



Prepared by:



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Planning Consultant

Project ID: NMP-01-2020-002



Town of Meadows

- MUNICIPAL PLAN (2023-33)**

Approved by Council on: 27 SEPT 2023
Registered in the NL Gazette on: _____

Prepared for the Town Council of:



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

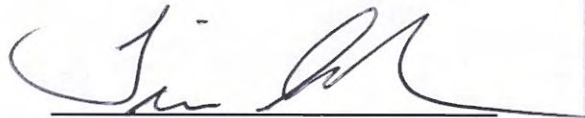
TOWN OF MEADOWS MUNICIPAL PLAN, 2023-33

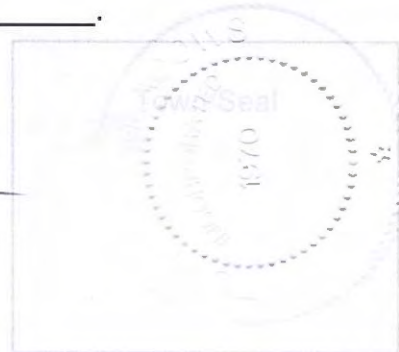
Under the authority of section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Meadows adopts the Town of Meadows Municipal Plan, 2023-33.

Adopted by the Town Council of Meadows on the 12th day of June 2023.

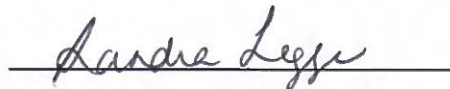
Signed and sealed this 19 day of October, 2023.

Mayor:





Clerk:



Canadian Institute of Planners Certification

I certify that the attached Town of Meadows Municipal Plan, 2023-33 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: Andrew C. Smith, MCIP



| | |
|---------------------------------|-----------------------------------|
| Municipal Plan/Amendment | |
| REGISTERED | |
| Number | <u>3175-2023-000</u> |
| Date | <u>15 DEC 2023</u> |
| Signature | <u>AS [Handwritten Signature]</u> |

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

TOWN OF MEADOWS MUNICIPAL PLAN, 2023-33

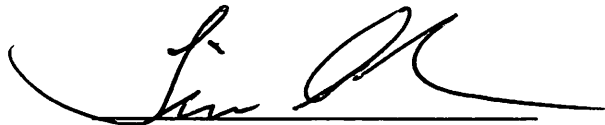
Under the authority of sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Meadows:

1. Adopted the Town of Meadows Municipal Plan, 2023-33 on the 12th day of June 2023;
2. Gave notice of the adoption of the Town of Meadows Municipal Plan, 2023-33 by way of an advertisement inserted in the West Coast Wire newspaper on the 9th day of August 2023 and on the 23rd day of August 2023; and
3. Set the 29th day of August 2023 at 7:00 p.m. at the Town Office in the Town of Meadows for the holding of a public hearing to consider objections and submissions.

Now, under section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Meadows approves the Town of Meadows Municipal Plan, 2023-33 on the 27th day of September 2023 as adopted.

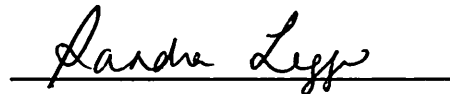
Signed and sealed this 19 day of October, 2023.

Mayor:

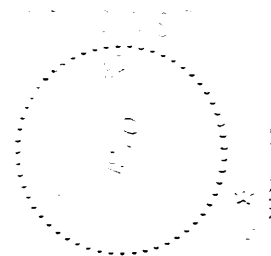


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Clerk:



A handwritten signature in black ink, appearing to be 'Sandra Legg', written over a horizontal line.



Canadian Institute of Planners Certification

I certify that the attached Town of Meadows Municipal Plan, 2023-33 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP/FCIP: Andrew C. Smith, MCIP

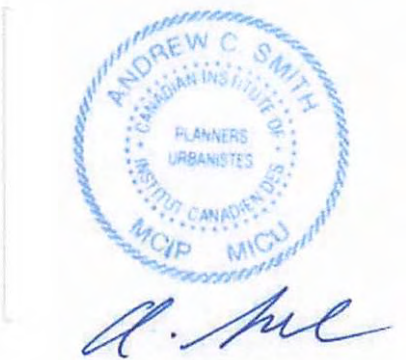
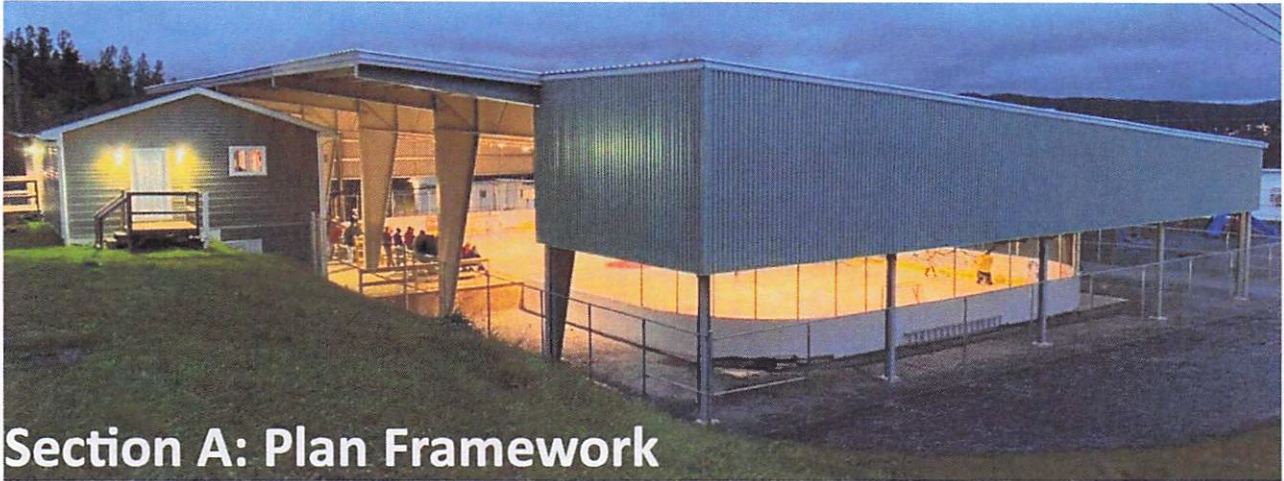




Table of Contents

- Section A: Plan Framework.....2**
 - A.1 Purpose and Contents.....2
 - A.2 The Planning Process.....5
- Section B: Plan Direction.....7**
 - B.1 Municipal Plan Goals and Objectives.....7
 - B.2 Land Use Goals, Policies and Proposals.....8
 - B.2.1 Overall Development Strategy.....8
 - B.2.2 Legal Non-Conforming Uses.....16
 - B.2.3 Public Streets and the Subdivision of Lands.....18
 - B.2.4 Public and Safety Emergency Services.....24
 - B.2.5 Public Utilities.....30
 - B.2.6 Hinterland Areas.....32
 - B.2.7 Residential Uses.....36
 - B.2.8 Economic Development, Commercial and Industrial Uses.....39
 - B.2.9 Protection of the Natural Environment.....43
 - B.2.10 Open Space and Recreational Uses.....47
 - B.2.11 Archaeological and Historical Sites.....53
 - B.2.12 Signs.....55
- Section C: Implementation.....58**
 - C.1 Overview.....58
 - C.2 Administration of Plan and Regulations.....58
 - C.2.1 Division of Powers.....58
 - C.2.2 Public Consultation and Participation.....59
 - C.2.3 Development Review and Approval Process.....59
 - C.2.4 Performance-based Discretionary Decision-making.....60
 - C.2.5 Professional Advice and Certification.....60
 - C.3 Recommended Studies and Initiatives.....62
 - C.4 Municipal Land Assembly Program.....62
 - C.5 Municipal Capital Works and Budgeting Program.....63
- Appendix A: Amendments.....64**
- Appendix B: Future Land Use Classes and Use Zones.....65**
- Appendix C: Performance-based Rubric.....66**



Section A: Plan Framework

A.1 PURPOSE AND CONTENTS

Note: Italicized words are defined in the 'Development Regulations (2023-33)'

The 'Town of Meadows Municipal Plan (2023-33)' (henceforth the *Plan*) is the legal document for guiding the future of the *Town* between 2023 and 2033. The *Plan* strives to manage growth and *development*; promote economic development through supporting the local economy; and protect the character of existing neighbourhoods, the natural environment and drinking water supplies.

The *Plan* is guided by the overarching goal and objectives (subsection 'B.1 Municipal Plan Goal and Objectives'). These provide the context for the detailed land *use* subsections (subsection 'B.2 Land Use Goals, Policies and Proposals'). Each subsection contains a guiding goal, general *policies* and specific *proposals* of *Council* to give effect to the *Plan*. The 'Town of Meadows Development Regulations (2023-33)' (henceforth the *Regulations*) contain the detailed *development* provisions required to implement the *Plan*. The relationship between the *Plan* and *Regulations* is shown in 'Illustration 1: Municipal Plan and Development Regulations Framework.'

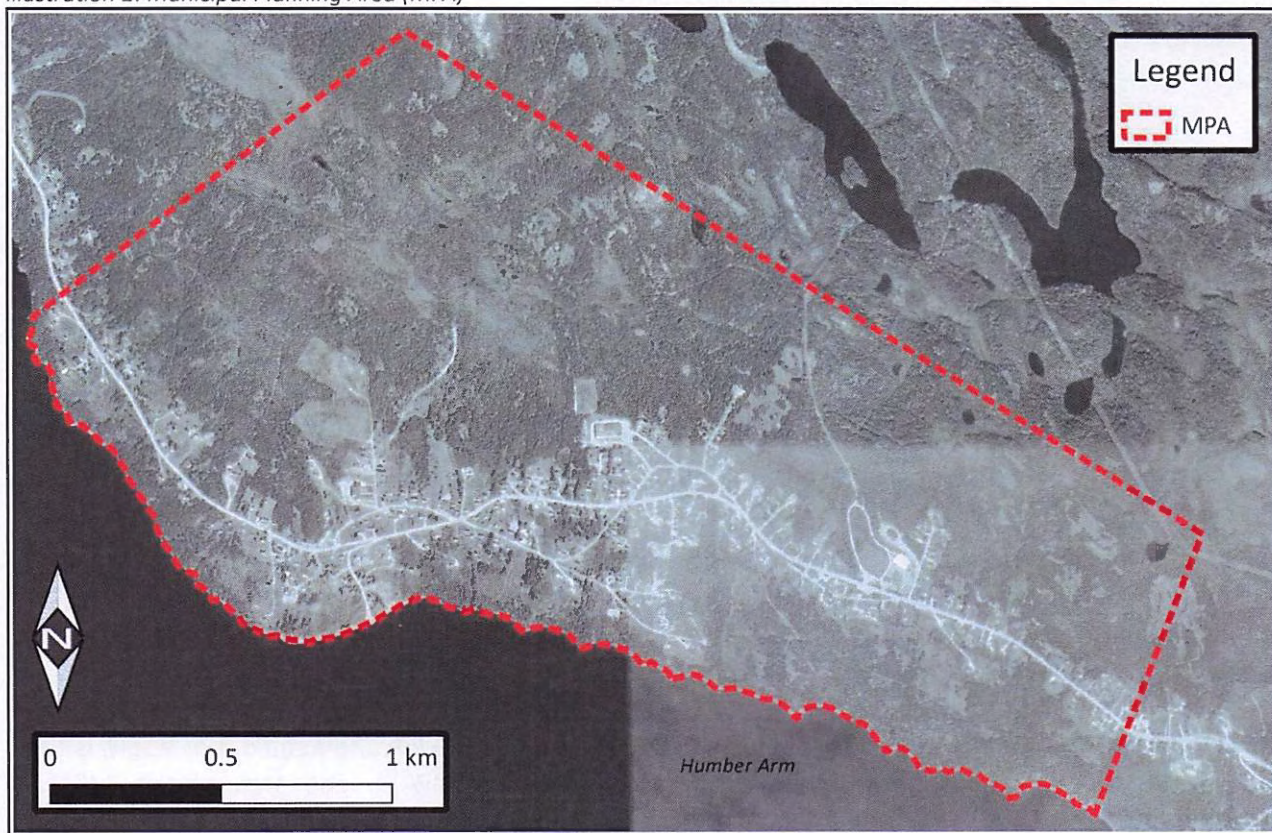
Illustration 1: Municipal Plan and Development Regulations Framework



The Town's *Municipal Boundary* (henceforth *MB*), or commonly referred to as *Town* limits, extends approximately 3.7km east-west along provincial Route #440. The *Town* is bounded by the Town of Irishtown – Summerside to the east and the Town of Gillams to the northwest. The Town's southerly boundary is defined by the coastline of the Humber Arm.

The Town's *Municipal Planning Area* (henceforth *MPA*), for which the *Plan* and *Regulations* apply, is the same as the *MB* (see 'Illustration 2: Municipal Planning Area (MPA)'). The area of the *MPA* is approximately 4km². The *Plan* and the *Regulations* apply to all public and private freehold lands within the *MPA*.

Illustration 2: Municipal Planning Area (MPA)



Under the *Urban and Rural Planning Act, 2000* (henceforth the *Act*), *Council* must review the *Plan* every five (5) years from the date on which it came into effect; and if necessary, revise the *Plan* to reflect changes in the community that can be foreseen during the next ten (10) year period. In response to new *development* proposals or changes to community and *Council* priorities, *policies* or *proposals*, the *Plan* may be amended as necessary prior to the legislative review period. Such amendments must follow the process outlined under section 25 of the *Act* (see 'Appendix A: Amendments' for the current list of legally enacted amendments to the *Plan* and *Regulations*).

A.2 THE PLANNING PROCESS¹

The process to develop a new Municipal Plan takes place in several steps as shown in ‘Illustration 3: Planning Process.’ The first step, ‘Research & Analysis,’ involves researching all relevant planning issues, including a review of current land use, demographics, and economic data; and gathering the most recent mapping and aerial imagery for the *Town*. The research also involves assessing other initiatives, reports, and studies; and, where appropriate, incorporating them into the Municipal Plan. The summary of this step is compiled in the associated *Background Report*, which was submitted to *Council* for review prior to the development of this *Plan*.

The second step involves ‘Stakeholder & Public Consultation.’ The *Plan* is community-based and must involve residents at a collaborative level in order to be relevant and effective. The document strives to reflect the open and democratic process of planning, incorporating the input and views of residents and community stakeholder groups. The *Plan* is meant to articulate a harmonized vision and direction in which the residents wish to see the *Town* progress over the next ten (10) years.

The summary of this step is also compiled in the above-noted Background Report. Subsection ‘B.7 Public Participation Summary’ of the Report summarizes the various public participation strategies that were implemented in order to garner feedback from residents and community stakeholder groups. Strategies that were implemented include a community-wide survey and public meetings.

Illustration 3: Planning Process



In accordance with section 15 of the *Act*, the draft Municipal Plan is submitted to the Minister of Municipal and Provincial Affairs for review to ensure that the document conforms to provincial interest, law and policy. Following the completion of the provincial review, *Council* may by resolution formally

1 Section revised from Town of Norman’s Cove- Long Cove, Municipal Plan 2012-2023, Subsection 1.5, Registration #3500-2013-006, Gazette Date August 2, 2013

adopt the Municipal Plan in accordance with section 16 of the *Act*. *Council* may then give notice of adoption and tentative public hearing (section 17 of the *Act*). If the public hearing proceeds, a Commissioner, who is appointed by *Council*, shall hear objections and representations at the hearing and will follow up with a report to *Council*. The report must contain a recommendation with two copies of evidence taken from the hearing (section 22 of the *Act*).

After the Commissioner's report has been submitted, *Council* considers the recommendation and may approve the *Plan*, table the *Plan*, or approve the *Plan* with changes recommended by the Commissioner. If approved, *Council* must then submit the Municipal Plan and Development Regulations to the Minister of Municipal and Provincial Affairs to be registered in the planning registry established by the Department (section 24 of the *Act*). The Municipal Plan comes into effect on the date that the notice of its registration is published in the Newfoundland and Labrador Gazette (subsection 24(3) of the *Act*).



Section B: Plan Direction

B.1 MUNICIPAL PLAN GOALS AND OBJECTIVES

The overarching goal of this *Plan* is to facilitate a sustainable, safe, and healthy *Town* in which to work, play, and rest.

The broad objectives of this *Plan* are to:

- (a) Facilitate and maintain the established residential and rural character of the community;
- (b) Support growth and *development* that is consistent with community values;
- (c) Ensure land is used and developed in an environmentally responsible manner;
- (d) Promote a healthy community that engages in active recreation and *active transportation*;
- (e) Protect environmentally sensitive areas;
- (f) Recognize the traditional variety and mix of land *uses*, while separating incompatible *uses* and minimizing the potential for land *use* conflicts;
- (g) Support the revitalization of a healthy resource-based economy;
- (h) Promote economic diversification;
- (i) Protect existing and potential future potable water resources;
- (j) Encourage a *development* pattern that will minimize future servicing needs and costs;
- (k) Promote the utilization and upkeep of existing and proposed public infrastructure;
- (l) Direct *development* away from areas that pose a risk to public health and safety, or where property may be damaged; and
- (m) Encourage the provision of areas for public open spaces and *park uses*.

The goal and objectives reflect *Council's* priorities for the future *development* of the *MPA*. The objectives provide a reference for those who administer and enforce the *Plan*, and to use when making land *use* decisions.

B.2 LAND USE GOALS, POLICIES AND PROPOSALS

B.2.1 OVERALL DEVELOPMENT STRATEGY

B.2.1.1 Overview

The overall *development* strategy addresses the future distribution and form of *development* within the *MPA*. A central thrust of the *Plan* and *Regulations* is to guide *development* in a manner that is compatible with existing neighbourhoods and avoids or minimizes negative *land use* impacts. Negative *land use* impacts include the creation of hazards or nuisances such as noise, dust, odour, vibration, or light pollution. Much of the guiding direction of the *Plan*—as outlined through the following *land use* goals, *policies* and *proposals*—revolves around this theme. Further, it is the intent of *Council* to regulate *developments* and *buildings* that are compliant with all *codes* in legal effect. This includes, but is not limited to, the application of the recent updates (9.36) to the *National Building Code*, which now includes energy efficiency requirements for new *buildings*.

The overall *development* strategy also addresses the need for an efficient *development* pattern that promotes active living and *active transportation*, but reduces overall resources and costs for transportation, public and *safety emergency services*. However, *Council* understands that facilitating an efficient *development* pattern must be balanced with the existing residential rural character of the *Town*. On the whole, the municipality is characterized by a low density, rural residential *development* pattern which allows for residents to maintain and enjoy the best of both rural and residential living. The *policies* and *proposals* in the *Plan* are thus supportive of facilitating an efficient *development* pattern, but are not overly restrictive in preventing the expansion of *development* activities into greenfield, hinterland areas of the *MPA*.

