) Double dwellings and row houses may be permitted at Council's discretion.
- (3) At Council's discretion, a home occupation may be permitted within a residential dwelling or an accessory building in accordance with conditions required by Council.
- (4) At Council's discretion, childcare uses, communications, convenience stores, emergency services, energy generation facilities, recreational open space, and transportation uses may be permitted.

5.2.6 Residential Floodway Fringe Zone

The Residential Floodway Fringe zone takes in an existing residential area located in the 1:100 year floodplain in the vicinity of Nicholsville Road and Tower Road. Development in this zone will be limited to residential infill along existing streets.

1. Land Use

- (1) Permitted housing in the Residential Floodway Fringe zone will include single dwellings and subsidiary apartments in single dwellings. House construction will be subject to special conditions related to flood risk mitigation.

Accessory buildings are permitted on residential lots subject to standards and conditions required by Council.

Other permitted uses include conservation, open space, personal use agriculture, and home offices.

- (2) At Council's discretion, a home occupation may be permitted within a residential dwelling or an accessory building in accordance with conditions required by Council.
- (3) At Council's discretion, bed and breakfasts, visitor rental dwellings, communications, energy generation facilities, recreational open space, and transportation uses may be permitted.

2. Development Limited to Infill Only

New development in the RFF zone will be limited to infill along existing streets. Development of new streets will not be permitted.

5.2.7 Rural Community Zone

The Rural Community zone takes in the Local Service District of St. Jude's. While it is located in the Deer Lake Planning Area, it lies outside the actual municipal boundary of Deer Lake. The St. Jude's residential area does not have piped municipal services.

1. Land Use

- (1) Permitted housing in the Rural Community zone will include single dwellings and subsidiary apartments in single dwellings.

Accessory buildings are permitted on residential lots subject to standards and conditions required by Council.

Other permitted uses include conservation, open space, personal use agriculture, and home offices.

- (2) At Council's discretion, a home occupation may be permitted within a residential dwelling or an accessory building in accordance with conditions required by Council.
- (3) Other discretionary uses include bed and breakfasts, visitor rental dwellings, boarding houses, campgrounds, communications, convenience stores, energy generation facilities, kennels, personal livestock uses, recreational open space, and transportation uses.

5.3 Town Centre

The Town Centre designation applies to the older downtown area of Deer Lake as well as a few small commercial sites surrounded by residential neighbourhoods. This designation recognizes the existing mix of commercial, residential, and public uses that has evolved over time as well as opportunities to enhance the traditional mixed use character of the old town centre through reuse and redevelopment of vacant and underused buildings and properties.

5.3.1 General Intent

- (1) Council will carefully manage new development in this designation to maintain and enhance Deer Lake's traditional downtown area. Land uses and design approaches will be promoted that preserve and enhance the traditional character of these areas.
- (2) Council will encourage the revitalization of Town Centre areas that have suffered from economic decline by promoting and facilitating adaptive re-use and redevelopment of vacant and underused buildings and properties.
- (3) The Town Centre designation will accommodate a compatible mix of land uses to enhance the potential of these areas to function as hubs of community and commercial activity.

5.3.2 Compatibility of Uses

- (1) In evaluating development proposals, Council will pay particular attention to the compatibility of uses, particularly between residential and non-residential uses.
- (2) Where an area within the Town Centre designation is predominantly residential in character, proposed non-residential uses will not be approved if they are deemed to be incompatible with existing uses and the residential character of the area.
- (3) Before permitting any non-residential development, Council will be satisfied that its requirements with respect to building setbacks, buffering between uses, off-street parking, outdoor storage, and other site related matters can be met.
- (4) Council may impose conditions to require a commercial or light industrial use to maintain an attractive appearance and minimize adverse impacts on existing uses, including proper site layout, buffering, screening, and control or restriction of potentially noxious activities.