B.2.1.1.1 Future Land Use Classes and Implementing Use Zones

To achieve the overarching goal and objectives of this *Plan*, the *MPA* is divided into two (2) *future land use classes* on the *Future Land Use Classes Map* ('Schedule A: Future Land Use Classes Map'). The 'Conservation (C)' *future land use class* is designated to protect environmentally significant and sensitive features. This includes areas such as, but not limited to, wetlands, *watercourses*, and buffers therefrom. All remaining lands are designated 'Development (D)' to allow the creation of a wide range of *uses*, which include *agricultural uses*, *commercial uses*, *industrial uses*, *institutional uses*, *residential uses*, *resources uses*, and *transportation uses*. The *policies*, *proposals*, and *Regulations* give more structure and direction to these two (2) *future land use classes*.

Despite the two (2) *future land use classes* and associated *policies* and *proposals*, select *use groups*, *use divisions*, and *uses* may be created in any *future land use use class*. Examples include, but are not limited to, *public utilities*, *park uses*, mobile and transient *uses*. Although these *uses* may not necessarily be allowed in any *use zone*, allowing their creation affords *Council* the flexibility to amend the *Regulations* (e.g. considering a rezoning request) without amending the *Plan* to allow specific *uses* in appropriate circumstances.

The *future land use classes* shall be implemented by four (4) initial *use zones*: 'Community Development (CD)', 'Rural (R)', 'Conservation (C)', and 'Residential (RES)'. As per subsection 13(2)(c) of the *Act*, these four (4) *uses zones* shall only contain *permitted* and *discretionary uses* that are afforded by their parent *future land use class*. The 'Conservation (C)' *future land use class* by and large mirrors the corresponding C *land use zone* and allowed *uses*. The *future land use classes* and subsidiary *use zones* are summarized in table format in 'Appendix B: Future Land Use Classes and Use Zones.'

The 'Development (D)' *future land use class* contains the CD, R, and RES *use zones* in which *permitted* and *discretionary uses* vary considerably. This gives *Council* increased flexibility in amending the *Regulations* for specific *development* proposals (e.g. rezoning), as opposed to having to concurrently amend the *Plan*. (Amending the *Regulations* is a more streamlined legislative process compared with amending the *Plan*; and does not require initial review by the Department of Municipal and Provincial Affairs or a public hearing presided over by a Commissioner.) The RES *use zone* is, at the initial *Gazette* date of the *Plan* and *Regulations*, set up as a floating *use zone* mainly allowing *residential uses* and is not yet applied to any lands within the *MPA*. The intent of the RES *use zone* is to potentially rezone future lands for *residential subdivision development*. This form of rezoning may be driven by a developer applying for a *residential subdivision development* within the *MPA*.

The broad 'Development (D)' *future land use class* also allows the creation of a new *use zone* to accommodate a specific *development* proposal that is not allowed under the respective *use zone*. For example, as opposed to rezoning from CD to R to allow a *manufacturing – heavy use* (discretionary use), a new *use zone* (e.g. R-1) may be created to allow only the proposed *use* in the new R-1 *use zone*. This restricts the potential for other high impact *uses* to be approved and developed on the subject lands in the future.

Efficient Development Pattern

A low density *development* pattern, in which *buildings, structures*, and associated *uses* are few in number but are widely spread apart, is very costly in terms of:

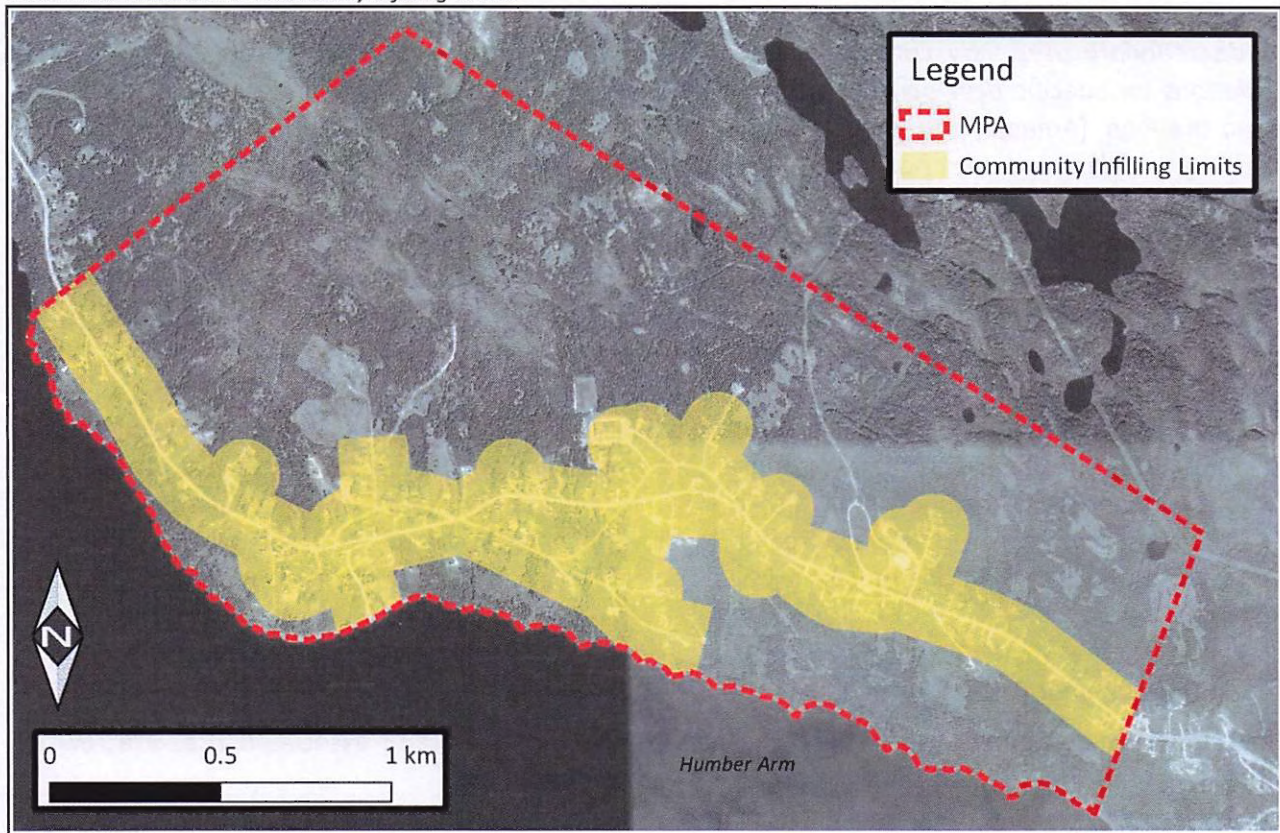
- (1) providing public services such as water, road maintenance, snow clearing, parks upkeep, and solid waste collection;
- (2) providing *safety emergency services* such as fire, ambulance, and police services; and
- (3) overall transportation costs, presently borne by each resident (e.g. private motor vehicle travel or taxi, since there is no public transit options for residents).

In order to facilitate an efficient *development* pattern, future *development* should be encouraged to locate primarily in the existing built-up area of the *Town*, which is the portion of the community defined by provincial community infilling limits (see 'Illustration 4: Provincial Community Infilling Limits').

Infilling limits were established through policy by provincial Crown Lands to manage the growth of communities in Newfoundland and Labrador. This has facilitated the broader *development* pattern of

the *Town* to date, by and large because Crown Lands would not dispose of lands for *residential uses* outside of these infilling limits. These limits thus help ensure that municipalities in Newfoundland and Labrador grow in a more compact and sustainable manner until such time local planning frameworks are established. The community infilling limits are thus superseded by the provisions within this *Plan and Regulations* (as of the *Gazette* date of the *Plan and Regulations*) and Crown Lands will be dispensed in accordance with said provisions.

Illustration 4: Provincial Community Infilling Limits



This area possesses the highest residential densities and bulk of infrastructure and serviced *public streets*. This area also contains the core *institutional* and civic uses of the *Town*, including the *Town Hall* and Community Centre, Fire Hall, Meadows Sports Complex, Minnie Vallis Walking Trail, Templeton Academy (K – 12 school), Mountain View House (*personal care home – institutional*), and Holy Trinity Anglican Church.

Active Living and Transportation

As the population ages, active living and *active transportation* will become increasingly important and relied upon by seniors and other residents on fixed incomes. An efficient *development* pattern provides opportunities for residents to visit friends and family in close proximity to their homes, and to walk to

stores and services. Facilitating opportunities for active living and *active transportation* will also help promote the overall health and well-being of residents and the *Town* as a whole.

Residential Rural Lifestyle and Development

Council recognizes that many residents enjoy living in the *Town* because of the residential rural lifestyle it affords (i.e. offering the best of both residential and rural living). Many residents prefer to live in low density residential areas where they are in a more natural environment and are distanced from surrounding land use activity. Despite the promotion of an efficient *development* pattern in the existing built up portion of the *Town*, compatible *development* of an appropriate use and scale may be considered in appropriately designated areas on the *Future Land Use Classes Map*. Where areas are not appropriately zoned to accommodate a proposed use and *development*, the proposal may be considered through the *Regulations amendment application* process (i.e. rezoning process).

Having a rich history in farming and understanding the need for community self reliance and sustainability, *Council* also recognizes the importance of promoting *agricultural uses* throughout the *Town*. The promotion of *agricultural uses* must be balanced with mitigating or eliminating the potential for negative land use impacts on adjacent properties. It is thus the intent of *Council* to categorize various *agricultural uses* into sub-uses within the *Regulations*, which may be allowed in various use zones (i.e. listed as *permitted* or *discretionary uses*), depending on the nature, scale, and potential for land use nuisance relating to each *development*.

B.2.1.2 Goal and Policies

It is a *goal* of *Council* to guide *development* in the *Municipal Planning Area* that is compatible with existing neighbourhoods, minimizes or avoids negative land use impacts, and facilitates an efficient *development* pattern that reduces overall costs and promotes active living and *active transportation*.

It is a *policy* of *Council* to:

B.2.1.2 (1) Facilitate *development* that is compatible with the character of existing neighbourhoods and minimizes or avoids negative land use impacts on existing, established land uses. Negative land use impacts include the creation of hazards or nuisances such as, but not limited to, noise, dust, odour, vibration, or light pollution.

B.2.1.2 (2) Guide future *development* in the *Municipal Planning Area* through the establishment of *future land use classes* designated on the *Future Land Use Classes Map*.

B.2.1.2 (3) Despite *policy* B.2.1.2 (2), allow select use groups, use divisions, and uses to be made in any *future land use class* in the *Municipal Planning Area*.

B.2.1.2 (4) Give priority to infilling vacant land, currently serviced by municipal water and sewer and fronting onto existing *public streets*, over the *development* of new municipal *streets* and infrastructure.

B.2.1.2 (5) Promote a compact and efficient *development* pattern within the existing built up portion of the *Municipal Planning Area*, in order to promote active living and *active transportation* and to reduce the overall costs of transportation, public and *safety emergency services*. This area is generally defined by the provincial community infilling limits outlined in 'Illustration 4: Provincial Community Infilling Limits.'

B.2.1.2 (6) In order to facilitate an efficient *development* pattern as per *policy* B.2.1.2 (5), encourage new *residential, commercial, and institutional uses* to locate within the existing built up portion of the *Town*. This area is generally defined by the provincial community infilling limits outlined in 'Illustration 4: Provincial Community Infilling Limits.'

B.2.1.2 (7) Allow compatible *developments* of an appropriate *use* and scale throughout the *Municipal Planning Area*.

B.2.1.2 (8) Support and encourage the *development* of *agricultural uses* throughout the *Municipal Planning Area*. In accordance with the specific *proposals* under subsection B.2.1.3, which are based on potential for *land use* impact and location within the *Town*, various types of *agricultural uses* may be created in their respective *future land use classes*.

B.2.1.2 (9) To regulate *developments* and *buildings* that are compliant with all *codes* in legal effect. This includes, but is not limited to, the application of the recent updates (9.36) to the *National Building Code*, which now includes energy efficiency requirements for new *buildings*.

B.2.1.3 Proposals

It is a *proposal* of Council to:

B.2.1.3 (1) Adopt *land use policies* and *proposals* and implementing *Regulations* that facilitate *development* that is compatible with the character of existing neighbourhoods and minimizes or avoids negative *land use* impacts on existing, established *land uses*.

B.2.1.3 (2) Designate and divide land in the *Municipal Planning Area* into two (2) *future land use classes*.

In accordance with subsection 13(2)(c) of the *Act*, the following tables outline the *main uses* that may be made in each *future land use class* (i.e. included as *permitted* or *discretionary uses* in the *use zone tables* under subsection 'E.2 Use Zone Regulations' of the *Regulations*). *Uses* that are not included in the *main uses* category shall constitute *prohibited uses* that cannot be made in any *use zone* within the

respective *use class*. If a *use* is cross-referenced in 'Appendix C: Use Category Table' of the *Regulations*, it may be created under the respective *use group* or *use division* (e.g. *warehouse/indoor storage* is listed under both *commercial* and *industrial use groups*).

(a) **Development (D)**: This *future land use class* is designated to facilitate a wide range of *uses* throughout the existing developed and undeveloped hinterland areas within the *Municipal Planning Area*.

| Development (D) | i. Use Groups | ii. Use Divisions | iii. Uses |
|-----------------|--|-------------------|-----------|
| Main Uses | (a) Agricultural (b) Commercial (c) Industrial (d) Institutional (e) Residential (f) Resource (g) Transportation | | |

As of the initial *Gazette* date of the *Plan* and *Regulations*, the following *use zones* are seated under the 'Development (D)' *future land use class*: 'Community Development (CD)', 'Rural (R)', and 'Residential (RES)'. This *future land use class* does not preclude the creation of new *use zones* that contain the *uses* listed under the 'Development (D)' table above and/or the *uses* listed under the 'All Areas within MPA Table' under *proposal* B.2.1.3 (3).

(b) **Conservation (C)**: This *future land use class* is designated to protect sensitive environmental features and to allow certain *open space uses*, and other select *uses*.

| Conservation (C) | i. Use Groups | ii. Use Divisions | iii. Uses |
|------------------|---------------|-------------------|---|
| Main Uses | | | (a) Water supply (b) Area of natural, historic, or scientific interested (c) Passive park (public or private) (d) Interpretive centre (e) Active park (public or private) |

As of the initial *Gazette* date of the *Plan* and *Regulations*, only the 'Conservation (C)' *use zone* is seated under the 'Conservation (C)' *future land use class*. This *future land use class* does not preclude the creation of new *use zones* that contain the *uses* listed under the 'Conservation (C)' table above and/or the *uses* listed under the 'All Areas within MPA Table' under *proposal* B.2.1.3 (3).

B.2.1.3 (3) Despite *proposal B.2.1.3 (2)*, the following *uses* may be made throughout the *Municipal Planning Area* in any *future land use class*.

| All Areas within MPA | i. Use Groups | ii. Use Divisions | iii. Uses |
|----------------------|---|--|--|
| Main Uses | (a) Open Space (b) Sign (c) Utilities | (a) Agricultural – Small Scale (b) Resource – Earth Exploration | (a) Commercial/Industrial/Resource – (N/A) – Warehouse/Indoor Storage (b) Commercial/Institutional – (N/A) – Special Function Tent (c) Commercial – (N/A) – Vending Facility (d) Institutional – Educational – Mobile Educational/Instructional Use (e) Institutional – (N/A) – Government Use (f) Institutional – Services – Safety Emergency Services (g) Transportation – (N/A) – Marina (h) Transportation – (N/A) – Transportation Hub |

B.2.1.3 (4) Where on the *Future Land Use Classes Map* the *use class* boundary is uncertain, interpret the boundary as to follow the *Municipal Planning Area*, *street line*, *easement*, *right-of-way*, *trail*, *walkway*, *nearest cliff edge* adjacent to a *watercourse* or *ocean coastline*, or *outermost reach* of a *watercourse* where no discernible cliff edge is present.

B.2.1.3 (5) Facilitate a mix of compatible *developments* of appropriate *use* and *scale* along the majority of *public streets* within the *Municipal Planning Area*. This shall be implemented through the application of a mixed-use, ‘Community Development (CD)’ *use zone*, which covers existing developed areas largely defined by the provincial community infilling limits. However, this *proposal* does not restrict the CD *use zone* to these infilling limits and *Council* may in the future consider the extension of the CD *use zone* through the *Regulations* amendment process (e.g. rezoning). *Uses* allowed in the CD *use zone* shall include *commercial uses*, *institutional uses*, *residential uses*, and other select *uses*. *Residential uses* with $\leq 4DU$ s shall be listed as *permitted uses*, whereas higher density *residential uses* ($\geq 5DU$ s) shall be listed as *discretionary uses*. Depending on the nature, scale, and compatibility of other *uses* in the ‘Development (D)’ future land use class under *proposal B.2.1.3 (2) (a)*, they may be listed as either *permitted* or *discretionary uses* in the CD *use zone*.

B.2.1.3 (6) Allow *development* in the hinterland areas of the *Municipal Planning Area*, broadly defined as the undeveloped northern interior (north of provincial Route #440) and the coastal southern portion of the *Town* east of McCarthy’s Road, through the application of a ‘Rural (R)’ *use zone*. *Uses* allowed in

the R use zone shall include *agricultural uses, industrial uses, open space uses, resource uses, and other select uses*. These *uses* are of a rural nature and generally require an expanse of land and separation from more urban *uses*. *Residential uses* shall be prohibited in this *use zone*. The *development* of single *cottages* on independent *lots* for personal or *commercial use* shall also be prohibited in the R use zone. Depending on the nature, scale, and compatibility of other *uses* in the 'Development (D)' *future land use class* under *proposal B.2.1.3 (2) (a)*, they may be listed as either *permitted* or *discretionary uses* in the R use zone.

B.2.1.3 (7) Establish a 'Residential (RES)' floating *use zone* for the potential rezoning of future lands developed for *residential subdivision use*. As of the initial *Gazette* date of the *Plan* and *Regulations*, this *use zone* is not applied to any lands within the *Municipal Planning Area*. *Uses* allowed in the RES *use zone* shall include mainly low density *residential uses* and other *select uses*. Depending on the nature, scale, and compatibility of other *uses* in the 'Development (D)' *future land use class* under *proposal B.2.1.3 (2) (a)*, they may be listed as either *permitted* or *discretionary uses* in the RES *use zone*.

B.2.1.3 (8) Through the *Regulations amendment application* process, consider requests to rezone lands within the 'Development (D)' *future land use class* where the specific proposal is consistent with the *policies* and *proposals* of this *Plan* and meets all of the applicable requirements of the *Regulations*. *Council* may also consider the creation of new, tailored *use zones* within the D *future land use class* to accommodate specific *development* proposals and to help protect adjacent properties from the future *development* of incompatible *uses*.