5.3.3 Guiding Principles

The following principles will be pursued within the Town Centre designation:

- (a) Adaptive reuse and redevelopment of vacant and underused properties and buildings will be encouraged to the extent that the reuse or redevelopment will be compatible with surrounding area and will contribute to the revitalization of the area.
- (b) Preservation and enhancement of buildings and structures of architectural or historic interest will be encouraged.
- (c) The traditional community form will be maintained.
- (d) The appearance, scale, siting, and use of new buildings, as well as expansions and renovations to existing buildings, will have regard for and not detract from the character of the surrounding area.
- (e) Restoration and reuse of dilapidated buildings, structures and sites that contribute to the historical legacy and visual character of the area will be encouraged.
- (f) Public rights-of-way, trails, open spaces, and historic uses will be preserved where possible.

5.3.4 Use of Discretionary Authority

If Council deems that a proposed development in the Town Centre designation will adversely affect the character or heritage of the area, it may exercise its discretionary authority to set terms and conditions on the development or to refuse the application.

5.3.5 Town Centre Zone

The Development Regulations will establish one land use zone within the Town Centre designation – also referred to as Town Centre. The zone recognizes existing mixed-use areas, particularly the older downtown core, as well a number of small outlying commercial sites surrounded by residential development.

1. Land Use

- (1) The Town Centre designation will accommodate a compatible mix of community, commercial, and residential uses. The designation will allow for the development of various types of housing, public buildings, open space, and low-impact commercial and light industrial uses.
- (2) Single dwellings, double dwellings, row dwellings, subsidiary apartments, boarding houses, accessory buildings, home offices, and personal use agriculture will generally be permitted except where they are deemed by Council to be incompatible with existing commercial or other non-residential uses.

Bed and breakfasts, childcare, cultural and civic uses, educational uses, emergency services, home occupations, indoor markets, medical clinics, offices, outdoor markets, personal services, retirement homes, residential care uses, shops, transportation, veterinary services, and visitor rental dwellings will be permitted except where they are deemed by Council to be incompatible with existing residential uses.

Open space and conservation are complementary uses that will be permitted.

- (3) Apartment buildings may be permitted at Council's discretion.

- (4) Catering, commercial accommodations, take-out food services, and tourist cottage establishments may be permitted at Council's discretion if they are deemed to be suitable for the area and compatible with existing land uses.
- (5) Other uses that may be permitted at Council's discretion include assembly uses, clubs and lodges, communications uses, drinking establishments, energy generation facilities, entertainment uses, funeral homes, garden centres, general services, light industry, places of worship, recreational open space, service stations, cannabis retail outlets, and tourist cottage establishments.

5.4 Commercial-Industrial

The Commercial-Industrial designation includes existing commercial and industrial areas as well as proposed future development areas. These include established areas of commercial and/or light industrial activity in the vicinity of Old Bonne Bay Road, Commercial Street, and the Trans Canada Highway, some scattered smaller areas, as well a new industrial development area north of Old Bonne Bay Road.

5.4.1 General Intent

In keeping with Council's goal of increased economic activity, areas are designated Commercial-Industrial to facilitate business development and enhance Deer Lake's position as a regional service centre and transportation hub. Commercial areas allow for a range of commercial and light industrial uses, ranging from retail services, highway services, travel and visitor accommodations businesses. Industrial areas accommodate general and light industrial uses and may include uses that are potentially hazardous in nature.

5.4.2 Compatibility with Neighbouring Uses

New development will be permitted to the extent that it is a suitable fit with surrounding existing development and will not unreasonably affect nearby residential areas with respect to noise, dust, glare, vibration, smell, traffic, and related factors.

Council may impose conditions to require a commercial or industrial use to maintain an attractive appearance and minimize adverse impacts on existing uses, including proper site layout, buffering, screening, and control or restriction of potentially noxious or hazardous activities. Required screening may include fencing, berms, and/or appropriate plantings of trees and shrubs.

5.4.3 Off-Street Parking and Loading

Adequate off-street parking and loading facilities shall be provided in accordance with standards set out in the Development Regulations.

5.4.4 Design and Appearance of Properties

Council will ensure that a high standard of building design and appearance is maintained for all commercial and light industrial development.

5.4.5 Area Plan

(1) Purpose

Council will require an Area Plan to be approved before permitting development of new streets in the Commercial-Industrial designation.

(2) Area Plan Adoption

An Area Plan will be a professionally prepared document with text and accompanying maps. It will be reviewed by Council to determine conformity to the Municipal Plan and Development Regulations. Prior to approving an Area Plan, Council at its discretion may give public notice, make the plan available for public review, and consider all objections and representations received.

5.4.6 Land Use Zones

The Development Regulations shall establish five land use zones within the Commercial-Industrial designation.

Commercial-Industrial Designation - Land Use Zones		
Zone	Purpose	Application
Commercial General	Recognize existing general retail sites and accommodate future retail development needs.	Existing and future commercial lands in vicinity of Commercial Street.
Commercial-Light Industrial	Recognize existing mixed commercial-light industrial areas and provide for future development.	Existing and future commercial lands south and north of Old Bonne Bay Road.
Commercial Highway	Recognize existing highway service areas and provide for future development.	Existing highway and commercial accommodation service area along Trans Canada Highway.
Tourism Recreation	Provide lands for a mix of land-extensive visitor accommodation and passive recreational uses.	Existing and future mixed-use tourism and recreation areas south and north of Humber River.
Industrial General	Provide lands for exclusive general industrial development.	Some small existing areas as well as new industrial land north of Old Bonne Bay Road towards the Trans Canada Highway.

5.4.7 Commercial General Zone

The Commercial General zone applies to land fronting onto Commercial Street as well as land designated for future general commercial development north of Commercial Street. The intent of this zone is to facilitate general commercial development to enhance Deer Lake's position as a regional retail and service centre.

1. Land Use

- (1) The Commercial General zone will allow for the development of various types of retail and service businesses, as well as certain cultural and public service uses.
- (2) Permitted business uses include shops, catering, general and personal services, indoor and outdoor markets, offices, take-out food services, and veterinary services.

Other permitted uses include childcare services, cultural and civic uses, emergency services, indoor assembly, medical clinics, and transportation.

Open space and conservation are complementary uses that are permitted.

- (3) Uses that may be permitted at Council's discretion include clubs and lodges, commercial accommodations, communications, drinking establishments, energy generation facilities, entertainment uses, funeral homes, general assembly uses, kennels, light industries, outdoor assembly, service stations, shopping centres, vehicle sales and services, and cannabis retail outlets.
- (4) At Council's discretion, a subsidiary apartment may be permitted in a main use if it is deemed necessary for the operation and/or security of that use.

5.4.8 Commercial-Light Industrial Zone

The Commercial-Light Industrial zone generally applies to the area immediately south and north of Old Bonne Bay Road, including land fronting onto Wight's Road, Reid's Lane, Shaw Street, and Wellon Drive. It also applies to a number of smaller sites on Nicholville Road, Spillway Road, and St. Jude's Main Road. The intent of this zone is to recognize the existing commercial and light industrial uses and to facilitate continued compatible development of these types of uses.

1. Land Use

- (1) The Commercial-Light Industrial General zone will allow for the development of various types of retail and service businesses, as well as certain cultural and public service uses.
- (2) Permitted business uses in the Commercial-Light Industrial zone include shops, catering, garden centres, general and personal services, indoor and outdoor markets, light industries, offices, transportation, and veterinary services.

Other permitted uses include childcare services, communications, cultural and civic uses, education services, emergency services, and medical clinics.

Open space and conservation are complementary uses that are permitted.

- (3) Uses that may be permitted at Council's discretion include clubs and lodges, commercial accommodations, drinking establishments, energy generation facilities, entertainment uses, funeral homes, crematoriums, general garages, general industries, hazardous industries, assembly uses, kennels, recreational open space, recycling facilities, service stations, shopping centres, take-out food services, vehicle sales and services, waste transfer stations, cannabis retail outlets and mineral working.
- (4) At Council's discretion, a subsidiary apartment may be permitted in a main use if it is deemed necessary for the operation and/or security of that use.