B.2.1.3 (9) Protect environmentally significant and sensitive lands and features through the application of a 'Conservation (C)' *future land use class* and *use zone*. Lands designated and zoned C include, but are not limited to, wetlands, *watercourses*, and buffers therefrom. *Uses* allowed in the C *use zone* shall include low impact *uses* such as, but not limited to, *passive parks* (*public* and *private*), *mobile/transient uses*, and other *select uses*. Depending on the nature, scale, and compatibility of other *uses* in the 'Conservation (C)' *future land use class* under *proposal B.2.1.3 (2)(b)*, they may be listed as either *permitted* or *discretionary uses* in the C *use zone*.

B.2.2 LEGAL NON-CONFORMING USES

B.2.2.1 Overview

Section 108 of the *Act* allows the continuance of legal *non-conforming uses* and *developments* throughout the *MPA*, despite the creation of *prohibited uses* in the *future land use use classes* in the *Plan* and *use zones* in the *Regulations*. In general terms, legal *non-conforming use* rights are a form of grandfathered rights applying to existing *uses* and *developments*, which were legal before the initial *Gazette* date of the *Plan* and *Regulations*. There are, however, specific limitations associated with these *uses* and *developments*. These limitations are outlined in detail under section 108 of the *Act*.

Although subsection 13(2)(f) of the *Act* requires provisions within the *Plan* that address legal *non-conforming uses* and *developments*, the initial establishment of *future land use classes* and *use zones* strives to ensure that all existing *uses* currently conform to the *Plan* and *Regulations*. In other words, all efforts were made to appropriately designate and zone current *uses* on existing *lots*. As of the initial *Gazette* date of the *Plan* and *Regulations*, *Council* has no intent to phase out any existing *uses* and *developments* within the *MPA*.

However, *Council* recognizes that modernized *development* standards are required for new *developments* within the *Town*. Where *developments* are removed (demolished or destroyed) and proposed to be replaced, said *developments* may have to conform with all current *development* standards under the *Regulations*. *Council* acknowledges that legal, non-conforming *development* rights have specific limitations; and as such, the respective provisions under section 108 of the *Act* must be respected and adhered to when considering *development applications* for the replacement of legal non-conforming *uses* and/or *developments*.

Section 108 of the *Act* provides for specific *application types* pertaining to *non-conforming uses* and *developments*. For example, subsection 108(3)(d) of the *Act* gives the owner of a *lot*, with a legal *non-conforming use*, the right to apply to *Council* to change said *use* to another *use* that is more compatible with neighbouring properties, and the *Plan* and *Regulations*. In addition to the *Act*, the division of powers and details of *non-conforming use application types* shall be outlined in the *Regulations*.

B.2.2.2 Goal and Policies

It is a *goal* of *Council* to respect the rights of property owners with legal *non-conforming uses* and/or *developments*.

It is a *policy* of *Council* to:

B.2.2.2 (1) When regulating legal *nonconforming uses* and/or *developments*, apply the provisions of section 108 of the *Act* and allow *non-conforming uses* and/or *developments* to continue.

B.2.2.2 (2) As of the initial registration date of the *Plan* and *Regulations* in the *Gazette*, avoid creating legal *non-conforming uses* by applying the appropriate *future land use classes* and *use zones* to existing *lots* with established *uses* and *developments*.

B.2.2.2 (3) Outline specific provisions in the *Regulations* that address legal *non-conforming uses* and non-conformance with respect to standards.

B.2.2.3 Proposals

It is a *proposal* of Council to:

B.2.2.3 (1) Further to *policy* B.2.2.2 (3), implement specific provisions in the *Regulations* that address a *non-conforming use application* for:

- (a) Changing a *non-conforming use* associated with a *building, structure* or *development* to a *use* that is more compatible with the *Plan* and *Regulations*;
- (b) Internally or externally varying, extending or expanding an existing *development* with a *non-conforming use* (an extension to an existing *building* with a *non-conforming use* shall not exceed 50% of the *floor area* of the *building*); and
- (c) Other *development* as identified in section 108 of the *Act*.

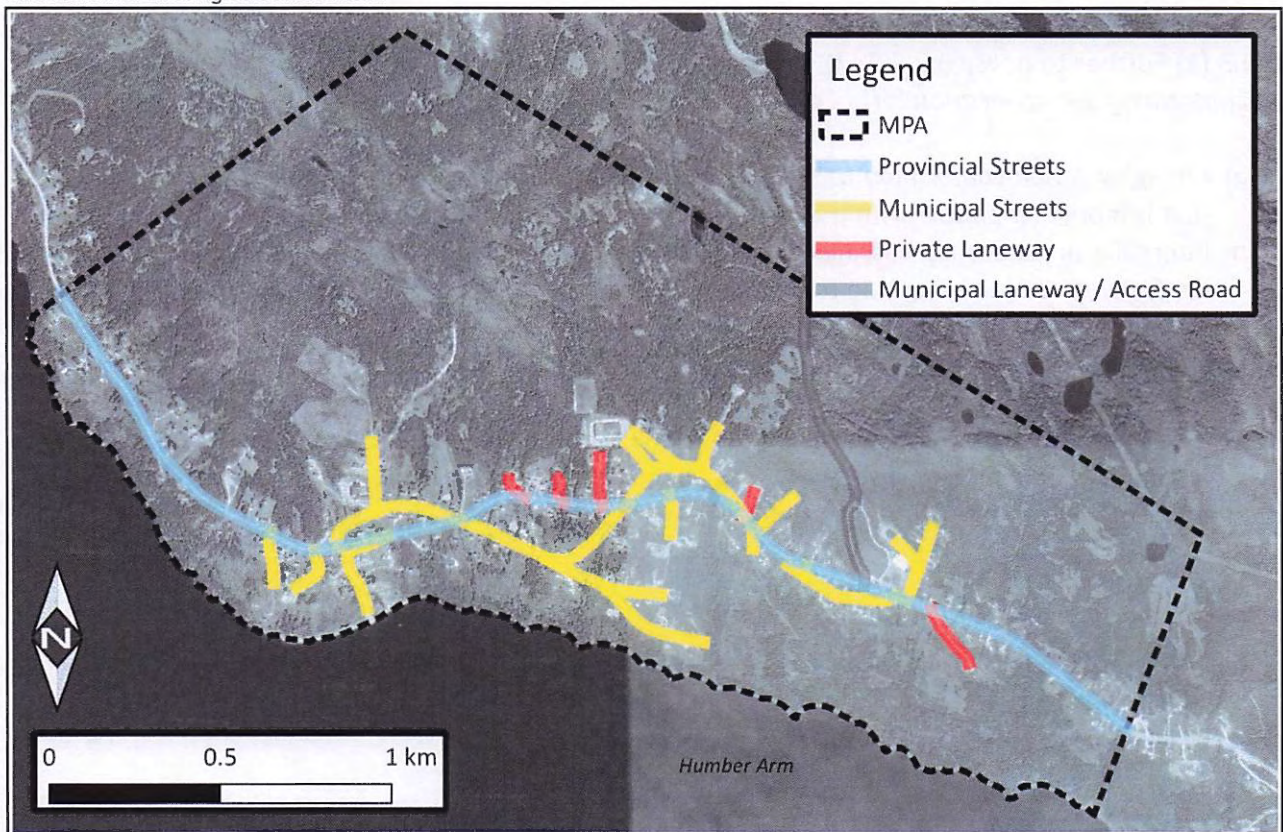
B.2.2.3 (2) In accordance with subsection 108(2) of the *Act* and section 17 of the Minister's *Development Regulations*, implement a specific provision in the *Regulations* that will allow the resuming of a *non-conforming use* where discontinuance is no greater than 18 months.

B.2.3 PUBLIC STREETS AND THE SUBDIVISION OF LANDS

B.2.3.1 Overview

Route #440 is owned and maintained by the Province (see 'Illustration 5: Existing Street Network'). This includes all snow clearing, servicing and improvements. All *public streets* owned and maintained by the *Town* are accessed from this provincial Route #440. Municipal *streets* are all *local streets*; there are no *collector* or *arterial streets* off of provincial Route #440. There are a few private laneways within the municipality, which are not vested in the *Town* and are not built to any engineered standard.

Illustration 5: Existing Street Network

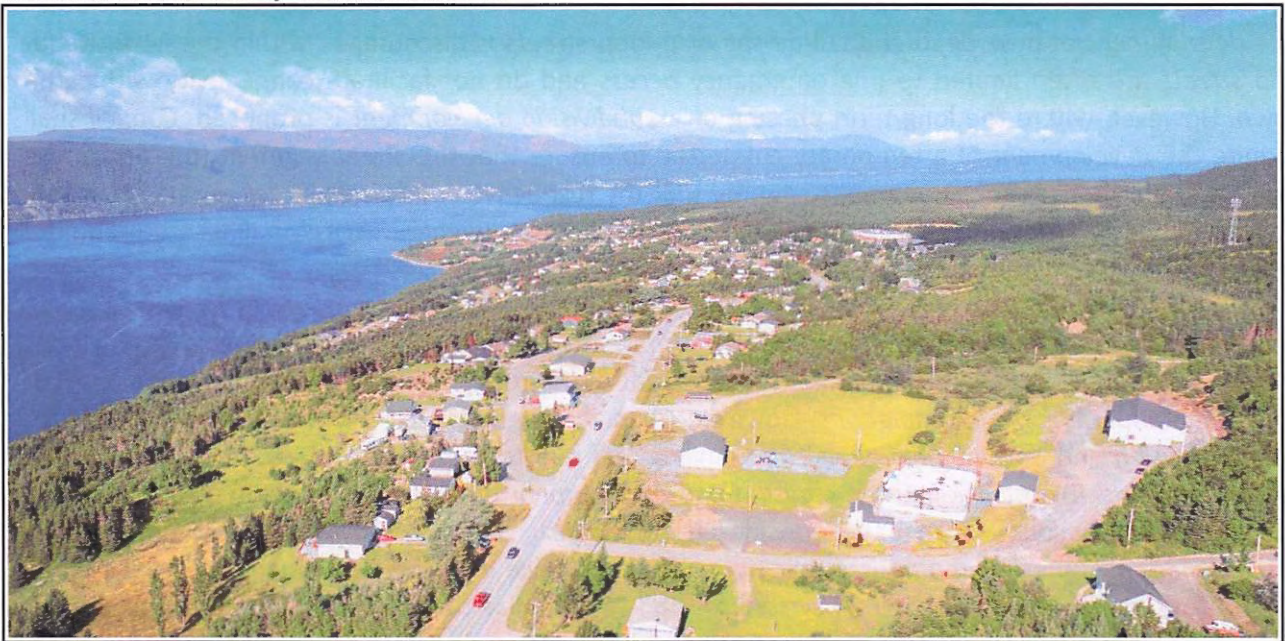


Despite provincial or municipal ownership, *Council* promotes and supports safe *streets* that accommodate *active transportation*, have safe speed limits and clear sight lines at intersections and *driveway accesses*. It is the intent of *Council* to liaise and work with the provincial Department of Transportation and Infrastructure (DTI) to improve *street* safety along Route #440 including, but not limited to, implementing traffic calming measures and referring *development* and *amendment applications* along these routes to help ensure safe *access* is achieved. It is also the intent of *Council* to implement *development* standards in the *Regulations* that facilitate safe *streets*, such as the minimum

setback of a proposed *driveway access* to an intersection and the height restriction of vegetation and *development* in *daylighting triangles*.

Any proposed *development* with direct *access* onto Route #440 requires an Access Permit from Digital Government and Service NL via Government Service Centres. Thus, any *application* proposing direct access onto Route #440 shall be forwarded to the Department of Transportation Infrastructure. It is the intent of *Council* to ensure that any proposed *development*, with or without direct *access* onto Route #440, does not negatively impact Route #440 (i.e. from the perspective of accommodating reasonable increase in traffic volumes, safe flow of traffic, and protection of provincial *street* infrastructure).

Illustration 6: Aerial View of Town and Route #440



As per *policy* B.2.1.2 (4) under subsection 'B.2.1 Overall Development Strategy,' the infilling of vacant land, currently serviced by municipal water and sewer and fronting onto existing *public streets*, is prioritized over the *development* of new *public streets* and infrastructure. Financial resources permitting, it is the intent of *Council* to allocate any *street* infrastructure funds to the improvement of existing municipal *streets*.

Where *subdivision development* is driven by a private developer, the cost of developing new *streets*, and associated *utility* and public service infrastructure, shall be borne by the *applicant*. Prior to issuing a *development permit* for a *subdivision development*, *Council* may require that the developer enter into a legally binding *development* agreement to help ensure that the *subdivision* proposal is developed in accordance with the submitted plans. The agreement may also include the requirement of upfront, financial guarantees (deposits) prior to issuing a *development permit* and work being carried out.

Council may also attach conditions to a *development permit* for a *subdivision development*, which shall, in such case, reference the *development agreement* for enforcement purposes.

A *development permit application* for *subdivision development* must encompass core elements including, but not limited to, provisions for potable water and sewerage disposal, *public utilities*, *lot streetage*, land for public open space, *development* phasing, on-site drainage, *active transportation* connections, and future municipal *streets* and connections thereto. These requirements are outlined in more detail under 'Section D: Subdivision' of the *Regulations*. As per the terms and conditions of a *development agreement*, *Council* need not assume ownership, maintenance and upkeep of any new *streets* constructed by a developer until all standards within the *Regulations*, and conditions of the *development permit* and *development agreement* are met.

The *development* of new, dead-end cul-de-sac or p-loop *streets* is discouraged within the *MPA*. Dead-end *streets* are often limited to one emergency *access* and do not facilitate connectivity within the *Town*. However, where the long-term phasing of a *subdivision development* is proposed, *Council* shall require the *development* of a temporary cul-de-sac to ensure that the *street* segment (phase) can be safely and efficiently maintained until such time that the respective *subdivision street* can be extended. As a condition of a *development permit*, a temporary emergency *vehicle access* shall also be required where the long-term phasing of a *subdivision development* is proposed.

It is the intent of *Council* to promote an orderly *lot development* pattern within the *Town*. This includes meeting minimum [*lot*] *frontage*, *lot streetage*, and *lot* depth requirements, as per subsection 'D.7 Lot Creation Standards' of the *Regulations*. However, *Council* recognizes that this may not be possible for the *subdivision* and *development* of existing infilling *lots* due to the irregular, historical *subdivision* of lands within the *Town*. Although the creation and *development* of *back lots* is discouraged by *Council*, this form of *development* may be considered by *Council* on a case-by-case basis similar to a *discretionary use*, thereby requiring public notice in accordance with the *Regulations*. In order to help ensure safe *access* for *safety emergency services* and to minimize the impact on adjacent *lots*, *Council* shall implement specific standards for the creation of *back lots*.

Any proposal for an unserviced *subdivision development*, for the extension of an existing unserviced *street*, must be forwarded to the provincial Water Resources Management Division for review. For example, a proposed *subdivision* of more than four (4) new *lots* will require a Level I Groundwater Supply Assessment, and a proposed *subdivision* of more than 15 new *lots* will require a Level II Groundwater Supply Assessment, as per the provincial 'Groundwater Supply Assessment and Reporting Guidelines For Subdivisions Serviced by Individual Private Wells.' These requirements are to help ensure that the groundwater supply will be of sufficient quality and quantity for the homeowners of the *subdivision development* for both the short- and long-term.

B.2.3.2 Goal and Policies

It is a *goal* of Council to prioritize the maintenance and upkeep of existing municipal *streets* over the *development* of new *streets*, whilst facilitating the regular and orderly *subdivision* of lands within the *Municipal Planning Area*.

It is a *policy* of Council to:

B.2.3.2 (1) Financial resources permitting, allocate any *street* infrastructure funds to the improvement of existing municipal *streets* over the *development* of new *streets*.

B.2.3.2 (2) Support safe *streets* that accommodate *active transportation* and have safe speed limits, and clear sight lines at intersections and *driveway accesses*.

B.2.3.2 (3) Liaise and work with the provincial Department of Transportation and Infrastructure (*DTI*) to improve *street* safety along Route #440 including, but not limited to, the implementation of traffic calming measures and referring *development* and *amendment applications* along this highway to help ensure safe *access* is achieved.

B.2.3.2 (4) Where *subdivision development* is driven by a private developer, require the cost of developing new *streets*, and associated *utility* and public service infrastructure, to be borne by the *applicant*.

B.2.3.2 (5) Further to *policy* B.2.3.2 (4) and prior to issuing a *development permit* for a *subdivision development*, consider the requirement of a *development* agreement, which may include provisions for upfront financial guarantees (deposits) or service levies.

B.2.3.2 (6) Further to *policy* B.2.3.2 (5), reference a *development* agreement for *subdivision development* as a condition of an associated *development permit*, which will allow Council to enforce provisions within the agreement where necessary.

B.2.3.2 (7) Further to *policy* B.2.3.2 (5) and where detailed under the terms of a *development* agreement, refrain from assuming ownership, maintenance and upkeep of any new *streets* constructed by a developer until all standards within the *Regulations*, and conditions of the *development permit* and *development* agreement are met.

B.2.3.2 (8) Discourage the *development* of new, dead-end cul-de-sac or p-loop *streets* within the *Municipal Planning Area*.

B.2.3.2 (9) Despite *policy* B.2.3.2 (8) and where the long-term phasing of a *subdivision development* is proposed, require the *development* of a temporary cul-de-sac to ensure that the *street* segment (phase) can be safely and efficiently used and maintained until such time that the respective *subdivision street* can be extended. As a condition of a *development permit*, a temporary emergency *vehicle access* shall also be required where the long-term phasing of *subdivision development* is proposed.

B.2.3.2 (10) Discourage the creation of *back lots* for *development* purposes.

B.2.3.2 (11) Despite *policy* B.2.3.2 (10), consider the creation of *back lots* for *development* purposes on a case-by-case basis, similar to a *discretionary use* thereby requiring public notice in accordance with the *Regulations*.

B.2.3.2 (12) Require any new *subdivision development* on a new *street* to contain *lots* that are connected to municipal water and sewer services. Notwithstanding this, new *subdivision development* on the extension of an existing unserved (no municipal water or sewer available) or semi-served (either municipal water or sewer available) *street* may contain full or semi on-site servicing (e.g. on-site septic and connection to municipal water).

B.2.3.2 (13) Forward any *application* proposing direct access onto Route #440 to the Department of Transportation and Infrastructure. Any proposed *development* with direct *access* onto Route #440 requires an Access Permit from Digital Government and Service NL.

B.2.3.2 (14) Ensure that any proposed *development*, with or without direct *access* onto Route #440, does not negatively impact Route #440 (i.e. from the perspective of accommodating reasonable increase in traffic volumes, safe flow of traffic, and protection of provincial *street* infrastructure).