5.4.9 Commercial Highway Zone

The Commercial Highway zone applies to land abutting the Trans Canada Highway. Development in this zone is primarily oriented to serving the travelling public, including highway automobile and airport traffic. Main uses in this zone will be those that provide travel related

services such as service stations, food outlets, hotels, and motels. The intent of this zone is to facilitate economic activity related to the provision of travel related services.

1. Land Use

- (1) The Commercial Highway zone will allow for the development of various types of retail and service businesses whose primary purpose is to provide services to the highway and air traveling public.
- (2) Permitted business uses in the Commercial Highway zone include catering, commercial accommodations, communications, emergency services, passenger assembly, service stations, shops, take-out food services, and transportation.

Offices will be permitted as subsidiary uses to main uses.

Open space and conservation are complementary uses that are permitted.

- (3) Uses that may be permitted at Council's discretion include campgrounds, tourist cottage establishments, drinking establishments, energy generation facilities, outdoor markets, recreational open space, and mineral exploration, and petroleum exploration.
- (4) At Council's discretion, a subsidiary apartment may be permitted in a main use if it is deemed necessary for the operation and/or security of that use.

5.4.10 Tourism Recreation Zone

The intent of the Tourism Recreation zone is to facilitate business and economic activities related to Deer Lake's strategic advantage as a primary gateway for visitor traffic in Western Newfoundland. In particular, locations in this zone are regarded as attractive sites for campground and tourist cottage development combined with passive outdoor recreation developments such as trails along Humber River.

1. Development Plan

Before development of any proposed tourism or recreation development is permitted, a proponent must submit a development plan for Council's approval in accordance with requirements set out in the Development Regulations.

2. Land Use

- (1) The Tourism Recreation zone will allow for the development of a strategic mix of campgrounds and/or tourist cottage establishments combined with outdoor recreation and open space uses and appropriate accessory retail and service uses.
- (2) Permitted uses in the Tourism Recreation zone include open space and conservation.
- (3) Uses that may be permitted at Council's discretion include campgrounds, tourist cottage establishments, communications, energy generation facilities, outdoor markets, recreational open space, and transportation.
- (4) Catering, convenience stores, shops, and take-out food services may be permitted at Council's discretion if they are accessory to a tourist cottage establishment, campground, or recreational open space use.

- (5) At Council's discretion, a subsidiary apartment may be permitted in a main use if it is deemed necessary for the operation and/or security of that use.

3. Protecting Environmentally Sensitive and Scenic Areas

Council may restrict or set conditions on development in locations that it deems to be environmentally or aesthetically sensitive. In such areas protection and conservation will take priority over development.

5.4.11 Industrial General Zone

The Industrial General zone applies to a new industrial park under development to the north of Old Bonne Bay Road and abutting the Trans Canada Highway in proximity to the entrance to Deer Lake Airport. Other areas zoned Industrial General include a site at the end of South Main Street and another at the end of Gatehouse Road.

The Industrial General zone is established to accommodate general and light industrial uses and may include uses that are potentially hazardous in nature.

1. Land Use

The Industrial General zone accommodates general industrial uses such as fuel storage, manufacturing and processing, fabrication and construction yards, trucking and heavy equipment depots, bulk storage, warehouse, industrial storage, concrete plants, and salvage yards. The designation may also accommodate light industrial and compatible commercial uses such as plumbing shops, fabrication and repair shops, heavy equipment dealers, etc.

- (1) Permitted Uses in the Industrial General zone include general industries, light industries, general garages, general services, emergency services, communications, offices, service stations and transportation.

Open space and conservation are complementary uses that are permitted.

- (2) Uses that may be permitted at Council's discretion include energy generation facilities, funeral homes, crematoriums, hazardous industries, mineral and petroleum exploration, mineral working, mining, recycling facilities, salvage yards, waste transfer stations, take-out food services, and recreational open space.
- (3) At Council's discretion, a shop may be permitted that is accessory to a main use if it is deemed by Council to be an integral component of that use.
- (4) At Council's discretion, a subsidiary apartment may be permitted in a main use if it is deemed necessary for the operation and/or security of that use.