B.2.3.2 (15) Forward any proposal for an unserved *subdivision development*, for the extension of an existing unserved *street*, to the provincial Water Resources Management Division for review. For example, a proposed *subdivision* of more than four (4) new *lots* will require a Level I Groundwater Supply Assessment, and a proposed *subdivision* of more than 15 new *lots* will require a Level II Groundwater Supply Assessment, as per the provincial 'Groundwater Supply Assessment and Reporting Guidelines For Subdivisions Served by Individual Private Wells.'

B.2.3.3 Proposals

It is a *proposal* of Council to:

B.2.3.3 (1) Facilitate the regular and orderly subdivision of lands within the *Municipal Planning Area* through the implementation of 'Section D: Subdivision' standards of the *Regulations*.

B.2.3.3 (2) Implement *development* standards in the *Regulations* that facilitate *street* safety, such as the minimum *setback* of a proposed *driveway access* to an intersection and the height restriction of vegetation and *development* in the *daylighting triangle*.

B.2.3.3 (3) Further to *policy* B.2.3.2 (11), implement *back lot* creation standards in the *Regulations*, which will—in the event that *Council* approves such *subdivision developments*—help ensure safe *access* for *safety emergency services* and minimize the impact of the *development* on adjacent *lots*.

B.2.3.3 (4) Further to *policy* B.2.3.2 (14), include provisions in the *Regulations* to control *development* in a way that does not negatively impact Route #440 (i.e. from the perspective of accommodating reasonable increase in traffic volumes, safe flow of traffic, and protection of provincial *street* infrastructure).



B.2.4 PUBLIC AND SAFETY EMERGENCY SERVICES

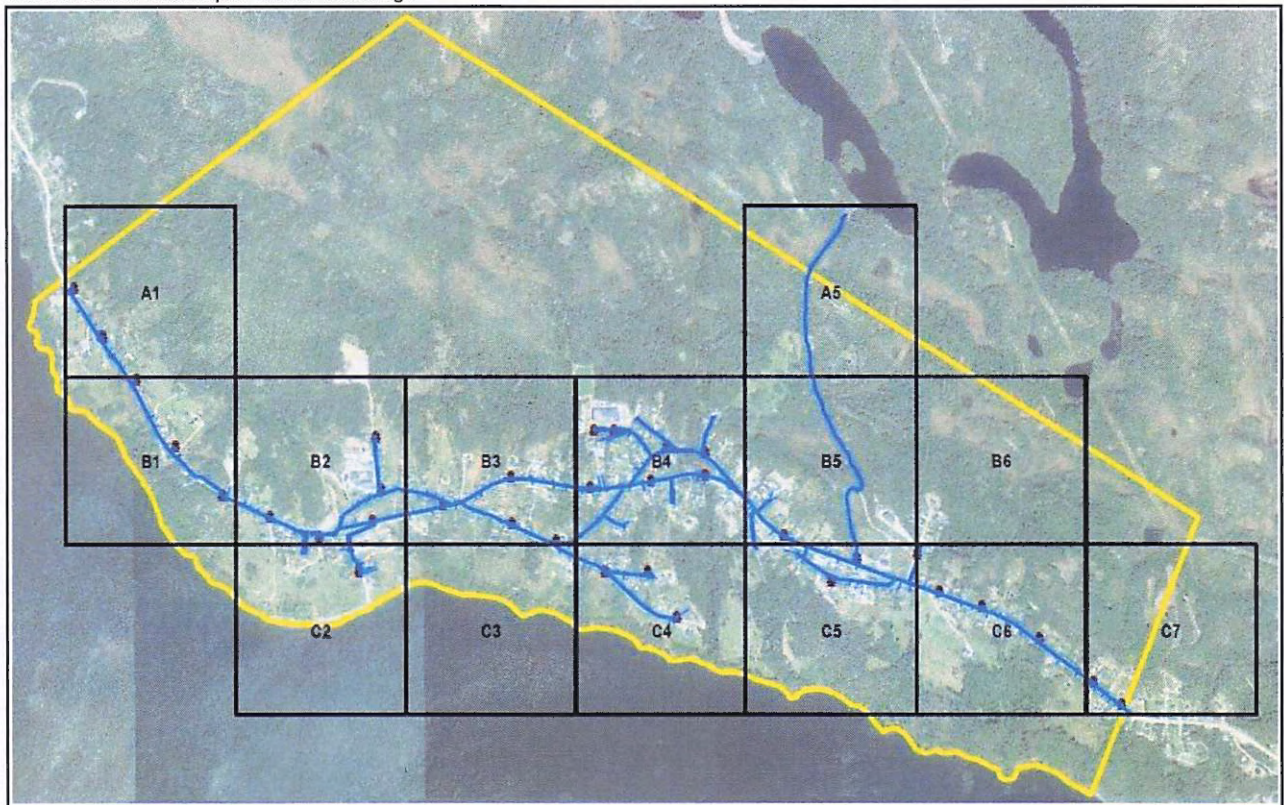
B.2.4.1 Overview

The *Town* is currently serviced by municipal water and sewer, solid waste and recycling pick-up. *Safety emergency services* include Emergency Fire Services (EFS), Emergency Medical Services (EMS, ambulance dispatch), and policing services. As outlined in *proposal B.2.1.2 (5)*, it is the intent of *Council* to promote a compact and efficient *development* pattern within the existing built up portion of the *Municipal Planning Area*. This area is generally defined by the provincial community infilling limits outlined in 'Illustration 4: Provincial Community Infilling Limits.' In the long-term, this will help reduce overall costs associated with public and *safety emergency services*.

Municipal Water and Sewerage Services

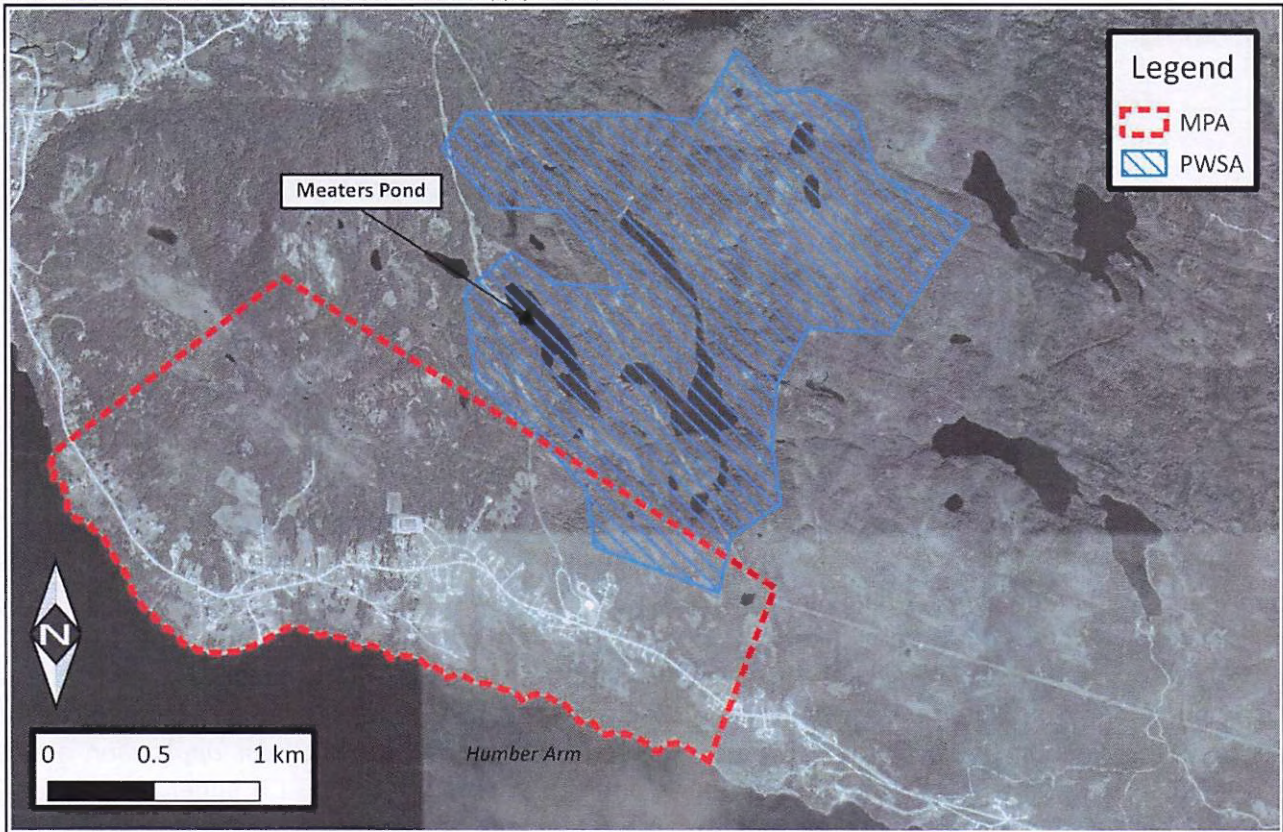
All *public streets* within the *MPA* are serviced with municipal water (see 'Illustration 7: Municipal Water Coverage'). Further, as of the initial registration date of this *Plan* in the *Gazette*, all dwellings within the *Town*—whether or not fronting directly onto a *public street*—are connected to municipal water. The main servicing line extends the length of the municipality along Route #440, and beyond to the Town of Gillams to the northwest and Summerside West to the east.

Illustration 7: Municipal Water Coverage



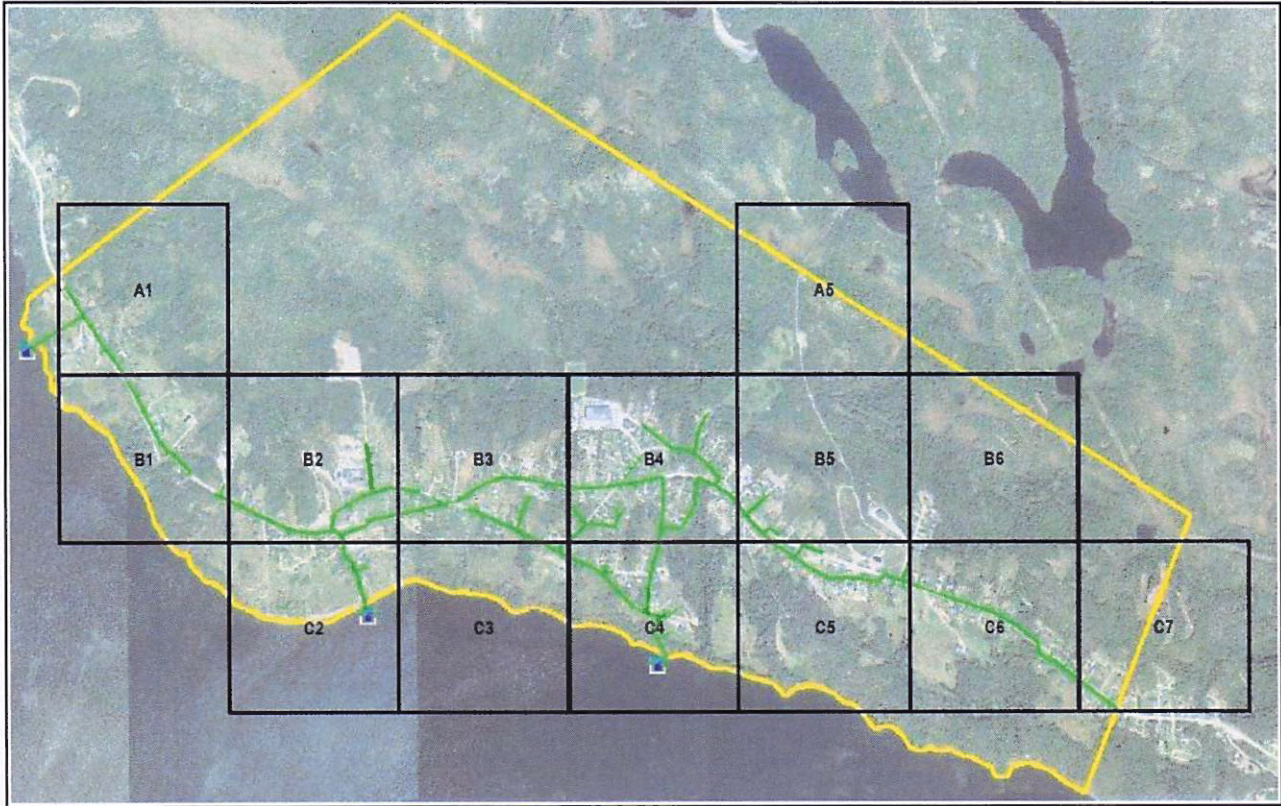
The municipal water supply is fed by a surface water body supply (Meaters Pond) located approximately 250m northeast of the *Town* (see 'Illustration 8: Meaters Pond Protected Water Supply Area (PWSA)'). The PWSA and surface water body itself have areas of approximately 3.3km² and 0.19km² respectively. Since the PWSA is provincially designated, the Water Resources Management Division of the Department of Environment and Climate Change regulates the specific activities permitted in the PWSA. The water supply serves a population of roughly 650 in the *Town* and Summerside West, and roughly 400 in the Town of Gillams.

Illustration 8: Meaters Pond Protected Water Supply Area (PWSA)



Most *public streets* within the *MPA* are also serviced with public sewer (see 'Illustration 9: Municipal Sewer Coverage'). Exceptions include Pioneer Street, Brakes Road, a portion of McCarthy's Road, and a section of the West End of the *Town*. The public sewer system is gravity-based and does not provide any form of treatment before discharge. There are three (3) sewer outfalls into the Humber Arm, marked on Illustration 9.

Illustration 9: Municipal Sewer Coverage



Council does not intend on extending municipal water and sewer services into the hinterland areas (i.e. areas primarily zoned 'Rural' under the *Regulations*). The northern interior portion of the Town is particularly costly to develop and service given the increase in topographical grade. However, the expansion of municipal water and sewer services into these areas may be considered on a case-by-case basis at the discretion of Council (e.g. where triggered by a specific *development application* and associated costs to be borne by the developer). As outlined in *proposal B.2.1.3 (3)* under subsection 'B.2.1 Overall Development Strategy,' all *uses* within the *utility use group* may be created throughout the *MPA*. This includes municipal *utility* infrastructure to accommodate municipal water and sewer services.

Council is aware that certain *development* restrictions are in place within the protected PWSA under the provincial *Water Resources Act* and associated regulations. Despite the *permitted* and *discretionary uses* within underlying *use zone(s)*, the provincial Water Resources Management Division may prohibit certain *uses* in the PWSA. It therefore the intent of Council to refer any proposed *development* within the PWSA to the Water Resources Management Division for review and the requirement/issuance of any applicable provincial permits.

Solid Waste and Recycling Pick-up

The *Town* provides its own solid waste collection services. Solid waste is transported to the Wild Cove Waste Disposal Site, which is located to the east of the Town of Irishtown – Summerside. A curbside, recycling pick-up program was implemented through the provincially-mandated Western Regional Service Board (Western Regional Waste Management (WRWM)) on July 16, 2018. The mandatory program includes a two-tier sorting program (i.e. clear bags for garbage and blue bags for recyclables).

It is the intent of *Council* to continue to contract feasible and efficient solid waste services. The *Town* will further explore cost-effective ways of improving solid waste and recycling services whilst reducing the overall impact on the environment. This will entail liaising and working with WRWM in keeping up-to-date with modern technologies and developing increasingly efficient approaches to the delivery of solid waste and recycling pick-up services in the *Town*. *Council* also values the importance of reducing waste at source in order to minimize the cost and resource burden on municipal pick-up services. *Council* acknowledges that it has an advocacy role to play in encouraging and facilitating the on-site re-use and composting of solid waste.

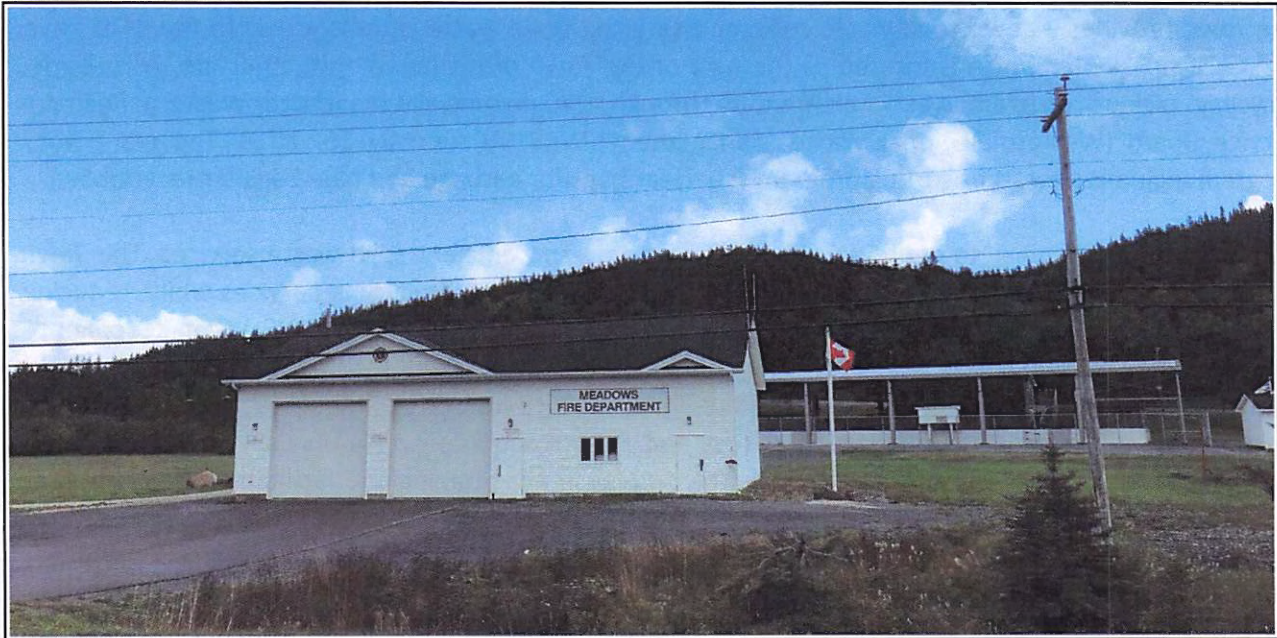
Safety Emergency Services

The *Town* has a volunteer fire department that consists of 20 active members and a fire truck. The fire hall is located on Route #440 and is directly in front of the Meadows Sports Complex (see 'Illustration 10: Town Fire Hall').

The *Town* recently purchased a new emergency response *vehicle*. This *vehicle* is used for First Response in the *Town* and communities along the North Shore. The nearest Emergency Medical Service (EMS) facility is operated by St. John Ambulance Services, 10 Main Street in Corner Brook. This facility is located approximately 25km from *Town* limits. Reliable Ambulance Services is also located in Corner Brook at 305 O'Connell Drive, which is located roughly 30km from *Town* limits.

Policing services are provided by the Royal Canadian Mounted Police (RCMP). The nearest detachment is located at 98 Mt. Bernard Avenue in Corner Brook. The detachment is located approximately 28kms from *Town* limits.

Illustration 10: Town Fire Hall



Council recognizes that it has a key role to play in the event of a community-wide emergency. *Council* members and *Town* staff will likely have to work with non-profit groups, local businesses; and inter-municipal, provincial, federal and RCMP representatives in helping to facilitate emergency response measures following an event. This may include, but is not limited to, assisting with public works equipment, communications, and/or the relocation of residents. It is therefore the intent of *Council* to work with stakeholders in supporting the prompt and efficient implementation of emergency response measures in the community. Resources pending, it is also the intent of *Council* to develop an Emergency Measures Plan to help prepare the *Town* for specific types of community-wide emergencies.

B.2.4.2 Goal and Policies

It is a *goal* of *Council* to facilitate the safe, efficient, and affordable delivery of public and emergency services throughout the *Municipal Planning Area*.

It is a *policy* of *Council* to:

B.2.4.2 (1) Discourage the expansion of municipal water and sewer services into hinterland areas (specifically areas zoned 'Rural (R)' under the *Regulations* as of the initial registration date of this *Plan* and *Regulations* in the *Gazette*).

B.2.4.2 (2) Despite *policy* B.2.4.2 (1), consider the expansion of municipal water and sewer services into hinterland areas on a case-by-case basis for specific *developments* in which the developer may be required to cover the costs associated with the expansion.

B.2.4.2 (3) Refer any proposed *development* within the protected Public Water Supply Area (PWSA) to the provincial Water Resources Management Division for review and requirement/issuance of any applicable provincial permits.

B.2.4.2 (4) Continue to contract feasible and efficient solid waste services.

B.2.4.2 (5) Further explore cost-effective ways of improving solid waste and recycling services within the *Municipal Planning Area*, whilst reducing the overall impact on the environment.

B.2.4.2 (6) Liaise and work with Western Regional Waste Management to remain up-to-date with modern technologies, and to develop increasingly efficient approaches to the delivery of solid waste and recycling pick-up services in the *Town*.

B.2.4.2 (7) In order to reduce the cost and resource burden on municipal pick-up services, adopt an advocacy role in encouraging and facilitating the on-site re-use and composting of solid waste within the *Municipal Planning Area*.

B.2.4.2 (8) Work with non-profit groups, local businesses; and inter-municipal, provincial, federal and RCMP representatives in helping facilitate and support the prompt and efficient implementation of emergency response measures in the community.

B.2.4.3 Proposals

It is a *proposal* of Council to:

B.2.4.3 (1) Further to *policy* B.2.4.2 (7), support and liaise with representatives of Templeton Academy (k – 12 school) and environmental advocacy groups in helping to promote on-site waste reduction and composting. This may include, but is not limited to, using the *Town's* communication mediums for promoting sustainable waste management practices.

B.2.4.3 (2) Further to *policy* B.2.4.2 (8), develop and implement an Emergency Measures Plan to help support, facilitate and coordinate safety emergency services in the event of a community-wide emergency.

B.2.5 PUBLIC UTILITIES

B.2.5.1 Overview

The provision of *public utilities* is essential to the day-to-day operations of the *Town*. *Public utilities* include *uses* in conjunction with providing energy and electricity; municipal water; cable, telephone, and telecommunication services. *Public utility uses* are for public consumption or benefit. As outlined in *proposal* B.2.1.3 (3) under subsection 'B.2.1 Overall Development Strategy,' all *uses* within the *utility use group* may be created throughout the *Town*.

Some *utility uses*, such as transformer stations and high voltage transmission lines, can have a major impact on adjacent neighbours. Careful planning of the location of transmission lines and transformer stations is needed to minimize the impacts of such *public utilities*. The *Town* will seek the cooperation of utility companies and crown corporations when developing such infrastructure.

A main transmission line runs over the northeast corner of the Municipal Planning Area. It is the intent of *Council* to restrict any *development* within the *easement* of this main transmission line. Any proposed *development* within proximity of this main transmission line shall be forwarded to Newfoundland Power for review to ensure the protection of this *easement*.

The federal Minister of Innovation, Science and Economic Development (ISED, formerly Industry Canada) retains the authority to regulate radiocommunications in Canada (e.g. telecommunications towers and antennas). *Council* does not have the authority to unilaterally refuse the erection of new towers or the extension of existing antennas. The service provider (e.g. Bell, Rogers, EastLink) must, however, consult the *Town* and the public in cases where antennas are not excluded from the federally-mandated public consultation process. Where the *Town* does not have an antenna systems siting protocol in place, the service provider must adhere to the minimum public consultation requirements outlined under 'Section 4. Land-use Authority and Public Consultation' of ISED's 'CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems.' Depending on the height and nature of the antenna proposal, the service provider may have to send notices to neighbours adjacent to the proposed site and publish a notice in the local newspaper.

For all non-excluded proposals, the service provider must seek the issuance of a Land Use Authority (LUA) Concurrence from the *Town*. Although this does not constitute a *development permit*, the LUA Concurrence functions as a formal response on behalf of the *Town* indicating *Council's* support of the proposal. Where *Council* does not support the proposal and refuses to issue an LUA Concurrence, ISED will render the final decision to allow or refuse the respective radiocommunications proposal. The LUA Concurrence process gives the *Town* an opportunity to provide input and voice concerns over any proposal that *Council* feels is not in the best interest of the community or is not compatible with the immediate neighbourhood of the proposed site.

Due to rising electricity costs, residents will increasingly be exploring alternative energy options. *Council* is also supportive of private *utility uses*, such as rooftop solar panels and *private wind energy*

systems. These sustainable energy options will help mitigate overall greenhouse gas effects and global warming. However, private wind turbines have the potential to create negative land use impacts on adjacent neighbours due to aesthetic, vibration and noise effects created by these structures. Private wind energy systems thus require specific development provisions and may be considered as a discretionary use, on a case-by-case basis, where the proposed development is adjacent to existing or future residential uses.

B.2.5.2 Goal and Policies

It is a goal of Council to promote the safe and efficient provision of public and private utilities throughout the Municipal Planning Area, whilst avoiding or mitigating any potential negative impacts associated from such developments.

It is a policy of Council to:

B.2.5.2 (1) Work collaboratively with public utility companies in helping to ensure that proposed infrastructure and developments do not jeopardize the future subdivision of lands and do not negatively impact critical view planes or the established character of neighbourhoods.

B.2.5.2 (2) Encourage the installation of private, sustainable energy sources such as, but not limited to, rooftop solar panels and private wind energy systems.

B.2.5.3 Proposals

It is a proposal of Council to:

B.2.5.3 (1) As per proposal B.2.1.3 (3), allow the creation of public utilities uses throughout the Municipal Planning Area.

B.2.5.3 (2) Develop an Antenna Systems Siting Protocol, which will give direction on issuing Land Use Authority Concurrences and facilitating public consultation for radiocommunication towers and antennas that are not excluded under the federal Department of Innovation, Science and Economic Development's 'CPC-2-0-03 — Radiocommunication and Broadcasting Antenna Systems.'

B.2.5.3 (3) Allow private wind energy systems throughout the Municipal Planning Area as either a permitted or discretionary use in each use zone. Private wind energy system shall be a permitted use in low-density, hinterland areas and as a discretionary use in existing built-up areas and areas planned for future residential development.

B.2.5.3 (4) Avoid and mitigate any potential negative land use impacts on adjacent properties created by the development of private wind turbines through the implementation of specific development

provisions for *private wind energy systems* (see subsection ‘C.5 Private Wind Energy System’ of the *Regulations*).

B.2.5.3 (5) Restrict any *development* within the *easement* of the main transmission line at the northeast corner of the *Municipal Planning Area*. Any proposed *development* within proximity of this main transmission line shall be forwarded to Newfoundland Power for review to ensure the protection of this *easement*.

B.2.6 HINTERLAND AREAS

B.2.6.1 Overview

The *Town* is rich in undeveloped hinterland areas. The *MPA* extends approximately 3.7km east-west along provincial Route #440. The area of the *MPA* is approximately 4.0km². The undeveloped hinterland areas are mainly located within the northern interior of the *MPA*, north of provincial Route #440. This area includes largely untouched forested lands with minor fens and streams. Much of this interior area of the *MPA* is provincial Crown lands. However, where the province does not have a mandatory land registration system, it is difficult to ascertain an accurate account of provincial Crown lands and private freehold lands within the *MPA*. As with private lands, the *development* of Crown lands is subject to the provisions of the *Plan* and *Regulations*. The southern portion of the Meaters Pond PWSA is located in this hinterland area; but the water body itself is located immediately outside the *MPA* to the north (see ‘Illustration 8: Meaters Pond Protected Water Supply Area (PWSA)’ and ‘Illustration 11: Meaters Pond’).

Illustration 11: Meaters Pond



The disposal of any Crown lands within the *Town* is subject to the provincial referral process. The *Town*, provincial departments and agencies are notified of potential change in tenure of Crown lands within the *MPA*. It is the intent of *Council* to assess Crown land applications on a case-by-case basis and where applicable seek the advice of a professional planner prior to indicating support of the application to the Crown Lands Division. No *approval in principle* or *development permit* shall be issued for a proposed *development* on provincial Crown land prior to receiving confirmation that tenure has been secured by the *applicant*.

The northern interior hinterland areas of the *Town* are largely vacant, undeveloped and in their natural state. These areas are regularly used by residents for *hunting/trapping* and recreational purposes (e.g. hiking, ATV and snowmobile use). A portion of the Newfoundland Snowmobile Federation trail network is located along the northern edge and within *Town* limits. These activities are central to the culture and way of life of residents and should remain permitted throughout the hinterland areas. In addition to *hunting/trapping, fishing, foraging* and *small scale agriculture* are also central to the culture and way of life of residents. These activities should be permitted throughout the *MPA* and not restricted to a single *use zone*.

Natural renewable and non-renewable resources in the hinterland areas should be developed in a responsible manner, which protects natural habitats and minimizes potential deterioration of the environment. The protection of the natural environment in the *Town* is also critical to the economic viability of potential *hunting/trapping, fishing, and eco-tourism* in the area.

As outlined in *proposal B.2.1.3 (6)* under subsection 'B.2.1 Overall Development Pattern,' it is the intent of *Council* to allow *development* in the hinterland areas throughout the *MPA* through the application of a 'Rural (R)' *use zone*. *Uses* allowed in the R *use zone* shall include *agricultural uses, industrial uses, open space uses, resource uses, and other select uses*. These *uses* are of a rural nature and generally require an expanse of land and separation from more urban *uses*.

There are eight (8) monuments in the *MPA*. Under the *Lands Act*, a surveyor may enter upon lands at any time for the purpose of making observations to or from a control survey marker. It is the intent of *Council* to regulate *development* in a way that is compliant with the *Lands Act*, including but not limited to provisions related to the eight (8) survey control markers in the *MPA*. Any proposed *development* within the vicinity of a survey control marker shall be referred to the GIS and Mapping Division of the *Department of Fisheries, Forestry and Agriculture*. The *Lands Act* also provides that a person who knowingly or wilfully pulls down, defaces, alters or removes a control survey marker is guilty of an offence and is liable on summary conviction to a fine not exceeding \$500 or imprisonment for a period not exceeding three (3) months.

Further, the *MPA* lies within a hydrocarbon bearing basin having oil and gas potential, but does not lie within an onshore permit/licence or lease nor is it within 100m of an offshore petroleum well. It is the intent of *Council* to facilitate *petroleum exploration/development* and petroleum production *uses* in a way that meets all federal and provincial regulations and requirements. This may include, but is not

limited to, referring any requests or *development* proposals to the Regulatory Affairs Division of the Energy Branch of the *Department of Industry, Energy and Technology*.

B.2.6.2 Goal and Policies

It is a *goal* of Council to promote and protect traditional land use and activities within the hinterland areas, whilst allowing a wide range of other *uses* that generally require an expanse of land and separation from urban *uses*.

It is a *policy* of Council to:

B.2.6.2 (1) Assess referral requests for Crown Lands on a case-by-case basis and where applicable seek the advice of a professional planner prior to indicating support of the application to the Crown Lands Division.

B.2.6.2 (2) Facilitate the responsible *development* of natural resources, which protects natural habitats and minimizes deterioration of the environment.

B.2.6.2 (3) Regulate *development* in a way that is compliant with the *Lands Act*, including but not limited to provisions related to the eight (8) survey control markers in the *MPA*. Any proposed *development* within the vicinity of a survey control marker shall be referred to the GIS and Mapping Division of the *Department of Fisheries, Forestry and Agriculture*.

B.2.6.3 Proposals

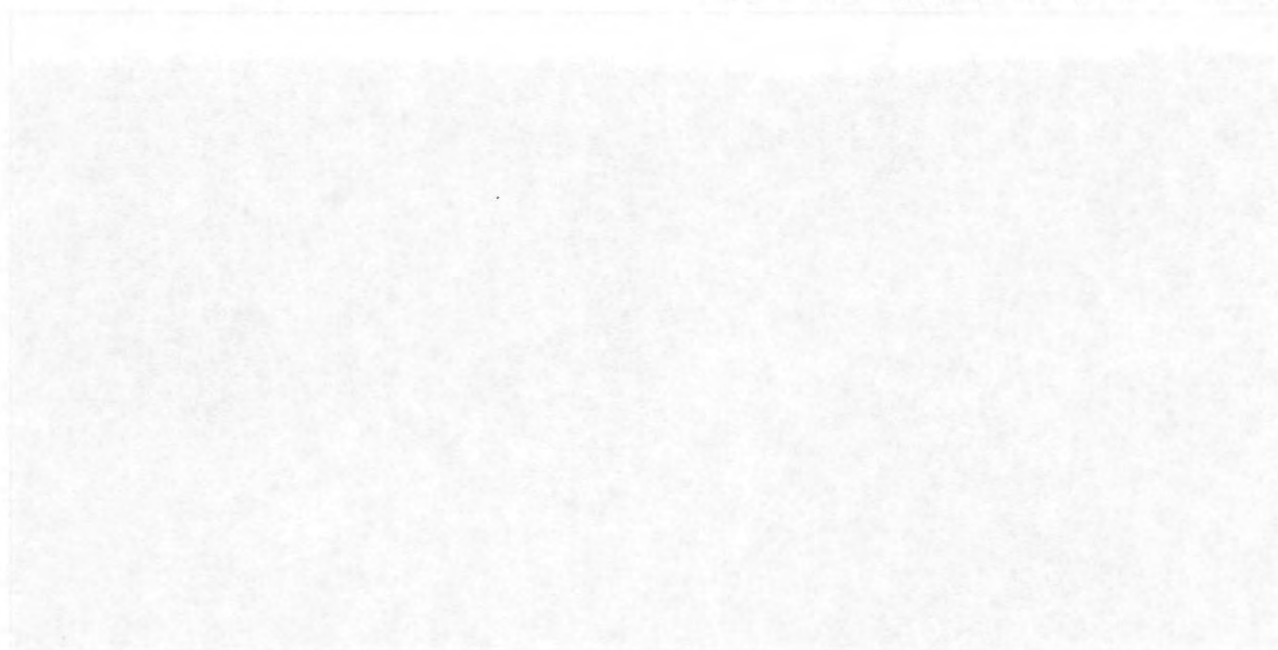
It is a *proposal* of Council to:

B.2.6.3 (1) Further to *policy* B.2.6.2 (1), not issue an *approval in principle* or *development permit* for a proposed *development* on Crown land prior to receiving confirmation that tenure has been secured by the *applicant*.

B.2.6.3 (2) As per *proposal* B.2.1.3 (6), allow *development* in the hinterland areas of the *Municipal Planning Area*, broadly defined as the undeveloped northern interior (north of provincial Route #440) and the coastal southern portion of the *Town* east of McCarthy's Road, through the application of a 'Rural (R)' *use zone*. *Uses* allowed in the R *use zone* shall include *agricultural uses, industrial uses, open space uses, resource uses*, and other select *uses*. These *uses* are of a rural nature and generally require an expanse of land and separation from more urban *uses*. *Residential uses* shall be prohibited in this *use zone*. The *development* of single *cottages* on independent *lots* for personal or *commercial use* shall also be prohibited in the R *use zone*. Depending on the nature, scale, and compatibility of other *uses* in the 'Development (D)' *future land use class* under *proposal* B.2.1.3 (2) (a), they may be listed as either *permitted* or *discretionary uses* in the R *use zone*.

B.2.6.3 (3) Allow traditional land use activities—such as *hunting/trapping, fishing, foraging* and *small scale agriculture*—throughout the *Municipal Planning Area* as implemented through broad, mixed-use ‘Community Development (CD)’ and ‘Rural (R)’ use zones in the *Regulations*.

B.2.6.3 (4) Further to *policy 2.6.2 (2)* and where the *MPA* lies within a hydrocarbon bearing basin having oil and gas potential, facilitate *petroleum exploration/development* and petroleum production uses in a way that meets all federal and provincial regulations and requirements. This may include, but is not limited to, referring any requests or *development* proposals to the Regulatory Affairs Division of the Energy Branch of *DIET*.



B.2.7 RESIDENTIAL USES

B.2.7.1 Overview

The *Town* is mainly rural residential in character. The primary housing type is the *single unit dwelling* (see 'Illustration 12: Aerial View of Town's Development Pattern'). There are few other forms of housing in the *Town*, including, for example, Mountain View House (*personal care home – institutional*), two (2) duplexes (*two unit dwellings*) located immediately behind Mountain View House on Brake's Lane, and a four-plex (*multiple unit dwelling*) on provincial Route #440. The most densely developed area of the *Town* is located in the central portion of the *Town*, largely defined by the provincial community infilling limits. This is unsurprising, given the location of the original settlement of the *Town* and the effect of provincial policy associated with the infilling limits.

Illustration 12: Aerial View of Town's Development Pattern



An analysis of demographic data and existing land *use* indicates that there is a need for a variety of housing types in the *Town* to meet the existing and future needs of a range of age groups, household structures, socioeconomic statuses, and persons with disabilities. If the current trend continues, *single unit dwellings* will be the main form of residential *development* within the *Town*. However, as the population ages, there may be an increased need for alternative housing forms that can be more economically viable and sustainable. These include, but are not limited to, *personal care homes*, *double unit dwellings*, *row houses*, *multi-unit dwellings*, and other housing *developments* that facilitate cost sharing between residents (e.g. sharing on-site snow clearing, maintenance equipment, *hobby gardens*). More affordable housing types, such a *mini home dwellings* and *micro home dwellings*, may also become increasingly popular for builders as the cost of construction rises—this is particularly the

case given effects of the Covid-19 pandemic. It is the intent of *Council* to promote and facilitate a wide variety of housing forms where *residential uses* are allowed under the *Regulations*.

In order to further promote diversity in housing options, *Council* should, where able, work with provincial and federal housing agencies to facilitate the *development* of affordable housing projects to meet the broad needs of existing and future residents of the *Town*.