5.5 Public Use

The Public Use designation refers to lands used for institutional uses such as schools, churches, public medical facilities, and government buildings.

5.5.1 General Intent

Lands are designated Public Use in order to permit the development of public and institutional uses such as churches, schools, community facilities, medical facilities, and government buildings.

5.5.2 Public Use Zone

The Development Regulations shall establish one land use zone within the Public Use designation, also referred to as Public Use.

1. Land Use

- (1) Permitted uses in the Public Use zone include childcare, education uses, medical clinics, and transportation.

Offices are permitted that are accessory to a main use.

Open space and conservation are complementary uses that are permitted.

- (2) Uses that may be permitted at Council's discretion include cemeteries, clubs and lodges, cultural and civic uses, energy generation facilities, assembly uses, medical treatment facilities, places of worship, recreational open space, retirement homes, and residential care homes.
- (3) At Council's discretion, catering may be permitted that is accessory to a main use.
- (4) At Council's discretion, a subsidiary apartment may be permitted in a main use if it is deemed necessary for the operation and/or security of that use.

5.6 Open Space

5.6.1 General Intent

The Open Space designation refers to lands set aside for parks and open space, active and passive recreational uses, trails, cemeteries, and separation buffers between different land use classes. Most of the Newfoundland T'Railway corridor is located in the Open Space designation through Deer Lake's built-up area.

5.6.2 Open Space Zone

The Development Regulations shall establish one land use zone within the Open Space designation, also referred to as Open Space.

1. Land Use

- (1) Permitted uses in the Open Space zone include conservation and open space.
- (2) Uses that may be permitted at Council's discretion include cemeteries, energy generation facilities, assembly uses, marinas, outdoor markets, personal use agriculture, recreational open space, and transportation.
- (3) At Council's discretion, catering and take-out food services may be permitted that are accessory to a main use such as a marina or assembly use.
- (4) At Council's discretion, an outdoor market may be permitted on a temporary basis, for example, as part of a community event.

2. Cemetery

An application to develop or expand a cemetery must be accompanied by a site design plan for Council's consideration.

5.7 Airport

5.7.1 General Intent

The Airport designation refers to lands under the control of the Deer Lake Regional Airport Authority. These lands are designated for the development and operation of the airport.

5.7.2 Airport Zone

The Development Regulations shall establish one land use zone within the Airport designation – also referred to as Airport. The zone recognizes existing land uses on these lands and provides for future airport-related development.

1. Land Use

- (1) Permitted uses in the Airport zone include catering, communications, emergency services, energy generation facilities, general services, light and general industries, offices, passenger assembly, personal services, shops, and transportation.

Open space and conservation are complementary uses that are permitted.

- (2) Uses that may be permitted at Council's discretion include forestry, mineral and petroleum exploration, mineral working, mining, and petroleum extraction.

2. Development Approval

A proposed development in the Airport designation must be approved by the Deer Lake Regional Airport Authority before a permit will be issued by Council.

5.8 Utility

5.8.1 General Intent

Lands designated Utility are reserved exclusively for public utility uses.

5.8.2 Utility Zone

The Development Regulations shall establish one land use zone within the Utility designation – also referred to as Utility. The zone recognizes and protects existing utility sites.

1. Land Use

Existing development within the Utility zone includes the Deer Lake Power hydro plant and penstocks, the Deer Lake sewage treatment plant, the Deer Lake waste management site, and electrical substations.

- (1) Permitted uses in the Utility zone include communications and energy generation facilities.

Conservation is a complementary use that is permitted.

- (2) Uses that may be permitted at Council's discretion include electrical utilities, solid waste and recycling facilities, wastewater utilities, waste transfer stations, and transportation.

At Council's discretion general and light industrial uses may be permitted that are accessory to a main utility use.

5.9 Highway Corridor

The Highway Corridor designation refers to the two arterial highway corridors that pass through the Deer Lake Planning Area.

5.9.1 General Intent

The Highway Corridor designation applies to the Trans Canada Highway (Route 1). This designation recognizes its status as a protected highway under the Provincial *Protected Roads Zoning Regulations*.

5.9.2 Highway Corridor Zone

The Development Regulations shall establish one land use zone within the Highway Corridor designation – also referred to as Highway Corridor.

1. Land Use

- (1) Transportation is a permitted use in the Highway Corridor zone.

Open space and conservation are complementary uses that will be permitted.

- (2) Uses that may be permitted at Council's discretion include communications, electrical, water, and wastewater utilities.

5.10 Rural

5.10.1 General Intent

Areas are designated Rural to recognize their importance for natural resource utilization, agriculture development and protection, outdoor recreation, habitat conservation, and certain industrial activities that may not be suitable in or near Deer Lake's built-up areas.

Urban encroachment into rural areas will be minimized in order to sustain resource-based activities and reduce the loss, fragmentation, and degradation of existing and potential agricultural land and natural habitat.

5.10.2 Land Use Zones

The Development Regulations shall establish two land use zones within the Rural designation.

Rural Designation - Land Use Zones		
Zone	Intent	Application
Mineral Working	Recognize important resource lands for aggregate extraction and management.	Existing mineral working area located east of Deer Lake Airport.
Rural	Recognize lands presently used or with potential for agriculture, forestry and other natural resource developments.	Existing rural lands lying outside Deer Lake's built-up areas.

5.10.3 Mineral Working Zone

The Mineral Working zone applies to land located east of Deer Lake Airport and sandwiched between the north side of the Trans Canada Highway and Junction Brook. This area is important as an aggregate resource area to supply the needs of Deer Lake and surrounding areas.

1. Land Use

- (1) Permitted uses in the Mineral Working zone include mineral working, mineral and petroleum exploration, communications, energy generation facilities, and transportation.

Open space and conservation uses are also permitted.

- (2) Uses that may be permitted at Council's discretion include forestry, mining, waste transfer stations, and petroleum extraction.
- (3) A general and light industrial use that is accessory to a mineral working, forestry, mining, or petroleum extraction use may be permitted at Council's discretion.

5.10.4 Rural Zone

The Rural zone applies to significant tracts of land located in the east and southwest extremities of the Deer Lake Planning Area.

1. Land Use

- (1) Permitted uses in the rural zone include crop agriculture, forestry, mineral and petroleum exploration, energy generation facilities, transportation, open space, and conservation.
- (2) Uses that may be permitted at Council's discretion include abattoirs, cemeteries, campgrounds, communications, livestock agriculture, mineral working, mining, petroleum extraction, recreational open space, marinas, waste transfer stations, and salvage yards.

At its discretion, Council may permit a single dwelling that is accessory to a commercial agricultural use.

A general or light industrial use may be permitted at Council's discretion provided that the use is accessory to a commercial agriculture, forestry, mineral working, mining, or petroleum extraction use, or is unsuitable for built-up areas of Deer Lake.

An outdoor market or shop may be permitted at Council's discretion provided that the use is accessory to a commercial agriculture use, campground, or recreational open space use.

2. Cemetery

An application to develop or expand a cemetery must be accompanied by a site design plan for Council's consideration.

3. Environmentally Sensitive and Scenic Areas

Council may restrict or set conditions on land uses and resource extraction activities in locations where it deems that the use may adversely affect steep slopes, geologically unstable areas, wetlands, watercourses and other sensitive areas. In these areas, protection and conservation will take priority over development.

4. Forestry

- (1) Forest harvesting and management activities on Crown land will be subject to the requirements and supervision of the Forestry Branch of the Department of Fisheries and Land Resources.
- (2) Logging activities shall respect the Town's objectives for environmental protection, municipal watershed protection, scenic preservation, and recreation areas.

6.0 IMPLEMENTATION

The Deer Lake Municipal Plan will be implemented over the next 10 years through decisions of Council. Of particular importance to Council are the following:

- Effective administration of the Municipal Plan
- Public participation
- Development Regulations
- The basis of development control, and
- The procedure for considering amendments to the Municipal Plan.