Future residential *developments* should also be directed in a way that avoids potential land *use* conflict with existing and future incompatible *uses*. This is achieved through the application of *use zones* under the *Regulations*. Future *development* should also be compatible with the established character of neighbourhoods in the *Town*.

B.2.7.2 Goal and Policies

It is a *goal* of *Council* to facilitate a broad range of compatible housing types, forms, and densities throughout the *Municipal Planning Area* to accommodate a wide range of age groups, family types, persons with disabilities, and socioeconomic statuses.

It is a *policy* of *Council* to:

B.2.7.2 (1) As per *policy* B.2.1.2 (6), encourage new *residential uses* to locate within the existing built up portion of the *Town*. This area is generally defined by the provincial community infilling limits outlined in 'Illustration 4: Provincial Community Infilling Limits.'

B.2.7.2 (2) Promote and facilitate a range of housing forms and options to meet the broad needs of existing and future residents of the *Town*.

B.2.7.2 (3) Direct future *residential development* away from existing and future incompatible land *uses*.

B.2.7.2 (4) Facilitate *residential development* that is compatible with the established character of neighbourhoods.

B.2.7.2 (5) Work collaboratively with provincial and federal housing agencies to facilitate the *development* of affordable housing projects within the *Town*.

B.2.7.3 Proposals

B.2.7.3 (1) As per *proposal* B.2.1.3 (5), allow *residential uses* in the *Town* through the implementation of a 'Community Development (CD)' *use zone*, which covers existing developed areas largely defined by the provincial community infilling limits. However, this *proposal* does not restrict the CD *use zone* to these infilling limits and *Council* may in the future consider the extension of the CD *use zone* through

the *Regulations* amendment process (e.g. rezoning). *Residential uses* with $\leq 4DU$ s shall be listed as *permitted uses*, whereas higher density *uses* ($\geq 5DU$ s) shall be listed as *discretionary uses*.

B.2.7.3 (2) As per *proposal* B.2.1.3 (7), establish a 'Residential (RES)' floating *use zone* for the potential rezoning of future lands developed for *residential subdivision use*. As of the initial registration date of the *Plan* and *Regulations* in the *Gazette*, this *use zone* is not applied to any lands within the *Municipal Planning Area*. *Uses* allowed in the RES *use zone* shall include mainly low density *residential uses* and other select *uses*.

B.2.7.3 (3) As per *proposal* B.2.1.3 (6), prohibit *residential uses* in the hinterland areas of the *Town* through the implementation of a 'Rural (R)' *use zone*. As per *proposal* B.2.1.3 (8), the expansion of *residential uses* into these areas may be considered by *Council* on a case-by-case basis through the *Regulations amendment application* process (i.e. rezoning process).

B.2.8 ECONOMIC DEVELOPMENT, COMMERCIAL AND INDUSTRIAL USES

B.2.8.1 Overview

The primary employers and businesses within the *Town* include Templeton Academy (k – 12 school), Mountain View House (*personal care home – institutional*), and Parsons Take-out and Convenience store (see ‘Illustration 12: Parsons Take-out and Convenience’). There are also smaller, home-based businesses and remote workers in the *Town*. Tourism is also an important aspect of the *Town’s* economy. *Council* continues to pursue partnerships with regional economic development entities to promote the *Town* as a tourist destination.

As outlined in subsection ‘B.4.3 Transportation and Commuting’ of the *Background Report*, many residents are employed in Corner Brook or further afield. These outside employers are also critical economic drivers for the *Town*. Changes in economic activity and employment opportunities within Corner Brook and neighbouring communities thus have an effect on the *Town* and its residents.

There are currently no *industrial use developments* operating within the *Town*. This is not surprising, given that most *industrial uses* would gravitate to the City of Corner Brook, given the level of public servicing, access to employment base, and proximity to other business resources. Given that there is currently no land set aside for *industrial use development* within the *Town*—and that the City of Corner Brook contains numerous brownfield redevelopment opportunities on fully serviced lands—it is reasonable to assume that there will be limited to no demand for this form of *development* in the *Town* within the lifespan of this *Plan*. Despite this, the *Plan* and *Regulations* should be flexible to potentially accommodate an *industrial use development* if one is proposed in an appropriate location; and if the *development* is of an appropriate *use* and scale as to minimize adverse land *use* impacts and be compatible with neighbouring land *uses*. As per *proposal* B.2.1.3 (6), this *Plan* proposes to establish a ‘Rural (R)’ *use zone* in which *industrial uses* are—depending on the nature, scale, and compatibility of each *use*—listed as *permitted* or *discretionary uses*.

As highlighted in subsection ‘B.7 Public Participation Summary’ of the *Background Report*, residents have an overall concern with business and economic development in the area, and its impact on retaining and drawing young people. Many residents feel that the *Town* should leverage and capitalize on its natural assets, such as the waterfront and undeveloped hinterland areas, to spur economic development. This includes promoting ATV and snowmobiling activity; eco-tourism, canoeing, kayaking, hiking and nature watching; and camping, guiding, outfitting, fishing and hunting businesses. *Home businesses* and *home industries* are also viewed as important sources of income for residents (e.g. *small engine repair*, hair salons, convenience stores). In this light, the protection and sustainable *use* of natural resources should go hand-in-hand with promoting economic development within the *Town*.

Illustration 13: Parsons Take-out and Convenience



As the population ages, there will be an increased need for healthcare and other related support services. This may provide an opportunity for commercial enterprises in the area. There will likely be an increased need for home support and transportation services. As outlined in subsection 'B.2.7 Residential Uses,' changing demographics may also result in the need for diversified housing such as additional *personal care homes* and *non-single unit dwellings*.

Despite economic and demographic challenges, it is the intent of *Council* to adopt an innovative and supportive approach to promoting and supporting economic development within the *Town*. This involves working with existing business stakeholder groups and building new business support networks and relationships. It is the intent of *Council* to focus on leveraging strengths and opportunities to build, attract and retain business. The development of a ten (10) year Economic Development Plan will also help give focus and direction to fostering commercial activity within the *Town*.

Despite the overall promotion of *commercial development*, *Council* recognizes that *adult establishment uses* are not compatible with the existing rural residential character and land use of the *Town*. It is therefore the intent of *Council* to prohibit these *uses* in all *use zones*. However, *adult establishment uses* may be considered by *Council* on a case-by-case basis through the *Regulations amendment application* process (i.e. rezoning).

B.2.8.2 Goal and Policies

It is a *goal* of Council to promote *commercial uses* in appropriate locations considering transportation requirements, environmental impact, neighbourhood character and the compatibility of existing and future surrounding *uses*.

It is a *policy* of Council to:

B.2.8.2 (1) As per *policy* B.2.1.2 (6), encourage new *commercial uses* to locate within the existing built up portion of the *Town*. This area is generally defined by the provincial community infilling limits outlined in 'Illustration 4: Provincial Community Infilling Limits.'

B.2.8.2 (2) Facilitate *commercial development* that does not negatively impact existing and future residential neighbourhoods or other incompatible *uses*.

B.2.8.2 (3) Utilize natural resources in order to promote outfitting and eco-tourism businesses.

B.2.8.2 (4) Strengthen existing and build new networks of business stakeholder groups for increasing business development within the *Town*.

B.2.8.2 (5) As of the initial registration date of the *Plan* and *Regulations* in the *Gazette*, prohibit *adult establishment uses* throughout the *Municipal Planning Area*. Despite this, *adult establishment uses* may be considered by Council on a case-by-case basis through the *Regulations amendment application* process (i.e. rezoning).

B.2.8.3 Proposals

It is a *proposal* of Council to:

B.2.8.3 (1) As per *proposal* B.2.1.3 (5), allow *commercial uses* in the *Town* through the implementation of a 'Community Development (CD)' *use zone*, which covers existing developed areas largely defined by the provincial community infilling limits. However, this *proposal* does not restrict the CD *use zone* to these infilling limits and Council may in the future consider the extension of the CD *use zone* through the *Regulations* amendment process (e.g. rezoning). Depending on the nature, scale, and compatibility of *commercial uses*, they may be listed as either *permitted* or *discretionary uses* in the CD *use zone*.

B.2.8.3 (2) Allow *home businesses* and *home industries* as *accessory uses* to *residential uses* through the implementation of specific provisions under subsection 'C.3 Home Businesses and Industries' and *use zones* of the *Regulations*.

B.2.8.3 (3) Develop a ten (10) year Economic Development Plan for the *Town*, including a detailed analysis of existing Strengths, Weaknesses, Opportunities and Threats (SWOT).

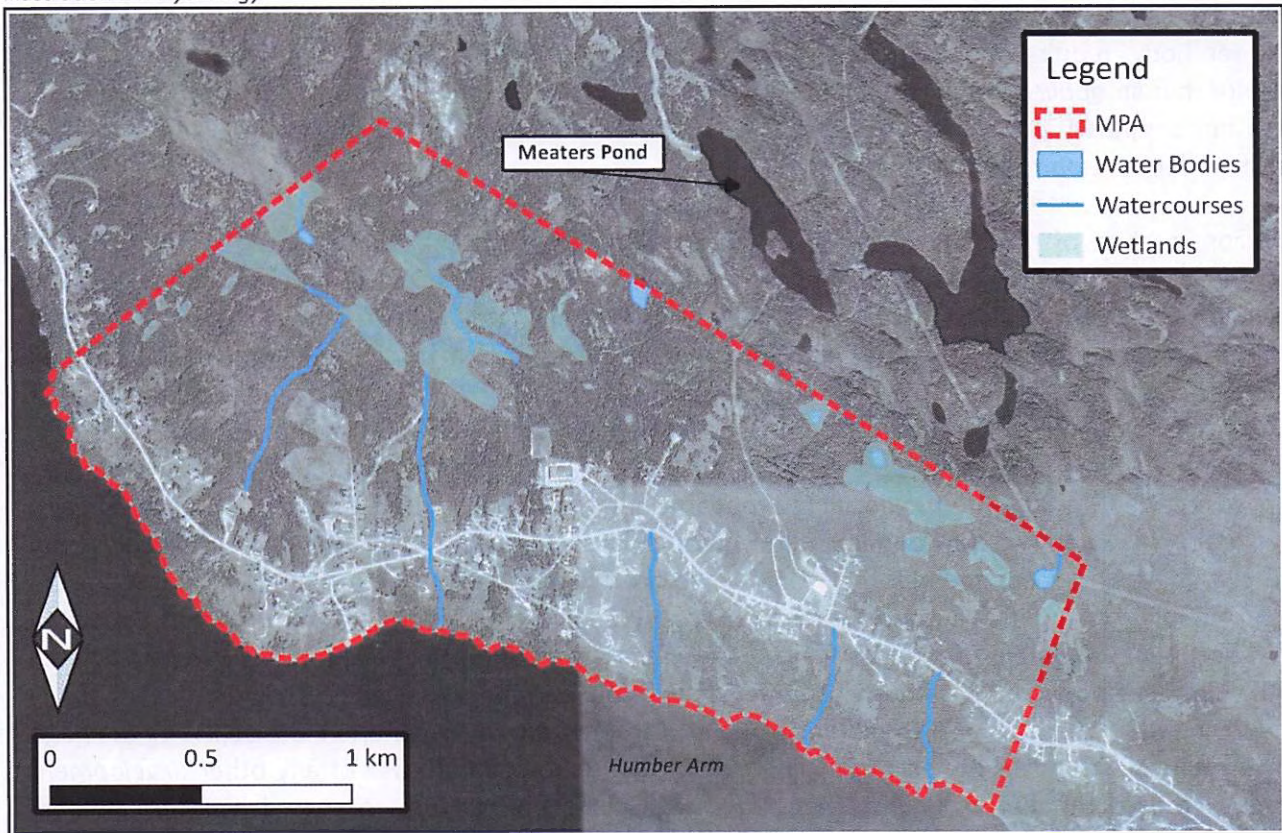
B.2.8.3 (4) As per proposal B.2.1.3 (6), allow *industrial uses* in the *Town* through the implementation of a 'Rural (R)' *use zone*, broadly defined as the undeveloped northern interior (north of provincial Route #440) and the coastal southern portion of the *Town* east of McCarthy's Road. Depending on the nature, scale, and compatibility of *industrial uses*, they may be listed as *permitted* or *discretionary uses* in the R *use zone*.

B.2.9 PROTECTION OF THE NATURAL ENVIRONMENT

B.2.9.1 Overview

The *Town* is rich in physical environmental features including a pristine coastline, forested areas, wetlands and *watercourses*. There are no major water bodies within the *Town*, but the northern interior portion of the *Town* contains a series of fens with minor, seasonally intermittent *watercourses* (see 'Illustration 14: Hydrology'). There are a series of water bodies (ponds) north of the Municipal Planning Area, one of which is Meaters Pond (surface water body supply) as discussed in detail under subsection 'B.4 Public and Emergency Safety Services.'

Illustration 14: Hydrology



The watershed and drainage pattern of the *Municipal Planning Area* is southerly, in which water flows downward from the upper elevation of the hills into the Humber Arm through a series of minor, seasonally intermittent *watercourses*.

The natural beauty of the *Town* is intrinsically linked with economic development opportunities and the overall quality of life of residents and visitors alike. The protection of the coastline, *watercourses* and wetlands are especially important, as they are an economic lifeline for the community. Tourism, recreation, *hunting/trapping* activities are all in some way directly or indirectly related to these natural assets.

Future *development* should be guided away from *watercourses*, wetlands, and other sensitive environmental features. These areas, and adequate buffers therefrom, should be designated and zoned accordingly to protect natural assets from future incompatible *uses* that may jeopardize the ecological integrity and functioning of these natural systems.

As required under the provincial *Water Resources Act* and associated Policy for Development in Shore Water Zones, any proposed construction within a wetland or water body, or within the shore waters of a water body, requires prior approval from the provincial Water Resources Management Division. Despite that an *applicant* may obtain a permit from the province for this form of *development*, *Council* does not support the infilling of wetlands, piping of *watercourses*, or the creation of land along the coastline for *development* purposes.

The construction of some *buildings* or *structures* along the coastline may also require a permit in accordance with the provincial *Water Resources Act*. It is therefore the intent of *Council* to forward any *development* proposal along the coastline to the provincial Water Resources Management Division. Where *development* along the coastline does not require a permit from the province, *Council* shall follow the provincial 'Chapter 14: Environmental Guidelines for Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses' when regulating such *developments*.

As was received through the provincial Interdepartmental Land Use Committee (ILUC) referral process, the Geological Survey of Newfoundland and Labrador recommends a 30m *development setback* from the cliff edge. This recommended *development setback* is based on twice the average yearly erosion rate, multiplied by 100 (i.e. accounting for a 100-year planning time frame). It is the intent of *Council* to prohibit the *development* of *main buildings* of *residential uses* and select *institutional uses* (associated with vulnerable populations) within this buffer, despite the *permitted uses* and *discretionary uses* of any underlying *use zone*. It is also the intent of *Council* to prohibit any private, on-site septic or drainage infrastructure within this buffer. Depending on the nature, impact and *use* of any other *development* proposal within this buffer, *Council* may require a Geo-Technical Study, prepared by a *professional* geologist or engineer, prior to issuing a *development permit* within this 30m cliff edge buffer. Further, and where practical, it is the intent of *Council* to avoid locating public infrastructure (e.g. *public streets* and *public utilities*) within this 30m cliff edge buffer.

Global warming and climate change will have an overall negative impact on the *Town*. Extreme weather events will increase in intensity and be more frequent in nature. Combined with a rise in sea level, this will exacerbate storm surge and coastal rates of erosion. Overland flooding and infrastructure washouts are also expected to increase due to higher precipitation events brought on by extreme weather. It is

the intent of *Council* to conduct a Climate Change Adaptation Study. The findings from this Study will help guide and inform *Council* on how to avoid and mitigate potential negative effects caused by global warming and climate change.

Further, *Council* encourages and supports environmentally responsible *development* within the *Town*. This includes, but is not limited to *development* proposals that maximize the *use* of land whilst reducing overall environmental impact, conservation design for *subdivisions*, and renewable power generation.

B.2.9.2 Goal and Policies

It is a *goal* of *Council* to promote sustainable *development* in the *Municipal Planning Area*, whilst preserving and enhancing sensitive environmental features.

It is a *policy* of *Council* to:

B.2.9.2 (1) Direct high impact land *uses* away from sensitive environmental features such as coastlines, wetlands, water bodies and *watercourses*. Where such *uses* are proposed and are allowed as *discretionary uses* under the *Regulations*, it is the intent of *Council* to require adequate buffers from sensitive environmental features. Adding buffers under this *policy* is a discretionary decision of *Council*, which may be added as a condition to the issuance of a *development permit*.

B.2.9.2 (2) Forward any *development* proposal along the coastline and in the shore water to the provincial Water Resources Management Division for any requirement/issuance of a provincial permit.

B.2.9.2 (3) Forward any *development* proposal along the coastline to the provincial Water Resources Management Division for any requirement/issuance of a provincial permit.

B.2.9.2 (4) Where no provincial permit is required under *policy* B.2.9.2 (3), follow the provincial 'Chapter 14: Environmental Guidelines for Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses' when regulating proposed *developments* along the coastline.

B.2.9.2 (5) Avoid natural hazards and protect the coastline by discouraging future *development* in areas that are susceptible to erosion. Exercising authority of this provision is at the discretion of *Council*.

B.2.9.2 (6) Encourage and support environmentally responsible *development*, including, but not limited to, *development* proposals that maximize the *use* of land whilst reducing overall environmental impact, conservation design for *subdivisions*, and renewable power generation.

B.2.9.2 (7) Consider climate change impacts when assessing *applications* for *development*, initiatives and capital works projects.

B.2.9.2 (8) Forward any *development* proposal within 15 metres of a water body to the Water Resources Management Division for any requirements/issuance of a provincial permit for infilling.

B.2.9.3 Proposals

It is a *proposal of Council* to:

B.2.9.3 (1) Further to policy B.2.9.2 (1) and as per *proposals* B.2.1.3 (2) (b) and B.2.1.3 (9), protect environmentally significant and sensitive lands and features through the application of a 'Conservation (C)' *future land use class* and *use zone*. Lands designated and zoned C include, but are not limited to, wetlands, *watercourses*, and buffers therefrom. *Uses* allowed in the C *use zone* shall include low impact *uses* such as, but not limited to, *passive parks* (*public* and *private*), *mobile/transient uses*, and other select *uses*. Depending on the nature, scale, and compatibility of other *uses* in the 'Conservation (C)' *future land use class* under *proposal* B.2.1.3 (2)(b), they may be listed as either *permitted* or *discretionary uses* in the C *use zone*.