6.1 Administration of the Plan

The Deer Lake Municipal Plan is comprised of goals and objectives (Section 3 of this document), community-wide land use policies (Section 4), designation-specific land use policies (Section 5), and a program of implementation (Section 6). The Background Report (Section 2) provides information but does not form part of the legally binding Deer Lake Municipal Plan. All development applications will be evaluated as to their conformity to the policies in the Municipal Plan.

6.1.1 Map Interpretation

- (1) For the purpose of administering the Municipal Plan, **Future Land Use Maps 1, 2, and 3** shall be read only in conjunction with the goals, objectives and land use policies of the Plan.
- (2) The boundaries of the land use designations shown on the **Future Land Use Maps** are general only and, except where they coincide with roads, shorelines, or other prominent physical features, are not intended to define exact limits. No amendment to the Deer Lake Municipal Plan shall be required to allow minor adjustments of the land use boundaries. Other than such minor boundary adjustments, no development shall be permitted that does not conform to the Plan.

6.1.2 Development Applications

- (1) A person wishing to develop land for any purpose within the Deer Lake Municipal Planning Area must apply to Council for permission through the established procedure. Council shall require that all development applications conform fully to the Deer Lake Municipal Plan and Development Regulations before proceeding. Council may refuse or approve the application and may set conditions on approval. The decision of Council may be appealed to the appropriate appeal board.
- (2) Once conformity to the Municipal Plan has been established, Council shall ensure that each development proposal is given an evaluation.
- (3) If Council suspects that a Provincial or Federal policy or statute may come into effect, it will refer the development proposal to the relevant government department or agency for approval or comments.

- (4) Council's final decision on an application will be based on the desire to guide the development of Deer Lake in the best long-term interest of residents and landowners.
- (5) Provisions regarding the appeal of Council decisions on development applications will be contained in the Development Regulations.

6.1.3 Subdivision Proposals and Agreements

- (1) Evaluations of proposed subdivisions of land for development will include the following:
 - (a) An investigation of the physical conditions and features of the site, opportunities for development, and constraints on development.
 - (b) A demonstration of how the proposed subdivision will connect to existing roads, how it will affect existing developments, and whether it will provide future access to undeveloped lands in the area.
 - (c) A demonstration that the proposed subdivision will be compatible with surrounding land uses, both existing and future.
 - (d) An examination of proposed municipal services and the long-term public costs of providing and maintaining these services.
 - (e) Consideration of how stormwater drainage will be managed to minimize increased run-off onto adjacent lands.
 - (f) Consideration of how the development may affect important and sensitive environmental resources.
- (2) Before major land developments are approved in the Deer Lake Municipal Planning Area, Council may require the developer to enter into a development agreement with the Town. Such an agreement shall establish the conditions under which development will proceed and shall be binding on both parties. Any conditions governing the development will be enforced by attaching them to the development permit.

6.1.4 Non-Conforming Uses

- (1) A building, structure, or other development that does not conform with the intent and permitted land uses of this Municipal Plan, but which legally existed before the registration date of the Plan, will be permitted to continue as a "non-conforming use" subject to the provisions of Section 108 of the *Act*.
- (2) Notwithstanding subsection (1), if a non-conforming use is discontinued for a consecutive period of twelve months, it shall not be recommenced and any further use of the land or building shall conform to the intent of this Plan and its Development Regulations.
- (3) A non-conforming use under this Municipal Plan:
 - (a) shall not be internally or externally varied, extended or expanded unless otherwise approved by Council,
 - (b) shall not be structurally modified except as required for the safety of the building, structure or development,
 - (c) shall not be reconstructed or repaired for use in the same non-conforming manner where 50 percent or more of the value of that building, structure or development has been destroyed,

- (d) may have the existing use for that building, structure or development varied by Council to a use that is, in Council's opinion more compatible with this Municipal Plan and its Development Regulations
- (e) may have the existing building extended where, in Council's opinion, that extension is not more than 50 percent of the existing building
- (f) where the non-conformity is with respect to the standards included in the Development Regulations, shall not be expanded if the expansion would increase the non-conformity; and
- (g) where the building or structure is primarily zoned and used for residential purposes, may, in accordance with this Municipal Plan and its Development Regulations, be repaired or rebuilt where 50 percent or more of the value of that building or structure is destroyed.

6.2 Public Participation

The Municipal Plan is an expression of the goals and aspirations of the citizens of Deer Lake, therefore, periodic reviews of the Plan provide an opportunity for public participation and input and can be an invaluable tool for the successful implementation of planning.

Council will take advantage of opportunities to involve the public in decision-making processes with respect to future planning and development of the community.

6.3 Development Regulations

Pursuant to Section 35 of the *Urban and Rural Planning Act 2000*, Council has adopted the Deer Lake Land Use Zoning and Subdivision Regulations (referred to as the Development Regulations) in order to implement the goals, objectives and land use policies of the Municipal Plan. The Development Regulations control the subdivision and development of all land within the Deer Lake Planning Area.

6.3.1 Council Responsibility

In accordance with Section 35 of the *Urban and Rural Planning Act 2000*, the Development Regulations have been established to ensure that land is controlled and used only in accordance with the Deer Lake Municipal Plan.

6.3.2 Content

The Development Regulations:

- (a) divide the Planning Area into land use zones
- (b) indicate permitted and discretionary land uses in each land use zone,
- (c) set out municipal-wide and zone-specific requirements and standards for the subdivision and development of land,
- (d) set out the administrative procedures for dealing with development permit applications and the issuing of development and building permits,
- (e) set out the regulations respecting the non-conforming development and use of land,
- (f) set the minimum notice periods for Council decisions respecting discretionary land uses, non-conforming land uses, and variances,
- (g) set out the regulations and procedures respecting appeals of Council decisions, and
- (h) set out the regulations respecting the enforcement of permit requirements.

6.4 Development Control

6.4.1 Municipal Plan is Binding

The Deer Lake Municipal Plan is a legal document that is binding upon all persons and organizations including Council.

6.4.2 Council Responsibility

Council shall exercise appropriate control over development in the Deer Lake Planning Area in accordance with the Municipal Plan and the Development Regulations.

6.4.3 Subdivision and Development Applications

- (1) All persons wishing to subdivide or develop land for any purpose within the Planning Area shall apply to Council for permission on the prescribed application form and shall submit a detailed drawing of the proposal indicating the location and dimensions of the land and the development.
- (2) Council will examine the application on the basis of the Development Regulations. Council may approve the application, approve it with conditions, or refuse it.

6.4.4 Right to Appeal

An applicant who receives a refusal decision from Council on a development application may appeal that decision to the Appeal Board in accordance with the Deer Lake Development Regulations.

6.4.5 Provincial and Federal Referrals

If Council deems that a proposed development may be affected by the policies or regulations of a Provincial or Federal department, the application will be referred to the concerned department for comments before a permit is issued.

6.5 Amending the Municipal Plan and Development Regulations

This Municipal Plan was prepared on the basis of existing and expected future conditions. It is Council's intention not to amend the Plan for a five-year period after its adoption, after which another Plan Review will be undertaken. Nevertheless, if circumstances change in unforeseen ways during the planning period, Council may consider possible amendments to the Plan.

6.5.1 Municipal Plan Amendment

If Council decides to adopt an amendment to the Municipal Plan, in accordance with Section 25 of the *Urban and Rural Planning Act 2000*, the amendment procedure will be the same as for the adoption of the Municipal Plan as a whole. This procedure is outlined in Sections 14 to 24 of the *Act*.

6.5.2 Stand-Alone Amendment to the Development Regulations

- (1) If Council decides to adopt an amendment to the Development Regulations that does not also require a change to the Municipal Plan, the amendment procedure will be in accordance with Section 35 (5) of the *Act*.
- (2) Council shall give notice of the proposed change in a newspaper circulated in the area and shall receive representations with respect to those changes before

forwarding the adopted amendment to the Department of Municipal and Intergovernmental Affairs and for registration under Section 24 of the Act.