B.2.9.3 (2) Further to *policies* B.2.9.2 (3) and (5), implement an overlay, 'Cliff Edge Buffer (30m)' on the *Future Land Use Classes Map* and *Zoning Map*. *Main buildings* of *residential uses* and select *institutional uses* (associated with vulnerable populations) shall be prohibited within this buffer, despite the *permitted uses* and *discretionary uses* of any underlying *use zone*. Any private, on-site septic or drainage infrastructure shall also be prohibited within this buffer. When considering any other *development application* within this buffer—and depending on the nature, impact and *use* of the *development proposal*—*Council* may require a Geo-Technical Report, prepared by a *professional* geologist or engineer, prior to issuing a *development permit* within this buffer. *Council* shall also forward any *development proposal* within this buffer to the Water Resources Management Division to determine any provincial permitting requirements and *development* recommendations on the protection of the coastline.

B.2.9.3 (3) Conduct a Climate Change Adaptation Study. The findings from this Study will help guide and inform *Council* on how to avoid and mitigate potential negative effects caused by global warming and climate change.

B.2.9.3 (4) Further to *policy* B.2.9.2 (5), and where practical, avoid locating public infrastructure (e.g. *public streets* and *public utilities*) within the 30m cliff edge buffer as outlined on the *Future Land Use Classes Map* and *Zoning Map*.

B.2.10 OPEN SPACE AND RECREATIONAL USES

B.2.10.1 Overview

The *Town's* civic and recreational facilities are centralized near the intersection of Route #440 and Forest Hill Road. This area includes the Meadows Sports Complex (covered ice hockey rink), playground, Meadows Community Center and Town Hall, Fire Hall (Meadows Fire Department), community mail boxes, and the Minnie Vallis Memorial Walking Trail (see 'Illustration 15: Civic and Recreational Facilities' and 'Illustration 16: Meadows Sports Complex').

Illustration 15: Civic and Recreational Facilities

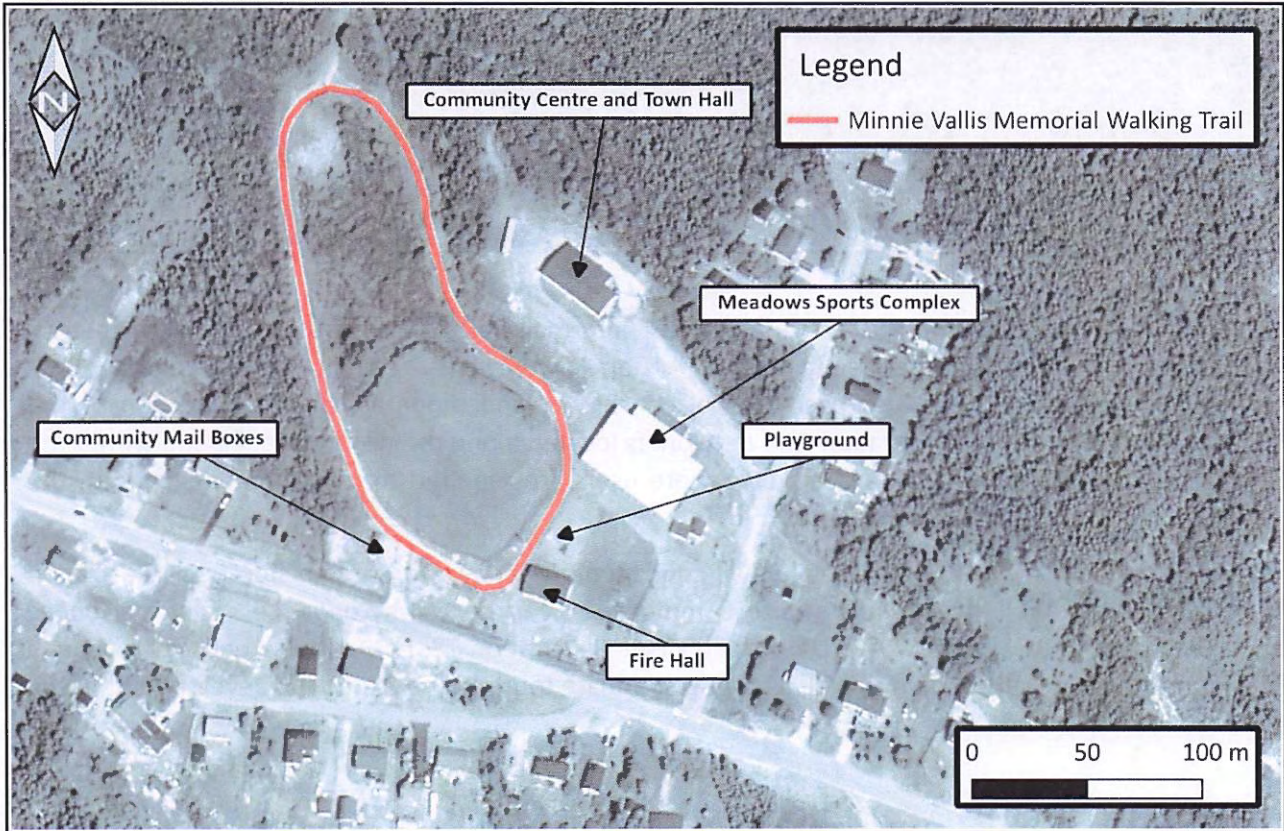


Illustration 16: Meadows Sports Complex



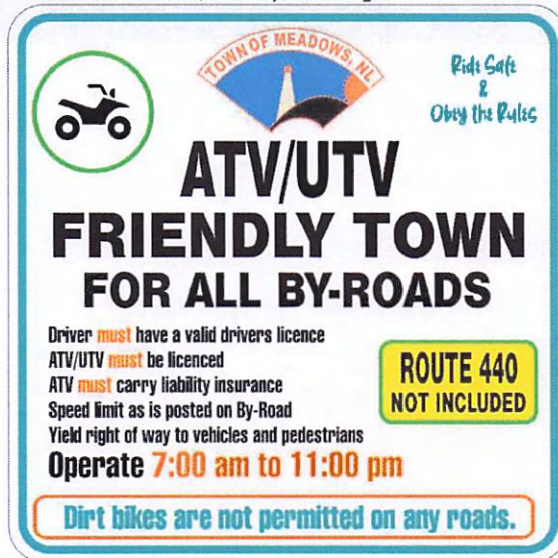
The *Town* also contains numerous non-maintained, informal trails throughout its northern interior (hinterland area). These trails are mainly used for All-Terrain Vehicle (ATV), Utility-Terrain Vehicle (UTV), and snowmobile use, but are also used by walkers, hikers, and mountain bikers. A portion of the Newfoundland Snowmobile Federation trail network is located along the northern edge and within the *MPA*. This is part of a groomed trail network where users are required to hold membership with the Newfoundland Snowmobile Federation.

There is also a 5km ATV/UTV/snowmobile trail connecting Meadows to Summerside (see 'Illustration 17: ATV/UTV/Snowmobile from Meadows to Summerside'). Further, all byroads (i.e. municipal *public streets*) within the *Town* are now ATV/UTV friendly (see 'Illustration 18: ATV/UTV By-road Sign'). Though recreational in nature, this initiative is also to help stimulate tourism and economic development in the *Town*.

Illustration 17: ATV/UTV/Snowmobile Trail from Meadows to Summerside



Illustration 18: ATV/UTV By-road Sign



The *Town* maintains a public water access to Humber Arm from Marine Drive (Meadows Beach). Meadows Beach is a key recreational resource for the residents of the *Town*, offering water access for swimming and boating. The *Town* recently developed a slipway boat launch and piers for public use (see 'Illustration 19: Meadows Beach').

Illustration 19: Meadows Beach



Resources pending, *Council* may consider developing improvements or modest additions to existing recreational facilities. In order to facilitate the efficient coordination and sharing of resources, it is also the intent of *Council* to increase collaboration with nearby municipalities and schools in offering complementary recreational facilities and the shared use of facilities.

Where improvements or additions to existing facilities are implemented, it is the intent of *Council* to help ensure that initiatives meet the diverse needs of residents, including but not limited to youth, seniors, and persons with disabilities. Where possible, this shall include developing facilities and trails that incorporate universal design principles.

B.2.10.2 Goal and Policies

It is a *goal* of *Council* to promote and enhance recreational facilities and public *open spaces* in the *Municipal Planning Area*.

It is a *policy* of *Council* to:

B.2.10.2 (1) Maintain and enhance existing municipal lands with recreational facilities for continued public use (e.g. Meadows Sports Complex, Minnie Vallis Memorial Walking Trail, playground, public pier and slipway boat launch at Meadows Beach).

B.2.10.2 (2) Explore community support and feasibility of broadening recreational activities and facilities within the *Town*.

B.2.10.2 (3) Increase collaboration with nearby municipalities and schools in offering complementary recreational facilities and the shared *use* of facilities.

B.2.10.2 (4) Support existing and future recreational facilities and public *open spaces* that will meet the diverse needs of residents, including but not limited to youth, seniors, and persons with disabilities.

B.2.10.3 Proposals

It is a *proposal* of *Council* to:

B.2.10.3 (1) Further to *policy* B.2.10.2 (2), explore the possibility of conducting a field study to map informal trails throughout the northern interior of the *Town*, north of Routes #440. *Council* may then

consider protecting these corridors through attaining Crown Lands, and re-designating the corridors on the *Future Land Use Classes Map* or rezoning on the *Zoning Map*.

B.2.10.3 (2) Further to *policy* B.2.10.2 (2), explore potential recreational facilities and/or activities that may support the *Town* as a tourist hub destination. This may take the form of a feasibility study, which may be housed within or be supplementary to the ten (10) year Economic Development Plan called for under *proposal* B.2.8.3 (3).

B.2.10.3 (3) Further to *policy* B.2.10.2 (4), develop future recreational facilities and *public open spaces* that incorporate universal design principles:

- (a) **Equitable Use:** The design is useful and marketable to people with diverse abilities.
- (b) **Flexibility in Use:** The design accommodates a wide range of individual preferences and abilities.
- (c) **Simple and Intuitive Use:** Use of the design is easy to understand, regardless of the user's experience, knowledge, language skills, or current concentration level.
- (d) **Perceptible Information:** The design communicates necessary information effectively to the user, regardless of ambient conditions or the user's sensory abilities.
- (e) **Tolerance for Error:** The design minimizes hazards and the adverse consequences of accidental or unintended actions.
- (f) **Low Physical Effort:** The design can be used efficiently and comfortably with minimum fatigue.
- (g) **Size and Space for Approach and Use:** Appropriate size and space is provided for approach, reach, manipulation, and use regardless of user's body size, posture, or mobility.

B.2.10.3 (4) Acquire land for *public open space* through the *subdivision* process, in accordance with the *Regulations*, and other means such as purchase, *easements*, lease agreements, or expropriation. The following will be considered during the process of acquiring land for *open space*:

- (a) The likely impact on maintenance and property tax costs;
- (b) Existence of other nearby facilities;
- (c) Physical suitability for the intended purpose;
- (d) Potential for integration with existing recreational facilities and *public open spaces*; and
- (e) Compatibility with existing and proposed adjacent land *uses*.

B.2.11 ARCHAEOLOGICAL AND HISTORICAL SITES

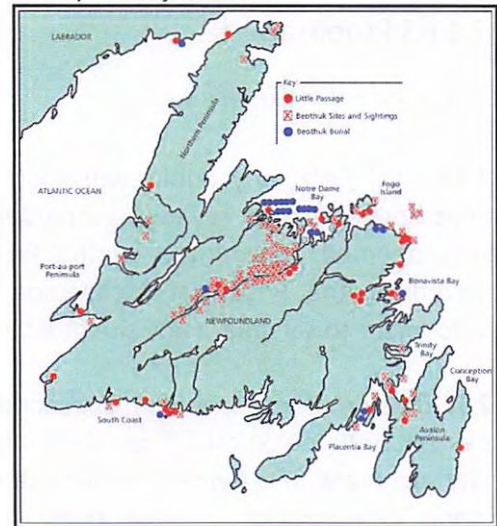
B.2.11.1 Overview

As of the initial registration date of the *Plan* in the *Gazette*, there are no registered archaeological sites or historic *buildings* within the *Town*. However, as elaborated under subsection ‘B.1 History and Culture’ of the *Background Report*, indigenous Beothuk (including early ancestors of the Beothuk) and Mi’kmaq are known to have resided along the west coast of Newfoundland.

There is a Beothuk archaeological site located within the Bay of Islands area, on the coastline between the Town of McIvers and Town of Cox’s Cove (see ‘Illustration 20: Beothuk Archaeology and Activity in Newfoundland’²). In addition to evidence of the Beothuk, this registered archaeological site (DrBm-01)—which is protected under the provincial *Historic Resources Act*—has several cultures represented such as the Groswater, Dorset, and possibly Little Passage. It is therefore possible that indigenous populations were located, either permanently or intermittently to hunt and fish, on lands presently defined by the *Town*.

Council recognizes the importance of sites of archaeological and historical significance. The *Town* will take a proactive and supportive approach in identifying, protecting and preserving any future sites that may discovered.

Illustration 20: Beothuk Archaeology and Activity in Newfoundland



2 Map from Heritage Newfoundland & Labrador: <https://www.heritage.nf.ca/articles/aboriginal/beothuk-distribution.php>. “Map Showing Little Passage Campsites, Beothuk Campsites and Sightings and Beothuk Burials; Illustration by Duleepa Wijayawardhana, ©1998. Based on a map by Cliff George.”

B.2.11.2 Goal and Policies

It is a *goal* of Council to support and encourage the protection and preservation of archaeological and historical sites.

It is a *policy* of Council to:

B.2.11.2 (1) Work collaboratively with the Provincial Archaeology Office in helping to identify, protect and preserve any future sites that may be discovered.

B.2.11.3 Proposals

It is a *proposal* of Council to:

B.2.11.3 (1) Refer any public works or major *development* plan within the *Town* to the Provincial Archaeology Office for review. In accordance with paragraph 13(1)(a) of the *Historic Resources Act* and where deemed appropriate by the Provincial Archaeology Office, archaeological surveys may be required by the Provincial Archaeology Office in areas of high potential for discovery prior to *development* to safeguard any site of historic significance yet to be discovered.

B.2.11.3 (2) In accordance with subsection 10(1) of the *Historic Resources Act*, immediately notify the Provincial Archaeological Office of the discovery of historic resources that has occurred as a result of undertaking any *development* or land disturbance activity. In accordance with subsection 10(2) of the *Historic Resources Act*, a person, other than one to whom a permit has been issued under the *Historic Resources Act*, who discovers an archaeological object or a significant fossil shall not move, destroy, damage, deface, obliterate, alter, add to, mark or interfere with or remove that object or fossil from the province. The Provincial Archaeology Office may issue a temporary stop work order for said *development* or land disturbance activity in accordance with section 31 of the *Historic Resources Act*.

B.2.11.3 (3) Build awareness in the local builder and developer community of the requirements of the Provincial Archaeology Office regarding the discovery of historic resources.

B.2.12 SIGNS

B.2.12.1 Overview

Council recognizes the importance of *signs* for commercial businesses, governmental organizations, non-profit organizations and community events. *Signs* are an integral part of economic development and distributing community-wide messages. *Sign installation* constitutes *development* as defined under the *Urban and Rural Planning Act, 2000*. Signage did not emerge as a contentious issue through the public participation program for the development of this *Plan*. This is unsurprising given that the *Town* is primarily rural and residential in character, and that signage is largely associated with *commercial uses* and *developments*. However, in order to be prepared for potential, future *land use* conflict, it is the intent of *Council* to have robust signage provisions in place to control the future *development* of *signs* within the *Town*.

Illustration 21: Example of Ground Sign



Although the signage provisions in the *Regulations* shall be robust enough to deal with any type of *sign installation*, it is the intent of *Council* to take an overall permissive approach to the regulation of *signs* within the *Town*. Despite being permissive, robust signage provisions will help ensure that any future *signs* are installed in a safe manner that respects neighbourhood character and minimizes *land use* conflict.

The various *sign* types are listed under 'Appendix C: Use Category Table' of the *Regulations*. For clarification and ease of use, *signs* are listed under its own *use group* in Appendix C. Each *sign* type is also defined under 'Appendix B: Definitions' of the *Regulations*. Each *use zone* under subsection 'E.2 Use Zone Regulations' has its own *sign* category to indicate *permitted*, *discretionary*, and *prohibited use*.

In the 'Community Development (CD)' *use zone*, for example, all *sign* types except for *billboard signs* and *electronic message board signs* constitute *permitted uses*. A *billboard sign* or an *electronic message board sign* can have a substantial land *use* impact on neighbouring property owners, therefore it is critical to notify these residents and take their concerns into consideration prior to issuing a *development permit*. Signage provisions are outlined as a stand-alone section in the *Regulations* (see subsection 'C.2 Signage' in the *Regulations*).

Signs can create safety hazards such as obstructing the sight-lines of drivers (e.g. a large *sign* installed at the intersection of *streets*); creating excessive diversion of the attention of drivers (e.g. through excessive brightness, flashing messages or lights); or being structurally unsafe or placed as a potential obstruction hazard (e.g. *portable signs* that are lightweight and may be blown into the *street*). It is therefore the intent of *Council* to regulate *signs* in safe manner that helps mitigate and avoid the risk of hazards. Subsection 'C.2.4 Prohibitions' in the *Regulations* therefore includes a wide range of safety provisions for the *development* of *signs*, which may be updated and amended by *Council* from time-to-time.

Sign installation along provincial *streets* within the *Town* is regulated under the provincial *Highway Sign Regulations, 1999*. As per subsection 5(3) of the regulations, the control lines of provincial authority are within 100m of the centre line of a provincial *street* within a municipality. This covers a large developable portion of the *Town*. It is the intent of *Council* to avoid the duplication of municipal and provincial signage provisions and permits. An amendment was made to the *Highway Sign Regulations, 1999* in 2016 to allow municipalities to apply for an exclusion from the regulations. Where Route #440 has a speed limit of 60km/h or less (50km/h), it is the intent of *Council* to avail of this provision by applying to the Minister of Municipal and Provincial Affairs for an exclusion from the application of the *Highway Sign Regulations, 1999* within the *MPA*.

B.2.12.2 Goal and Policies

It is a *goal* of *Council* to support the *development* of *signs* for commercial businesses, governmental organizations, non-profit organizations and community events by regulating *signs* in a permissive yet safe manner.

It is a *policy* of *Council* to:

B.2.12.2 (1) Implement robust signage provisions in the *Regulations*, which prepare the *Town* for potential, future land *use* conflict and the enforcement of unsafe *signs*.

B.2.12.2 (2) Outline *sign* types with high potential for land *use* conflict as *discretionary* or *prohibited uses* in the *use zones* of the *Regulations*.

B.2.12.3 Proposals

It is a *proposal* of Council to:

B.2.12.3 (1) Further to proposal B.2.12.2 (2), consider an *electronic message board sign* as a *discretionary use* in the 'Community Development (CD)', 'Residential (RES)', and 'Rural (R)' *use zones*. An *electronic message board sign* shall constitute a *prohibited use* in all other *use zones*.

B.2.12.3 (2) Further to proposal B.2.12.2 (2), consider a *billboard sign* as a *discretionary use* in the 'Community Development (CD)' and 'Rural (R)' *use zones*. A *billboard sign* shall constitute a *prohibited use* in all other *use zones*.

B.2.12.3 (3) Apply, at a future time subsequent to the initial registration of the *Plan* and *Regulations* in the *Gazette*, to the Minister of Municipal and Provincial Affairs for an exclusion from the application of the provincial *Highway Sign Regulations, 1999* within the *Municipal Planning Area*.³

³ If an exclusion is obtained from the Minister in accordance with *proposal* B.2.13.3 (3), *Council* must amend the *Plan* and *Regulations* in order to apply the *Town's* signage provisions to the current area of provincial jurisdiction as outlined in the *Highway Sign Regulations, 1999*.



C.1 OVERVIEW

The *Plan* serves as the blueprint for the future of the *Town* for 2023 - 2033. However, it is critical that the *Plan* is put into action through a strategic implementation program. Any growth and *development* that will occur in the *MPA* will largely be driven by private investment. The *Town's* role in implementation is to help guide and shape private investment, and in effect implement the *Plan* in a cooperative framework with the private sector. Municipal services, regulations, and expenditures are a means to encourage or discourage the extent and form of new *development*. Successful implementation of the *Plan* involves:

- Effectively administering the *Plan* and *Regulations*;
- Conducting and implementing recommended studies;
- Developing and implementing municipal land assembly programs; and
- Adopting a municipal capital works and budgeting program.

C.2 ADMINISTRATION OF PLAN AND REGULATIONS

C.2.1 DIVISION OF POWERS

In order to effectively administer the *Plan* and *Regulations*, *Council* should assign the majority of its operational tasks to an employee of the *Town*. This employee may also be given delegated authority by *Council*, pursuant to the *Act*, to issue orders and render decisions (i.e. approve or reject *applications*, to develop land in accordance with the *Plan* and *Regulations*, and may outline the conditions applicable to that *development*). Operational tasks include the intake of *applications* and requests, and fulfillment of *administrative requests*. Where an employee is given delegated authority under the *Act*, this would also include the issuance of basic *development/building permits* for *uses* and *developments* that do not warrant discretionary approval from *Council* (e.g. *permitted uses*). This approach will help ensure that requests and *applications* are reviewed, approved, and implemented in a straightforward and timely manner.

There are certain types of discretionary approvals that the *Delegated Employee* shall not issue a *development/building permit* for. These include *applications* for *discretionary uses, variances, non-conforming uses*, and amendments to the *Plan* and/or *Regulations*. It is thus important that *Council* adopt *Regulations* that make clear the division of powers between the *Delegated Employee* and *Council*. This streamlining of areas of jurisdiction, *administrative requests* and *application* types will help clarify the day-to-day roles and responsibilities of the *Delegated Employee* and *Council* in implementing the *Plan* and *Regulations*.

C.2.2 PUBLIC CONSULTATION AND PARTICIPATION

This *Plan* was developed through the implementation of a thorough public participation program (see subsection 'B.7 Public Participation Summary' of the *Background Report*). The requirement of public consultation is detailed under section 14 of the *Act*. This section requires *Council* to engage and consult "interested persons, community groups, municipalities, local service districts, regional economic development boards and the departments of the government of the province." Section 25 requires *Council* to implement the same consultation process under section 14 for an amendment to the *Plan*. The *Act* and *Minister's Development Regulations* also require the *Town* to engage and consult the public when rendering decisions on certain planning applications (e.g. *discretionary uses, variances, non-conforming uses*). These requirements must be reflected in the authority's *Development Regulations*; and are thus summarized in subsection 'A.2.2.12 Public Notice and Written Comments' of the *Regulations*.

However, the legislative requirements for discretionary *applications* and amendments should be viewed as a minimum in conducting public participation for substantive *developments* and community-wide planning initiatives. Involving residents prior to the formal *application* stage and legislative process is an opportunity to promote community-based design and may help align the interests and goals of residents, community stakeholder groups, developers, and *Council* alike. The successful implementation of this *Plan* will thus hinge on the degree of involvement of residents and community stakeholder groups in helping shape the future of the *Town*.

C.2.3 DEVELOPMENT REVIEW AND APPROVAL PROCESS

A clear, concise, and understandable *development* review and approval process under the *Regulations* is required for the successful implementation of this *Plan*. As outlined in subsection 'C.2.1 Division of Powers,' *Council* should delegate as much decision-making authority as possible to the *Delegated Employee* to help expedite the day-to-day operations of *development* matters within the *Town*. The *Regulations* should be viewed as an initial structure for framing out the *development* review and approval process. As the implementation period of this *Plan* progresses, the *Delegated Employee* and *Council* may require the creation of additional *application* forms, standard operating procedures, and policies of *Council* to help improve service levels and operational efficiencies.

C.2.4 PERFORMANCE-BASED DISCRETIONARY DECISION-MAKING

The provincial legislative planning framework in Newfoundland and Labrador affords *Council* with broad discretionary powers to regulate *development* for the health and well-being of residents in the *MPA*. As opposed to other provincial contexts, property owners do not have as-of-right⁴ *development* rights. Despite that a proposed *development* meets all the *development* provisions of the *Regulations*, *Council* retains the right to refuse the proposal if there is justification that the *development* is not in harmony with the *policies* and *proposals* of the *Plan*. These overarching discretionary powers are implemented through subsection 'A.2.2.7 Refusal or Conditions – Council' of the *Regulations*.

However, *Council* is expected to act in good faith when making discretionary decisions on *development applications*. Refusing a proposed *development* or adding conditions to a *development permit* (or *approval in principle* request) must include reasons in writing that are based on provisions of the *Plan* and *Regulations*. This is required in accordance with subsection 35(1)(g) of the *Act* and is implemented through subsection 'A.2.1.6 Refusal or Conditions – Delegated Employee' of the *Regulations*. In making discretionary decisions, *Council* should adopt a consistent and methodical process for considering each *application*. Adopting a performance-based approach allows *Council* to assess the proposal based on the specific nature, scale, and land *use* context of the proposed *use* and *development*.

'Appendix C: Performance-based Rubric' is included as a tool to help *Council* in exercising discretionary decision-making authority—specifically when making a discretionary decision to refuse or add conditions to a *development permit*. The rubric is divided into three sections:

1. Potential for Nuisance;
2. Neighbourhood Compatibility; and
3. Policies and Proposals of the Municipal Plan.

The proposed *development* is assessed for each category. Depending on the number of points scored by the proposed *development*, *Council* may refuse or approval the *development application*. This structured approach will help ensure that *Council* is exercising its discretionary, decision-making authority in a consistent and structured manner. The results of the rubric assessment may also be used to supply to the *applicant* in justifying the decision of *Council*, thus fulfilling the above-noted requirements of the *Act*.

C.2.5 PROFESSIONAL ADVICE AND CERTIFICATION

The implementation of the *Plan* and *Regulations* may require the occasional *professional* consultant to give advice and certify plans, reports, or other documents. In accordance with subsection 13(1) of the

⁴ In other provincial jurisdictions, a landowner has an entitled right to develop their land if it can be demonstrated that all zoning regulations are met (this is referred to as "as-of-right" development). In Newfoundland and Labrador, and despite meeting all the zoning regulations, *Council* can (as per its Municipal Plan and Development Regulations) exercise ultimate discretion to refuse any application insofar as the discretionary decision is supported by Municipal Plan policy (see subsection 'A.2.2.7 Refusal or Conditions – Council' of the *Regulations*).

Act, “A plan and development regulations made under this Act and amendments to them shall be certified by a person who is a fellow or full member of the Canadian Institute of Planners”—an FCIP or MCIP *professional planner*, respectively. A *Plan amendment application* or *Regulations amendment application* therefore requires the certification of an MCIP or FCIP *professional planner*. As a part of rendering services to *Council*, certification encompasses professional planning advice on whether or not the proposed amendment meets the intent of the *Plan* and detailed provisions of the *Regulations*.

Additional information or study may be required by an employee of the *Town* or *Council* to evaluate the impact of a proposed *development* on the:

- i. *Town’s* infrastructure including, but not limited to, the required upgrading of public streets and public utilities;
- ii. Compatibility with surrounding land *uses*;
- iii. Established character of the immediate neighbourhood;
- iv. Health, safety, and general well-being of residents of adjacent properties, the immediate neighbourhood, or the *Town* as a whole; and
- v. Natural environment, which may include, but is not limited to, steep slopes, *watercourses*, water bodies, watersheds, water supplies, wetlands, and wildlife habitats.

The *Delegated Employee* or *Council* may therefore require the submission of certified reports or studies prepared by *professionals* including, but not limited to, planners, engineers, geologists, surveyors, or landscape architects. Where the initiative or proposal is not driven by *Council*, the cost of such reports or studies should be borne by the *applicant*. This provision is implemented in further detail through subsection ‘A.2.1.3 Requirement for Additional Information or Study’ of the *Regulations*.

C.3 RECOMMENDED STUDIES AND INITIATIVES

There are numerous studies and initiatives called for throughout the *proposals* of *Council* under subsection ‘B.2 Land Use Goals, Policies and Proposals.’ Although the *Plan* is the overarching blueprint for the future direction of the *Town*, supporting studies and initiatives help realize the goals and objectives therein. A summary from subsection B.2 is outlined in the following table.

| Proposal | Study or Initiative | Professional |
|--------------|--|--|
| B.2.4.3 (2) | Emergency Measures Plan | NA |
| B.2.5.3 (2) | Antenna Systems Siting Protocol | Planner (FCIP or MCIP) |
| B.2.8.3 (3) | Economic Development Plan (10-year) | Economic Development Officer (Ec. D.; Economic Developers Association of Canada) |
| B.2.9.3 (3) | Climate Change Adaptation Study | Planner (FCIP or MCIP) |
| B.2.10.3 (1) | Delineation of and Protection of Informal Trails | Planner (FCIP or MCIP) |
| B.2.10.3 (2) | Recreational Hub Feasibility Study | Planner (FCIP or MCIP) |
| B.2.12.3 (5) | Application to the Minister of Municipal and Provincial Affairs for Exclusion from the <i>Provincial Highway Sign Regulations, 1999</i> within the Municipal Planning Area | Planner (FCIP or MCIP) |

It is important to note that *Council* is not obligated to complete any study or initiative outlined in the *Plan*. Further, the summary of proposed studies and initiatives is not exhaustive; *Council* may retain *professional* consultants or other researchers and individuals to conduct studies or implement initiatives on behalf of the *Town*.

C.4 MUNICIPAL LAND ASSEMBLY PROGRAM

In order to implement certain *policies* and *proposals* of the *Plan*, *Council* may need to develop and implement a municipal land assembly program for certain projects or initiatives. *Council* may attain land through various means such as private sale and purchase, expropriation, granting of Crown Lands, or requiring land for public open space through the *subdivision* process (see subsection ‘D.8 Land for Public Open Space’ in the *Regulations*).

However, *Council* is given specific authority under the *Municipalities Act, 1999* to attain, use, and expropriate lands for intended purposes. In accordance with subsection 201(2) of the *Municipalities Act, 1999*, *Council* must receive ministerial approval prior to attaining lands that are not required for the necessary operations of *Council* (e.g. economic development initiatives).

As per section 9 of the *Lands Act*, the Minister may grant lands up to 10ha in area to the *Town*—free of charge, but with an administration fee—for an undertaking that is in the public interest, which does not

include economic development purposes. The granting of Crown Lands in excess of 10ha requires the approval of the Lieutenant-Governor in Council.

Part IX of the *Urban and Rural Planning Act, 2000* and Part X of the *Municipalities Act, 1999* outline the powers of expropriation that may be exercised by *Council*. Each expropriation request requires approval from the Minister of Municipal and Provincial Affairs. In general, *Council* may expropriate lands for public parks and trails and the regular operations of the *Town* (e.g. acquiring lands for new *streets*, widening existing *streets*, or for new municipal facilities or infrastructure). *Council* is not permitted to exercise expropriation powers for economic development purposes.

C.5 MUNICIPAL CAPITAL WORKS AND BUDGETING PROGRAM

Where and how *Council* chooses to spend funds each year can have a significant impact on the future *development* of the *Town*. Developing a municipal capital works and budgeting program will help *Council* plan and prioritize annual expenditures. Funds should be strategically allocated in a manner that helps achieve the *policies* and *proposals* outlined under subsection 'B.2 Land Use Goals, Policies and Proposals.' Further, it is the intent of *Council* to apply for and avail of funding from the provincial, Municipal Capital Works program in order to help implement this *Plan*.

Appendix B: Future Land Use Classes and Use Zones

Note: The following table summarizes the *future land use classes* (see attached *Future Land Use Classes Map*) and subsidiary *use zones* (see the *Zoning Map* of the 'Development Regulations (2023-33)').

| | | | | |
|-------------------------|----------------------------|-----------|-------------------|------------------|
| Future Land Use Classes | Development (D) | | | Conservation (C) |
| Land Use Zones | Community Development (CD) | Rural (R) | Residential (RES) | Conservation (C) |

Appendix C: Performance-based Rubric

Overview:

The following performance-based rubric is intended as a guide to assist *Council* in making discretionary decisions for *development applications* (e.g. refusing a *permitted use*; refusing or adding conditions to a *discretionary use, variance, or non-conforming use application*). However, the rubric need not be used by *Council* in making discretionary decisions.

This rubric should not be used for rendering a decision on a *Plan amendment application* or *Regulations amendment application* (subsection 'A.2.2.11 Amendment to Plan and/or Regulations'). A decision to refuse an amendment application need not be justified by *Council* and cannot be appealed by the *applicant* under the *Urban and Rural Planning Act, 2000*.

How to Use the Rubric:

The rubric is designed to help *Council* rationalize a discretionary decision. Each category is assigned a weighted value between 1 (undesirable) and 5 (desirable). There are three sections for performance-based assessment:

1. Potential for Nuisance;
2. Neighbourhood Compatibility; and
3. Policies and Proposals of the Municipal Plan

In order for the proposed *development* to be approved by *Council*, the proposal must attain a 'pass' in each section. In order to attain a pass in each section, the proposed *development* must score:

1. No less than 3 in any applicable category; and
2. A total of 4 X (# of applicable categories).

Depending on the nature of the proposed *development* and surrounding *land use* context, not all categories will apply. *Council* will have to make this initial determination of which categories are 'Applicable (A)' or 'Not Applicable (NA).'

1. Potential for Nuisance

| Applicable (A) or Not Applicable (NA) | Nuisance Category | 1 (High) | 2 (Med-High) | 3 (Med) | 4 (Med-Low) | 5 (Low) |
|---------------------------------------|------------------------------|----------|--------------|---------|-------------|---------|
| | Dust ⁵ | | | | | |
| | Noise ⁶ | | | | | |
| | Odour ⁷ | | | | | |
| | Light Pollution ⁸ | | | | | |
| | Vibration ⁹ | | | | | |

Note: The temporary construction of structures and buildings should not be included in this analysis, as the effects of which are temporary in nature and not a part of the ongoing use of the development.

5 E.g. Dust from an *industrial use* or *commercial – automotive establishment use*

6 E.g. Noise from traffic or trucking, animals, *indoor* or *outdoor entertainment use*

7 E.g. Odour from *industrial use* processes or *agricultural – large scale use*

8 E.g. Light trespass from an illuminated *parking lot*, *electronic message board* or *back-lit signs*

9 E.g. Vibration from *mine* or *mineral working uses*, or *commercial wind farm*

2. Neighbourhood Compatibility

| Applicable (A) or Not Applicable (NA) | Compatibility Category | 1 (Low) | 2 (Med-Low) | 3 (Med) | 4 (Med-High) | 5 (High) |
|---------------------------------------|---|---------|-------------|---------|--------------|----------|
| | Public Support ¹⁰ | | | | | |
| | Nature and Intensity of Use ¹¹ | | | | | |
| | Building / Structure Massing and Height ¹² | | | | | |
| | Building Architectural Style ¹³ | | | | | |
| | Alignment of Development ¹⁴ | | | | | |

10 As determined through feedback from the public notice and consultation requirements, which are summarized under subsection 'A.2.2.12 Public Notice and Written Comments' of the *Regulations*.

11 'Nature and scale of use' refers to how the proposed *use* is compatible with neighbouring properties. (E.g. On the whole, does *Council* feel the proposed *use* would positively or negatively change the character of the neighbourhood?)

12 'Building / structure massing' refers to how the proposed *development* is within reasonable range of the footprints and heights of neighbouring *buildings* and *structures*. (E.g. Would the proposed *development* dominate over neighbouring small scale structures and buildings?)

13 'Building architectural style' refers to how the proposed *building* is in harmony with the architectural styles of neighbouring buildings.

14 'Alignment of development' refers to how the proposed *structure* or *building* generally aligns with neighbouring *developments*. (E.g. Does the proposed *development* meet the requirements of subsection 'B.11 Building and Structure Line Setback' of the *Regulations*? Are porches, stairs, and decks in general alignment of one another, thus contributing or detracting from the established character of the neighbourhood and streetscape?)

3. Policies and Proposals of the Municipal Plan

| Applicable (A) or Not Applicable (NA) | Land Use Goals, Policies and Proposal Section of Municipal Plan (B.2) | 1 (Low) | 2 (Med-Low) | 3 (Med) | 4 (Med-High) | 5 (High) |
|---------------------------------------|---|---------|-------------|---------|--------------|----------|
| | B.2.1 Overall Development Strategy | | | | | |
| | B.2.2 Legal Non-conforming Uses | | | | | |
| | B.2.3 Public Streets and the Subdivision of Lands | | | | | |
| | B.2.4 Public and Safety Emergency Services | | | | | |
| | B.2.5 Public Utilities | | | | | |
| | B.2.6 Hinterland Areas | | | | | |
| | B.2.7 Residential Uses | | | | | |
| | B.2.8 Economic Development, Commercial and Industrial Uses | | | | | |
| | B.2.9 Protection of the Natural Environment | | | | | |
| | B.2.10 Open Space and Recreational Uses | | | | | |
| | B.2.11 Archaeological and Historical Sites | | | | | |
| | B.2.12 Signs | | | | | |

Note: Where 1 (Low) or 2 (Med-Low) is assigned to any category, Council should elaborate by specifying and explaining which policies or proposals are not aligned with the proposed development as per the following template.

Category: _____ (e.g. B.2.1)

Policy or Proposal: _____ (e.g. B.2.1.2 (1))

Reason(s) why the proposed *development* is not aligned with the *policy* or *proposal*:

Category: _____ (e.g. B.2.1)

Policy or Proposal: _____ (e.g. B.2.1.2 (1))

Reason(s) why the proposed *development* is not aligned with the *policy* or *proposal*:

Category: _____ (e.g. B.2.1)

Policy or Proposal: _____ (e.g. B.2.1.2 (1))

Reason(s) why the proposed *development* is not aligned with the *policy* or *proposal*:
