

TOWN OF POUCH COVE

MUNICIPAL PLAN 2020-2030

PLAN-TECH



ENVIRONMENT

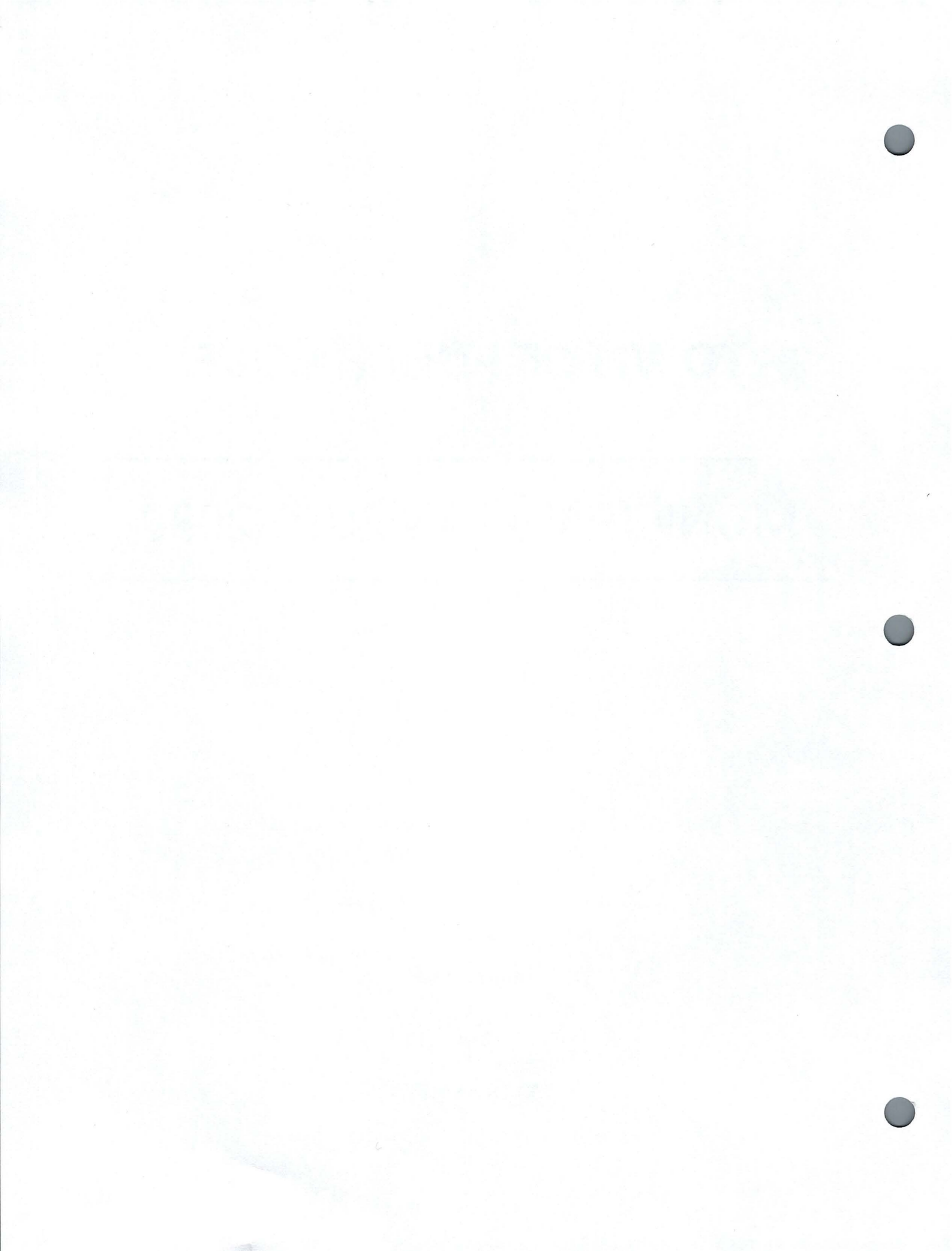


TABLE OF CONTENTS

1.0 Introduction.....1

1.1 Municipal Plan Preparation1

1.2 Plan Approval.....1

1.3 Plan Review and Amendment1

1.4 Plan Administration2

1.5 Pouch Cove Municipal Plan Review.....2

1.5.1 History and Regional Context2

1.5.2 Municipal Planning Area.....2

1.5.3 Population Characteristics 1996-2016.....3

1.5.4 Housing3

1.5.5 Economy and Labour Force4

1.5.6 Land Use5

1.5.7 Planning Issues.....5

1.6 St. John’s Urban Region Regional Plan5

1.7 Interpretation7

2.0 GOALS AND OBJECTIVES.....9

2.1 Physical Structure9

2.2 Economic Opportunities9

2.3 Housing10

2.4 Municipal Services10

2.5 Transportation.....11

2.6 Community and Social Services11

2.7 Environment11

2.8 Municipal Finance.....12

2.9 Recreation and Tourism.....13

2.10 Sustainable Development.....13

2.11 Governance.....14

2.12 Heritage Preservation.....14

3.0 THE LAND USE PLAN15

 3.1 General Land Use Policies.....15

 3.1.1 General Policies15

 3.1.2 Servicing Policies.....19

 3.1.3 ENVIRONMENTAL POLICIES20

 3.2 Specific Policies - Land Use Designations23

 3.2.1 Residential23

 3.2.2 Mixed Use29

 3.2.3 Commercial.....31

 3.2.4 Industrial.....31

 3.2.5 Public Use32

 3.2.6 Recreation/Open Space33

 3.2.7 Recreation Park (Marine Drive)34

 3.2.8 Conservation.....35

 3.2.9 Agriculture37

 3.2.10 Mineral Working.....38

 3.2.11 Cemetery38

 3.2.12 Watershed39

 3.2.13 Rural.....39

4.0 IMPLEMENTATION.....43

 4.1 Plan Administration43

 4.2 Plan Implementation44

 4.3 Development Regulations44

 4.4 Development Control44

 4.5 Public Works and Municipal Services45

1.0 INTRODUCTION

1.1 MUNICIPAL PLAN PREPARATION

The Pouch Cove Municipal Plan is Council's comprehensive policy document for the management of growth within the municipal planning area over the ten-year planning period 2020-2030. The Plan repeals and replaces the Pouch Cove Municipal Plan 2003-2013.

The Pouch Cove Municipal Plan has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*, following surveys and studies of land use, population growth, the local economy, present and future transportation and communication needs, public services, social services and other relevant factors.

The Plan outlines the goals, objectives and policies of Council regarding the development of the Municipal Planning Area over the next ten years. This Municipal Plan, consisting of a written text in which the goals, objectives and policies are set out, also includes Land Use Maps indicating the proposed allocation of land into various land use categories. Its aim is to promote the well-being of the community and efficiently utilize land, water, and other resources. The Pouch Cove Municipal Plan consists of written text and Future Land Use Maps.

1.2 PLAN APPROVAL

For the Plan to gain full legal effect, Council must hold public consultation with area residents and concerned groups and individuals to allow for public input into the planning process. After this consultation, Council must adopt the draft Plan and allow for further input from the general public through a Public Hearing.

Council shall appoint a qualified Commissioner to conduct a formal hearing to consider objections and representations from the public, either opposing or in favour of the Municipal Plan. The Commissioner will formally report his findings to Council as a result of the public hearing. Council may adopt the report in whole, in part or reject the report in its entirety. Council can then formally approve the Municipal Plan and apply to the Local Governance Division, Department of Municipal Affairs and Environment for registration. A notice will then appear in the Newfoundland and Labrador Gazette and a local newspaper advising the public of Council's intent. Once this notice has been published in the Newfoundland and Labrador Gazette, the Plan is legally binding on Council and any person or party proposing to develop, or to change the use of land, anywhere within the Planning Area.

1.3 PLAN REVIEW AND AMENDMENT

Every five years from the date on which the Municipal Plan first comes into effect, Council is required to initiate a review of the Plan. Where necessary, changes may then be made to account for any new policies or land use requirements for the next ten years. The Plan may otherwise be amended at any other time, in whole or in part. Any such amendment will be read together with, and become part of the Municipal Plan and so must not conflict with any other of its policies. If circumstances do not permit a

Plan review to be undertaken within the prescribed time, the current Municipal Plan, and any amendments that had been made to it, will remain in effect until a Plan review is completed and fully approved.

When the Municipal Plan comes into effect, Council is required to develop regulations for the control of the use of land, in strict conformity with the Municipal Plan, in the form of Development Regulations. Normally, these are prepared at the same time as the Municipal Plan, and like the Plan, may be amended at any time to include new land uses and specific regulations.

1.4 PLAN ADMINISTRATION

The day-to-day administration of the Municipal Plan and Development Regulations is administered by staff members authorized by Council. Council staff issue all necessary permits approved by Council, make recommendations to Council in accordance with the Municipal Plan, and enforce the regulations. The Department of Municipal Affairs and Environment may be consulted on any development matters.

1.5 POUCH COVE MUNICIPAL PLAN REVIEW

The previous Pouch Cove Municipal Plan came into effect on June 4, 2004. The 2020-2030 Municipal Plan updates all preceding Plans and accommodates various amendments made to the original documents.

1.5.1 History and Regional Context

The Town of Pouch Cove may have been settled as early as 1611, however, the exact date is unknown. It is said that the reason for its settlement was its dangerous harbour. The Town is located on the extreme tip of the Northeast Avalon Peninsula, and is a 20-25 minute drive to Capital City of St. John's, which provide major health services, and the St. John's International Airport. Pouch Cove was incorporated in 1970 and has an active council within the Town. The Town has three dominant religions with a Catholic church, Anglican Church and a United Church within the community. It is said that Pouch Cove is the "first to see the sun rise in North America.

Pouch Cove is known for its scenic and rugged beauty, and its modern, well kept homes. Pouch Cove embraces the convenience of urban living with the traditional setting of a rural Newfoundland community.

1.5.2 Municipal Planning Area

The Municipal Planning Area of the Town of Pouch Cove incorporates an area of approximately 40 km² on the north eastern tip of the Avalon Peninsula. In 1986 the community of Shoe Cove was annexed to Pouch Cove, enlarging the town to today's noted boundaries. It includes an area with a diverse landscape with coasts on both Conception Bay and the North Atlantic Ocean. Much of the area is a rugged upland reaching an elevation of 275 metres on its west coast.

Residential and commercial development is concentrated in the built up area around Pouch Cove along local roads which radiate outwards from highway 20 with ribbons of residential development extending south along Route 20 to the more rural area of the Town's southern boundary. Residential development consists primarily of single detached dwellings and it is anticipated that this will continue to be the predominant form of residential development in the Town over the planning period.

The Town is experiencing a new concentration of development at the Town's southern boundary with Flatrock, and west of Route 20. It is expected that this area will see most of the new residential development anticipated in this planning period. A small area of development has recently been completed along Pouch Cove Road, Route 20.

The municipal water supply comes from the Three Island Pond Watershed located in the south western portion of the Municipal Planning Area.

1.5.3 Population Characteristics 1996-2016

The 2016 census population of Pouch Cove was 2069 which is a healthy 10.9% increase from 2011. The 2011 census population of Pouch Cove was 1866 which is a modest 6.3% increase from 2006. The 2006 census population of Pouch Cove was 1756, representing a 5.2% increase from 2001 population which was 1756, a significant decrease of -11.6% from its 1996 population of 1885. These figures, while slightly different, reflect a positive growth rate of the provincial population increase of 1.0% during the 2011-2016 census period. The Province experienced an in migration of population, while the Town has modest increase in population.

The population of Pouch Cove decreased by 216 persons between the years 1996 and 2001. This figure represents a decrease in the population of -11.5%. Between 2001 and 2006, the population had increased by 90 persons, or by 5.2%, and further increased again by 107 persons in 2011, or by 6.3% and increased again by 203 persons in 2016, or by 10.9%. (See Table 1).

Table 1: Population Change 1996-2016

Year	Population	Change	% Change
1996	1885		
2001	1669	216	-11.5%
2006	1756	90	5.2%
2011	1866	107	6.3%
2016	2069	203	10.9%

1.5.4 Housing

The 2016 census recorded 868 dwellings, an increase of 143 dwellings as recorded in the 2011 census at 725 dwellings for an increase of 8.0%. In the 2011 census there were 725 dwellings, an increase of 75 dwellings as recorded in the 2006 census at 650 dwellings for an increase of 9.0%. Council has been

issuing an average of 18-20 new dwelling permits since 2011, but appears to have increased during the past 5 years. A substantial proportion of new dwelling construction is occurring in the southern part of Town. With the recent opening of the Torbay bypass road, this area is predicted to experience the majority of new home construction over the planning period.

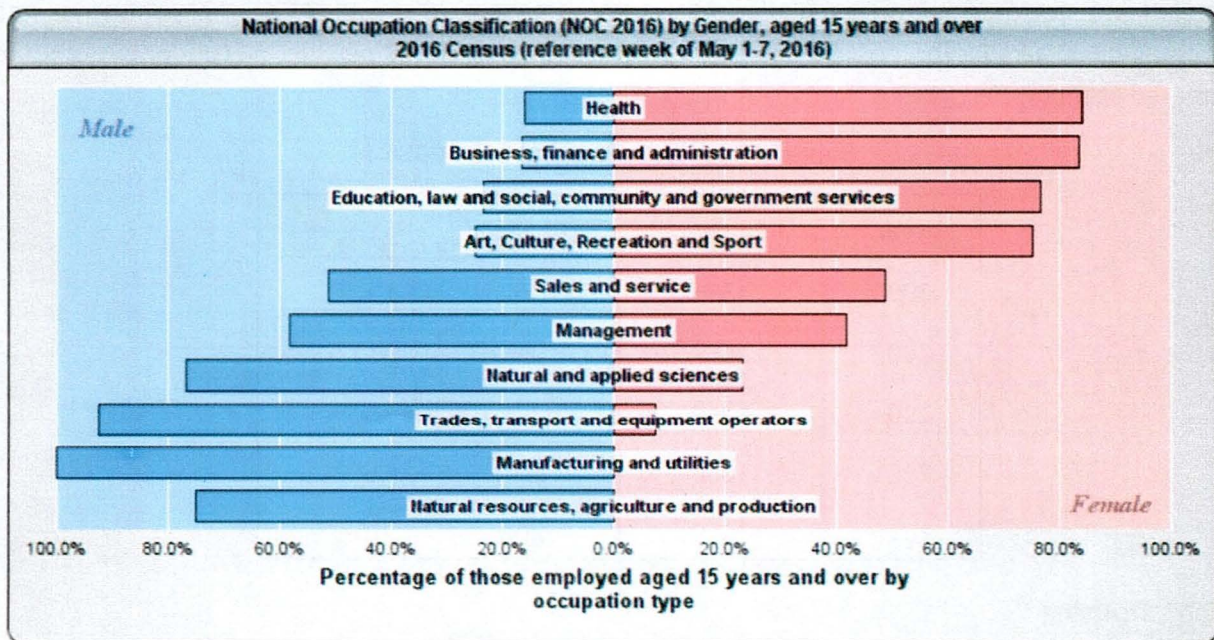
1.5.5 Economy and Labour Force

In 2016, the employment rate for residents aged 15 years and older was 56.4%. The unemployment rate for Pouch Cove was 13.2%. There were 1,065 individuals participating in the labour force.

Table 3 shows the types of occupations in which these people (male and female) worked.

Table 2: Employment by Industry, Pouch Cove 2016

Occupation	Males (Employed)	Females (Employed)	Males (% of Total)	Females (% of Total)
Health	20	105	16.0%	84.0%
Business, finance and administration	25	125	16.7%	83.3%
Education, law and social, community and government services	20	65	23.5%	76.5%
Art, Culture, Recreation and Sport	10	30	25.0%	75.0%
Sales and service	90	85	51.4%	48.6%
Management	35	25	58.3%	41.7%
Natural and applied sciences	50	15	76.9%	23.1%
Trades, transport and equipment operators	185	15	92.5%	7.5%
Manufacturing and utilities	25	..	~100.0%	..
Natural resources, agriculture and production	15	..	75.0%	..



1.5.6 Land Use

While Pouch Cove was once considered a low-density rural community, it is now undergoing growth and urbanization and density has increased substantially in the past decade. Its convenient location near the St. John's Urban Region makes it a growth centre within the local area. The predominant housing form is the single-family detached house, mostly located on larger lots.

Residential and commercial development is concentrated in the built up area around Pouch Cove along local roads which radiate outwards from highway 20 with ribbons of residential development extending south along Route 20 to the more rural area of the Town's southern boundary. Residential development consists primarily of single detached dwellings and it is anticipated that this will continue to be the predominant form of residential development in the Town over the planning period.

1.5.7 Planning Issues

With a modest increase in population, Pouch Cove still has ample land designated for future residential growth in the area to the south. The north side of Town consists of infill residential along steep hills and narrow roads which makes the delivery of municipal services challenging. There is little land available for future residential development.

However, with the newly constructed Torbay bypass highway development in the adjoining Towns of Flatrock and Torbay has increased by the availability of land suitable for large scale subdivision development. As demand increases, the Town will experience a demand for new residential growth primarily along Route 20, Pouch Cove Highway, close to the Town Boundary with Flatrock.

1.6 ST. JOHN'S URBAN REGION REGIONAL PLAN

The 1976 St. John's Urban Region Regional Plan covers Pouch Cove and designates it as one of the Local Centres where the extent of present development is such that public services must be provided. In the residential areas priority will be given to the provision of a piped water supply and sewage collection facilities. The growth of these areas will depend upon servicing facilities and physical constraints to development.

In considering the position of Pouch Cove in the St. John's Urban Region as established in the Regional Plan, it is essential to recognize one of the basic concepts of the Regional Plan which envisages that the major population growth of the region will be accommodated in the established urban centre (the City of St. John's and its immediately peripheral locations) in order to maximize the use of roads, water supply and all other urban services.

For the planning and development of the designated Local Centres, the Regional Plan establishes the following guidelines:

- Local centres may be able to develop to the fullest extent possible with the constraints established by:
 - The existing and likely future extent of municipal services;

- The ability of the region to finance the necessary capital works to service such development;
 - The need to protect regional resources including agricultural and forest lands, watersheds and scenic resources;
 - The need to limit as far as possible heavy capital expenditure on additions to the regional road network to handle commuting and other traffic;
 - The amount of infilling possible within presently developed areas;
 - The capacity of existing local roads and the need to achieve a desirable level of transportation service;
 - The effect of additional population on present school facilities.
- Within the local centres, residential uses shall generally be of a low density nature with a continuing predominance of single-family dwellings. Consistent with the size of most of the local centres and the policies of educational authorities in the region, school facilities may be limited to the primary and elementary grades.
 - Commercial uses shall be limited to those of a local nature but may include both retail and highway commercial functions, where such uses are deemed desirable. Industrial activities shall generally be limited to those of a specialized local nature. Other small scale industries providing local employment to a small number of persons may also be considered appropriate.
 - Two prime aims in the local centres will be to encourage the infilling and consolidation of presently semi-developed areas once essential public services to existing development are installed and to develop improved local road systems so that better circulation of traffic may be facilitated.
 - The Local Area and Municipal Plans shall recognize and define, where applicable, a core area or areas within which higher density development and development in depth may be possible.
 - Two levels of service may be provided in the local centres depending upon local conditions; one area within which water and sewer and full municipal services would eventually be installed would form the heart of each such local centre. Outside of this would be an additional area of somewhat lower density development within which a lesser standard of services would be required.
 - In addition, the following two objectives of the Regional Plan are also essential in guiding the planning and development of Pouch Cove:
 - To prevent development that will require disproportionately costly public services because of location or use and to preserve in its natural

state land that should not be developed due to its physical characteristics.

- To prevent the continuation of 'ribbon development' along the main roads and highways of the region.

1.7 INTERPRETATION

The following sections and the Future Land Use Maps constitute the legally effective parts of the Pouch Cove Municipal Plan. In this Municipal Plan:

- “Council” shall mean the Council of the Town of Pouch Cove.
- “Municipal Planning Area” shall mean the Pouch Cove Municipal Planning Area.
- “Town” shall mean the Town of Pouch Cove.

The boundaries between the different land uses designated in the Municipal Plan are meant to be general, except in the case of roads or other prominent physical features where they are intended to define the exact limits of each category.

Nothing in the Plan shall affect the continuance of land uses which are lawfully established on the date that this Plan comes into effect.

2.0 GOALS AND OBJECTIVES

It is the intention of the Municipal Plan to establish a number of goals and objectives. A goal is a desired state which reflects the long-range purpose of the Plan and is related to a major area of concern. An objective is a short-range step toward the goal. It is concrete, realistic, action-oriented and attainable within a period of 3 to 5 years. The achievement of an objective should move the goal closer to reality.

Based on a comprehensive study of the planning aspects of the Pouch Cove Planning Area, the following are the goals and objectives of this Municipal Plan, which are to be pursued within the ten year planning period.

2.1 PHYSICAL STRUCTURE

Goals:

- To provide for development and allocate land for its best use within the overall growth strategy as guided by the St. John's Urban Region Regional Plan.
- To encourage future growth in a manner that ensures land use compatibility, orderly development and the economic use of municipal services.
- To control future growth of the town in such a manner as to develop a balanced and sustainable community.
- To protect the natural environment and natural resources throughout the Planning Area.

Objectives:

- To encourage infilling in areas served by municipal water and sewer services.
- To allocate land for future development on the basis of its best use considering its physical characteristics and location.
- To ensure that natural areas such as drainage courses, shorelines, and steep slopes are protected from development to preserve environmental resources and the rural character of the Town.
- To preserve scenic views of the shoreline, ponds and hills, recognizing their value to residents and visitors for recreation and tourism.

2.2 ECONOMIC OPPORTUNITIES

Goals:

- To encourage the continued operation of existing businesses through appropriate land use policies.

- To encourage the development of additional employment opportunities to serve the present and future population.

Objectives:

- To allocate land so that new businesses will be attracted to Pouch Cove.
- To support the development of facilities and attractions in promoting the tourism industry within Pouch Cove.
- To encourage home-based businesses.

2.3 HOUSING

Goals:

- To provide for an adequate quality, quantity and mix of housing to serve the needs of the present and future population.
- To provide good quality residential site design and a high standard of municipal services.

Objectives:

- To provide an adequate amount of serviced and unserved land to accommodate residential development within the municipality.
- To encourage improvement of existing dwelling standards.
- To provide for a mixture of housing types within the municipality.
- To encourage the development of residential infilling lots within built up neighborhoods.

2.4 MUNICIPAL SERVICES

Goal:

- To provide, where possible, a full range of municipal services to Pouch Cove in the most economical fashion.

Objectives:

- To ensure that on site services meet the standards of Service NL.
- To permit new subdivision development in areas which can easily be connected to municipal services.
- To provide fire protection to all residents.
- To provide safe-clean drinking water with a modern water treatment plant.

- To determine the most feasible design, construct and maintain a wastewater treatment plant that meets the requirements of the Wastewater Systems Effluent Regulations.

2.5 TRANSPORTATION

Goal:

- Ensure that the local transportation system adequately and safely provides access throughout the Planning Area.

Objectives:

- To undertake continued improvements to the municipal roads through a regular maintenance program.
- To aim for a proper road system by connecting streets which require a second access, such as existing cul de sacs which exceed the maximum length requirement.
- To reserve land for future access to backlands.

2.6 COMMUNITY AND SOCIAL SERVICES

Goal:

- To provide a full range of community and social services to Pouch Cove.

Objectives:

- To ensure that land is reserved throughout the town for recreational open space.
- To ensure public access to the major natural features of the planning area such as the ponds, streams, and ocean shoreline.
- To encourage the multi-functional use of existing community buildings (schools, churches, etc.).

2.7 ENVIRONMENT

Goals:

- To provide a pleasant and safe living and working environment in Pouch Cove.
- To provide for the health, safety and welfare of the general public.
- To protect and enhance the natural environment for its aesthetic, recreational, and resource values.
- To encourage waste management and participate in the Provincial Waste Management Program.

Objectives:

- To promote waste management, recycling and composting.
- To provide municipal services at environmentally acceptable standards.
- To promote a regular community “clean-up” program.
- To discourage development in areas with slopes greater than 15 percent, recognizing that development in such areas can result in environmental damage and higher costs for servicing and maintenance.
- To prevent development within the municipal watersheds.
- To maintain a minimum 15 metre buffer of land from the highwater mark of ponds, lakes, and streams, to be kept generally free from development.
- To protect natural resources from degradation including water, air, soils, agricultural land, forests and scenic areas.
- To promote landscaping planning in new subdivision designs.
- To foster a community/family environment by promoting greenbelts, passive parks and walking/hiking trails.

2.8 MUNICIPAL FINANCE

Goal:

- To manage municipal expenditures and revenues so as to provide necessary municipal services within a framework of long-term financial stability.

Objectives:

- To manage municipal expenditures with restraint, aiming for maximum return on investment.
- To manage the municipal debt, considering the Town's ability to meet its expenditures over the long term.
- To encourage a more diversified economic base to generate more revenues through business taxes.
- To collect sufficient revenues to sustain infrastructure such that municipal asset conditions are preserved for future generations.

2.9 RECREATION AND TOURISM

Goal:

- To provide recreation facilities and develop new facilities to accommodate recreational and social needs for all age groups in the Town.

Objectives:

- Encourage public participation in the planning of recreational open space lands and encourage events such as festivals, sporting events, and other attractions.
- Develop public recreational areas and facilities in feasible locations which will service the maximum number of residents of the Town.
- Promote the Town, along with the East Coast Trail, as a tourist attraction and encourage travelers to visit Pouch Cove.
- Advance the development of recreational grounds/facilities at Styles Cove Park and Memorial Park.

2.10 SUSTAINABLE DEVELOPMENT

Goal

- To provide the preservation of natural resources and to promote sustainable ways to develop and use natural resources in addressing our human needs without compromising the needs of others or future generations of citizens.

Objectives:

- To encourage the use of natural resources like wind and solar energy as alternative sources of renewable energy.
- To promote the development of industries that use clean renewable sources of energy.
- To minimize use of the water table by discouraging the use of wells where connections to the treated water system can be made
- To promote learning among citizens on sustainable development and sustainable living
- To enhance individual food security through promoting traditional agricultural uses such home gardens, hobby farms, and livestock uses where applicable guidelines can be met
- To enhance community food security through promoting the development of community gardens, community pastures, and local food markets and businesses.

2.11 GOVERNANCE

Goals:

- To provide municipal administration and services effectively, efficiently, and equitably to all residents within the fiscal capacity of the Town.
- To collaborate with other municipalities in the Region, government, community organizations, and the business community to facilitate opportunities to improve local governance and municipal services.

Objectives:

- To encourage strong public interest and participation in municipal governing processes, including Council elections, committee activities, and public participation in decision-making.
- To encourage regional collaboration with neighbouring Councils through the North East Regional Plan and Regional Mayors Committee.
- To deliver municipal administration and services effectively, efficiently, openly, and within the Town's fiscal capacity.
- To ensure the Town is governed in compliance with relevant legislation such as the Municipalities Act and the Urban and Rural Planning Act, 2000.

2.12 HERITAGE PRESERVATION

Goal:

- Encourage the protection and preservation of lands and buildings identified as heritage.

Objectives:

- Identify and document, through the Pouch Cove Heritage Society, heritage buildings, structures, properties and sites which exist in the town.
- Explore and consider Heritage Regulations to formally designate, conserve and protect identified heritage buildings, structures, properties and sites which exist in the town.
- Promote the heritage of Pouch Cove through the recognition and retention of buildings/areas within the Town that have a known historical or cultural significance.

3.0 THE LAND USE PLAN

The following policies with accompanying Future Land Use Maps constitute the land use component of the Pouch Cove Municipal Plan, 2020-2030. Included are all policies which are seen as necessary by Council to ensure that the physical development of Pouch Cove is undertaken in an efficient and economic manner during the ten-year (2020-2030) life of this municipal plan. The Land Use Plan is meant to complement the Goals and Objectives outlined in Section 2.

3.1 GENERAL LAND USE POLICIES

The following policies can be categorized as general in scope in that they can be applied to more than one land use and to different sections of the Town of Pouch Cove. They are therefore presented as a separate section of this Land Use Plan.

3.1.1 General Policies

3.1.1.1 Physical Structure

Land uses will be allocated in accordance with the Future Land Use Map attached to this text. Development within the Planning Area will be managed in accordance with the regulations of Council, in adherence with the policies, acts, and regulations of the Province.

Nothing in the Plan shall affect the continuation of a use which was legally established on the day that this Plan is registered by the Minister of Municipal Affairs and Environment. Where a building or use exists which does not comply with the intent of the Plan and the designated use, then it shall not be permitted to expand substantially. Minor extensions of such properties may be approved provided there will be no adverse effects on surrounding properties or the environment.

Municipal and public utility works such as telephone, pollution control and electric utility facilities are permitted uses in all use designations, provided no adverse effect on adjacent land uses is created. In this regard, the size and appearance of such works must be in keeping with adjacent uses and provision shall be made for buffering in the form of landscaped areas between uses.

3.1.1.2 Subdivision Policies:

Land which borders developed residential areas may be suitable for large-scale residential development in the future. All proposed subdivision developments shall be subject to a comprehensive evaluation by Council. The content of this evaluation will be detailed in the Pouch Cove Development Regulations and will include:

- An investigation of physical features of the site and the opportunities and constraints to development that they represent. Where possible, the layout of proposed lots and roads shall conform to the topography;

- an outline of how the proposed subdivision will integrate with existing development and roads and services on adjacent lands and provide for future access to undeveloped lands in the area;
- ensure compatibility between the subdivision and surrounding land uses, both existing and future; and
- Review of municipal servicing proposals by the developer and the public costs of providing and maintaining these services.
- Compliance with the Town's Engineering Design Guidelines for Subdivisions.

3.1.1.3 Subdivision Development Agreement

As a condition of approval, Council shall require the developer to sign a subdivision development agreement with the municipality.

3.1.1.4 Conveyance to Council of Private Roads

New subdivision streets shall be constructed and upgraded to the Town's road standards before Council shall assume ownership and responsibility for future maintenance. All new streets shall have a legal land survey and a Deed of Conveyance, approved by the Town's solicitor, before Council assumes ownership.

3.1.1.5 Access and Public Street

All development shall front onto a publicly maintained street, unless otherwise specified in this Plan.

3.1.1.6 Easements and Emergency Access

Where land is required for utility easements or emergency access, the land may be obtained for the appropriate agency (such as Newfoundland Power) in the course of approving subdivision or other development applications.

3.1.1.7 Building Setback

Adequate building setback from roads shall be required in order to maintain road standards. Setbacks should be sufficient to allow for landscaping of front yards, vehicle off-street parking and not interfere with the abilities of the Town's snow clearing program. In certain circumstances where topography restricts the development of a lot, a larger setback may be permitted to accommodate the development.

3.1.1.8 Soil and Drainage

Development shall only be permitted on lands having soil and drainage conditions which are suitable for the proposed uses. Where development is proposed in areas suspected of having potential for excess surface water, Council may require the developer to submit a Drainage Plan and/or Landscape Plan to determine how surface water catchment will be managed, controlled and mitigated so as to not cause water runoff to adjoining land.

3.1.1.9 Infill Development

Council will monitor all infill development to ensure that appropriate standards are maintained with respect to lot size, frontages, road widening, alignments, and any other matter concerning current or future public works. In older developed sections of the Town infill lots may not meet current standards. Council shall review any proposed development on a lot by lot bases. Lots that do not meet current frontage development standards may be approved for infill residential development under Council's discretionary authority provided they are serviced with municipal services and there are sufficient lands for the safe development of the lot.

3.1.1.10 Environmental Preservation and Enhancement

Council will place high importance on environmental preservation and enhancement, given its importance to residents and to Council's intention of preserving the local environment.

Natural Environment

The policy of preserving the natural environment will be extended to all natural systems within the Planning Area, including natural drainage systems, wetlands, bogs, and wildlife, plant and fish habitats. The preservation of watercourses and shoreline areas will be a priority within the Planning Area.

Development proposals shall include plans for grading, ditching, and landscaping. Significant alterations to the natural environment (such as changing the drainage pattern or removing vegetation) will be considered during the evaluation of development proposals. Alterations which will adversely affect adjacent property shall not be permitted.

Built Environment

Council will encourage partnerships and initiatives aimed at changing environmental attitudes, awareness and promoting projects which will enhance the built environment. Examples will include the following:

- preservation of trees on sites for new development (i.e., to discourage the traditional practise of clearing development sites of all trees and vegetation) through the promotion of landscape plans for new development;
- development and expansion of recreation lands; and
- encourage waste management through the reduction and recycling of solid waste and composting within the Town;

Environmental Buffer

Council shall maintain a 1.6 environmental buffer around the former waste disposal site on the Pouch Cove Line. Applications for development within the environmental buffer shall be referred to the Department of Municipal Affairs and Environment for comment.

3.1.1.11 Open Space/Recreation

A minimum of 10% of the gross area of land developed for subdivision purposes shall be dedicated to the Town as public open space. This land would be suitable for walking trails, tot lots, green belts etc. Council may accept from the developer in lieu of such area of land, payment of a sum of money equal to the assessed value of the land which would otherwise be required to be dedicated. The assessed value shall be determined by the Municipal Assessment Agency.

Council shall ensure the preservation of scenic viewpoints and ensure long-term stewardship. Public access to natural areas and open spaces shall be maintained.

It is the intent of this Plan to designate open space areas within the Town for active, outdoor community recreation and passive, outdoor recreational needs. Council shall maintain and wherever, improve the integrity of natural recreational systems such as walking and hiking trails.

3.1.1.12 Development Criteria for Non-Residential Sites

All built-up development of non-residential land uses will conform to the following criteria:

- Each site will have frontage onto a public road.
- Development shall be located and designed in a manner that minimizes the impact of traffic, noise, lighting, and signage on adjacent residential areas. Where necessary, screening will be required through the provision of trees, shrubs, banks and berms, landscaping or fencing.
- Properties will be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.
- Access points to the public street will be limited in number and designed for maximum safety for pedestrians and vehicles.
- Each site will provide space for adequate off-street parking and loading facilities to meet the needs of the proposed development.
- Adequate municipal services must be available to meet the needs of each proposed development.

Development shall be in accordance with the Town's Development Regulations and where applicable the regulations of the Departments of Municipal Affairs and Environment; Transportation and Works, Service NL, Fisheries and Oceans Canada; and other relevant agencies.

3.1.1.13 Heritage Structures and Archaeological Sites

Houses and other buildings and structures which were built in a traditional or distinctive architectural style (or otherwise are deemed to have historic or aesthetic value by Council, or a department or agency of a higher level of government) may be considered heritage structures. It is Council's intention to protect heritage structures for aesthetic and historic reasons and for their historic value as a heritage and tourist attraction. Council may enact regulations for such purposes. Historic sites, such as the Water

Witch Historic Site, the War Memorial, Kirby's Gardens, SUF Hall and the Site of the Bill Tuff plaque shall also be protected by Council for their historical value and as tourist attractions.

Site excavation or development near any established heritage site, artifacts or physical structures found of a historical nature shall be reported to the Provincial Archaeology Office, Department of Tourism, Culture, Industry and Innovation.

3.1.1.14 Municipal & Public Utility Works

Notwithstanding the specified permitted uses in the land use designations, municipal and public utility works such as telephone, water treatment, pollution control, and electric transmission and utility facilities are permitted uses in all use designations, provided no adverse effect on adjacent land uses or the environment is created. In this regard, the size and appearance of such works should be in keeping with adjacent uses and provision shall be made for buffering in the form of a suitably landscaped area between any such works and adjacent uses.

3.1.1.15 Dead End Streets

Council shall prohibit development at the end of dead end streets so as not to prevent future street extension or to prejudice future development.

3.1.1.16 Non-Conforming Uses

It is a policy of Council, in accordance with Section 108 of the *Urban and Rural Planning Act, 2000*, to recognize that any development or land use that legally exists on the day this Plan comes into effect, may continue. Where a building or use exists which does not comply with the intent of the Plan and the designation use, it shall not be allowed to substantially expand. Minor extensions may be approved provided there will be no adverse effects on surrounding properties or the environment and a change from one non-conforming use to another more acceptable use may be permitted

3.1.2 Servicing Policies

3.1.2.1 Municipal Services

Within and near serviced areas, new development shall only be permitted in areas which can be provided with full municipal water and sewage services. Council shall require connection in areas within 50 metres of existing municipal services. In areas where water and/or sewage must be pumped, Council will evaluate the cost of installing and maintaining pumping stations before permitting development to proceed.

3.1.2.2 No Municipal Services

A. Ground Water Assessment

New subdivisions shall require a groundwater assessment be undertaken to determine the acceptable quality and quantity of drinking water. The *Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced, by Individual Private Wells*, provide administrative and technical guidance to

developers. The Water Resources Management Division, Department of Municipal Affairs and Environment, should be contacted prior to new residential subdivision development.

B. On-Site Sewerage Disposal

On-site sewerage disposal system shall be in compliance with the requirements of the Service NL. Sub-service sewerage disposal systems shall be no closer than 30 metres from a waterbody or watercourse.

3.1.3 Environmental Policies

3.1.3.1 Preservation of Trees

Where necessary, Council may require a Landscape Plan to identify how mature trees shall be preserved and replaced where necessary. Such trees shall be removed only if they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy, or if they will unduly inhibit construction.

3.1.3.2 Protection of Watercourses, Wetlands, and Waterfowl Habitat

Rivers, streams, ponds, and shorelines shall be protected from pollution and development. The existing vegetation shall be maintained along banks and shorelines where possible. No development shall be permitted within 15 metres of a watercourse without approval from the Department of Municipal Affairs and Environment and, if fish habitat is affected, from Fisheries and Oceans Canada and approval of the Town of Pouch Cove.

Council shall encourage the preservation and protection of sensitive wetlands that are valuable for controlling flooding; habitat for water fowl or have important aesthetic value to the surrounding areas. Any development proposal within sensitive wetlands areas shall be referred to the Department of Environment and Conservation, Water Resources Management Division, prior to Council approving any development proposal.

3.1.3.3 Waste Disposal

Protective measures shall be taken to prevent or minimize pollution when disposing of sewage and solid waste.

3.1.3.4 Alterations to the Natural Environment

Development proposals shall include plans for grading, ditching, and landscaping. Significant alterations to the natural environment (such as changing the drainage pattern or removing vegetation) will be considered during the evaluation of development proposals. Alterations which will adversely affect adjacent property or watercourses shall not be permitted. Topsoil or sods shall not be removed except with the approval of Council.

3.1.3.5 Environmentally Sensitive Areas

Development shall be prohibited in environmentally sensitive areas such as steep slopes and bogs. Development shall also be prohibited in areas prone to landslides and rockfall. Development shall be

prohibited in conservation areas within 30 metres of the rock cliff along the sea wall. These areas are known for coastal erosion. The Future Land Use Map identifies Conservation areas. This policy applies to environmentally sensitive areas in other land use designations.

3.1.3.6 Mineral Exploration, Mining and Quarrying

The Pouch Cove Planning Area has the potential for mineral deposits. Regulated mineral exploration shall be permitted in the planning area as set out in the policies of this Plan and conditions of the Pouch Cove Development Regulations. Aggregate mining and extraction shall only be permitted with the approval of a quarry permit from the Mineral Lands Division, Department of Natural Resources and approval of the Town of Pouch Cove.

The adverse effects of mining and quarrying such as dust, noise, and visual impact shall be minimized through adequate separation from adjacent land uses. Derelict lands are to be rehabilitated by the operator prior to abandonment.

3.1.3.7 Upkeep of Properties

Council shall promote the upkeep of residential properties, businesses, and institutions; encourage the repair or removal of dilapidated buildings and structures; and prohibit indiscriminate dumping. Council shall encourage businesses and contractors to store their materials and heavy equipment at the rear of their property or screen it from view.

3.1.3.8 Municipal Habitat Stewardship Plan

Through this agreement, the Town has identified and conserved several ponds and wetlands within its jurisdiction (municipal Planning area). These areas will be conserved in the long term and managed with technical advice from the partners of the Eastern Habitat Joint Venture (EHJV) and the ultimate decision of the Town of Pouch Cove.

The Town of Pouch Cove signed the Municipal Habitat Stewardship Agreement (Conservation Management Plan) on September 18, 2017. The Goals of the Plan are to:

- Conserve wetlands and associated uplands located within designated Management Units and to promote enhancement and/or restoration of those areas.
- Maintain and/or increase wildlife use of those areas, particularly by waterfowl and other avian species.
- Increase public education and awareness of the importance of wetland habitats for conserving waterfowl and other wildlife as well as for other wetland functions.

Following the Habitat Conservation Plan can help in the maintenance of healthy wetlands and populations of waterfowl, other species and water quality. The Plan presents the responsibilities of the Town of Pouch Cove and also highlights opportunities for environmental activities such as canoeing, hiking, photography, bird watching, and an opportunity to learn more about nature, especially wetlands and waterfowl conservation.

3.1.3.9 Stewardship Agreement

According to the Habitat Stewardship Agreement (2017), the Town of Pouch Cove shall:

- Ensure that areas designated as Management Units are protected from destruction or degradation and to contact the Wildlife Division in a timely manner when activities are proposed that may impact that habitat.
- Incorporate the Stewardship Agreement and Habitat Conservation Plan into its Municipal Plan with the assistance of the Wildlife Division.
- Educate residents and development planners about the stewardship program and their responsibilities, with the assistance of the EHJV partners.
- Implement, over time, the Habitat Conservation Plan recommendations in the community at large with the assistance of the EHJV partners.
- Participate in the Stewardship Association of Municipalities Inc. (SAM), a province-wide organization made up of municipalities which have signed Stewardship Agreements.

3.1.3.10 Management Units

Preliminary field assessments of wetlands within the planning boundaries of Pouch Cove were conducted in the summer and fall of 2010 by the staff of the Wildlife Division. The goal of these assessments was to determine the viability of particular areas within the municipal boundaries for waterfowl and wetland stewardship, protection and enhancement.

Pigeon Island, Pouch Cove Northeast Pond, Old Pond, Peyton's Pond, Grog Pond, Shoe Cove Pond, North Three Island Pond and three coastal areas (Otter Gulch, Gruchy Point and Strawberry Point) have been identified as Management Units. Pouch Cove Northeast Pond Management Unit has a 100m buffer around the pond, stream and associated wetland to the southwest. Old Pond has a 15m buffer around the pond and smaller pond to the east. Shoe Cove Pond has a 15m buffer. Peyton's Pond and Grog Pond have a 50m buffer. Peyton's Pond and Grog Pond also have wetland protection between the two and North Three Island Pond has a large wetland area identified which encompasses more wetland to the southwest and is more clearly defined on the Future Land Use Map. Passive recreation uses shall be permitted provided they do not disturb or destroy wetlands or waterfowl habitat.

3.1.3.11 Review Process

Stewardship Zone Development Proposal Process:

- Where a proposed Municipal Plan amendment, regulation or bylaw may affect land within the Management Units, that proposal shall be referred to the Wildlife Division for a 30 day review to ensure that it is consistent with the purpose of the Management Plan. Any proposed amendment to this Municipal Plan that may have an impact on a Management Unit must be approved by both partners.

- Proposed development within the Management Unit that may potentially threaten or negatively impact the habitat of the Unit, shall require the approval of the Wildlife Division.

3.2 SPECIFIC POLICIES - LAND USE DESIGNATIONS

The land within the Pouch Cove municipal planning area shall be managed according to the designations shown on Future Land Use Map and the policies of this Municipal Plan.

The Future Land Use Map divide the Planning Area into the following designations:

- Residential
- Mixed Use
- Commercial
- Industrial
- Public Use
- Recreation/Open Space
- Recreation Park
- Conservation
- Rural
 - Mineral Works
 - Agriculture
 - Cemetery
 - Watershed

3.2.1 Residential

The purpose of the Residential designation is to preserve the amenity and character of existing residential areas and to reserve lands for future residential use throughout the Planning Area. The Town has municipal services within the higher density core of the existing residential areas, however there are minor small tracts of land remaining for serviced residential infilling use in the developed area of Town. Infill development on existing roads within built up areas of the town shall be encouraged to increase the density of development and to make efficient use of municipal services such as snow clearing, garbage collection, water and sewer, and reduce operating costs.

Residential Policies:

3.2.1.1 Land Designation

The Residential designation will accommodate both serviced and unserved residential development. Serviced residential development will be on smaller lots sizes which reflect older development patterns along existing roads in the Town. Within unserved areas of the Town residential development will be

on larger lot size, to facilitate the development of on site services and preserve the rural nature of development within unserved areas of the Town. Residential subdivisions may be developed in Residential designated lands, subject to policies 3.2.1.17, Area Concept Plans and 3.2.1.18, Subdivision Development Plans, as well as in accordance with the requirements of the Town's Development Regulations, which shall clearly define the various residential land use zones where this use may be permitted.

3.2.1.2 Land Use Policies Served (Residential R-1)

The Town of Pouch Cove currently has in place an extensive municipal water and sewer service network which services the built-up area in the north eastern area of the town. Within this area there is potential for further serviced development along serviced roads (infilling) and backlands which are capable of servicing from the existing system.

Existing services (water and sewer) extend along the Pouch Cove Highway close to the intersection of Hudson's Lane running south through the Town to the intersection of Meeting House Road. Water only is available in the south area of Town. The Bauline Line is also serviced to the United Church Cemetery. Many local roads in this northern portion of the town are also fully serviced.

3.2.1.3 Residential (R-1)

The Plan shall encourage residential development in the area of town where municipal services are available on a fully serviced basis in order to maximize the use of the existing system and to encourage new subdivision development which will result in a more compact community and efficient network of local roads

New residential development shall be permitted on a planned, fully serviced basis and shall require the provision of municipal water and sewer services by the developer where municipal water and sewer services are nearby. Wherever possible, development shall contribute to a more efficient road network through the elimination of existing dead-end roads.

3.2.1.4 Residential (R-2)

The southern portion of the Town (south of Old Road and including Pouch Cove south) is a largely rural area, currently without municipal sewer services but identified by the Town as an area intended for future servicing. The Pouch Cove Highway is serviced with piped water as far south as Shoe Cove Brook. Until such time that full services are available, it is Council's intention to permit residential development primarily along existing publicly maintained roads in the southern area of community.

As services are extended southwards into the unserved areas, it is Council's intention to permit a higher density of development and to encourage development of backlands on a serviced basis by designating lands for serviced residential development.

When available for R-2 and R-3, new residential development shall be serviced by Town water and sewer and shall be installed at the cost of the developer. Council shall require connection in areas within 50 metres of existing water and sewer (if available). When available, Council shall determine the feasibility of extending of water and sewer in areas beyond 50 metres of existing service(s).

3.1.2.5 Residential (R-3)

Residential (R-3) areas are intended primarily as residential areas to be developed with single dwellings on larger lots. These areas are not intended to be serviced with either municipal water and/or sewer services in the foreseeable future.

Pouch Cove Line

The Pouch Cove Line runs west from the serviced, built-up area of the town to the Marine Drive Park. There are a number of houses towards the park end of the road. The area is not planned to be serviced by the Town. Council intends to permit residential development along the road as a rural residential area with large lots that can accommodate onsite services where designated on Future Land Use Map. As this area is not planned for municipal water and sewer services, the lot sizes and soil conditions shall be adequate to ensure functioning on-site water supply and sewage disposal for all time.

Other Residential Unserviced Areas

Large tracts of land on both sides of Shoe Cove Pond and land mostly in the south part of Town are designated for Residential (R-3) development. In all R-3 areas, development shall:

- be located outside the area which can be serviced by the Town's planned future water and sewer servicing, and does not have the potential to create new neighbourhoods or result in urban sprawl;
- has soil conditions and adequate groundwater supply to ensure safe and sanitary operation of on-site wells and sewage disposal for each lot.
- Where possible, maintain the natural landscape, including tree cover, and its retention, proposed layout and landscaping, topography and screening from public roads and public viewpoints.
- reduce, where possible, the minimal impact on the natural landscape by retention of tree cover, landscaping, topography and screening from public roads and public viewpoints.
- not be located on lands which are environmentally sensitive such as wetland areas, or which present hazards due to flooding or steep slopes.
- shall be carried out in a manner which respects natural drainage patterns.

3.2.1.6 Environmental Aesthetics

Where possible, residential development and other discretionary uses shall preserve the scenic quality of the community with emphasis on building design and landscaping of new development and with tree cutting limited to that necessary for construction, space around the building, and for the installation of a septic field where required.

3.2.1.7 Recreation Uses

Compatible recreation uses such as playgrounds and tot lots may be located within Residential areas provided that adequate screening from nearby properties is provided, and safe setback distances from public roads can be obtained.

3.2.1.8 Medical Treatment and Special Care

Medical Treatment and Special Care shall be limited to only homes for the aged. The development, in the form of apartment style residence for seniors, may be permitted, provided that adequate pedestrian and vehicular access and parking can be provided. The size and scale of the development shall be reviewed by the Council in any decision to permit this form of development within a residential area.

3.2.1.9 Bed-and-Breakfast

Bed-and-breakfast operations may be a permitted use in the residential land use designation and shall clearly be subsidiary to the residential use and shall not adversely affect the residential quality of the area through excessive traffic, noise, or parking of an excessive number of vehicles.

3.2.1.10 Office Use

Office use (including home office) shall be limited to a home based business which may be permitted if contained inside the residence, is clearly subsidiary to the residential use, and there shall be no open storage of materials, equipment or products, and do not adversely affect the residential quality of the area through increased traffic, noise, unsightly premises, and similar considerations. The Town's Development Regulations shall clearly define the various land use zones where this use may be permitted.

3.2.1.11 Childcare

Group or Family Childcare use must not adversely affect the residential quality of an area through excessive traffic, noise, or similar considerations that may be associated with the business. Any Group or Family Childcare business shall operate in accordance with provincial *Child Care Services Act* (2014) and all applicable Regulations.

3.2.1.12 Convenience Store

Within the Residential designated lands, new convenience stores may be permitted as a subsidiary use to a residential dwelling or as a separate structure on its own lot. Council shall encourage the even distribution of convenience stores in appropriate areas throughout the Town. Development standards shall ensure that the size of the convenience store is limited so that it will not interfere with neighbouring residential uses. The Town's Development Regulations shall clearly define the various land use zones where this use may be permitted.

Council will consider the following factors when reviewing applications for a new or expanded convenience store: access to the site; amount of parking to be provided; any adverse impacts upon adjoining neighbours or the neighbourhood in general, and effects of the business on traffic flow.

3.2.1.13 Residential Subdivisions

In order to ensure efficient use of land and future provision of services, avoid a proliferation of individual cul-de-sacs that are costly to service, and ensure that development is properly located so as not to interfere with optimal future development of adjacent lands, subdivision proposals will be considered only if they conform to an area concept plan that accounts for the development of lands abutting the site or for a much large development area and has been approved by Council (See Policy 3.2.1.14 Area Concept Plans).

A priority for development in residential subdivision area will be the preservation of natural characteristics and aesthetics. This will be achieved by the designation of essential conservation areas, strict enforcement of minimum recreational open space requirements, and special provisions in development permits such as landscape plans and subdivision agreements which contain requirements for maintenance of tree cover along lot frontages and lot boundaries.

Building permits shall only be issued for lots fronting onto public streets or for which a road agreement has been reached between the Town and the developer. Services (roads, storm drainage, etc.) will normally be installed at the expense of the developer.

Subdivision Plans, engineering site plans, landscape plans and building designs must meet the approval of Council. Development permits shall not be issued without prior approval of the Service NL for on-site water supply and sewage disposal system for each lot. Individual Lot layouts and the sighting of buildings must follow development standards of the Town's Development Regulations.

3.2.1.14 Area Concept Plans

The development of a new residential subdivision will be subject to an area concept plan that shall be approved by Council. Area concept plans are required to ensure that subdivision development proceeds in an orderly and efficient fashion to make optimal use of land and municipal services. Generally, area concept plans shall be for areas large enough to show the relationship between adjacent parcels of land and proposed roads. Concept plans that deal with individual cul-de-sacs proposed on single parcels of property shall not be approved unless it can be proven the development will not interfere with the optimal development potential of surrounding lands.

An area concept plan shall address all needs pertinent to planning and development of the area concerned, including:

- Conformity to the goals, objectives, and policies of this Municipal Plan;
- A description of the subject lands;
- Proposed use of all land in the area concerned, taking into account Council's aim to promote orderly development and the economical use of municipal services;
- Access to the site and internal road layout, taking into account the existing road network in the vicinity;

- Consideration of land ownership as it will affect the design and development of streets and subdivisions with adjacent lands;
- Description of impacts on adjacent land uses;
- Assessment of possible impacts on the natural environment of the area;
- Phasing scheme for the proposed subdivision development;

When reviewing area concept plans, Council shall seek public input from town residents in the pre-approval process. The area concept plan shall provide opportunity for local residents to view any proposed development plans and provide comments to the Town.

3.2.1.15 Subdivision Development Plans

Whereas area concept plans will address development of relatively large areas and will account for the physical relationships between a number of adjoining parcels of land, subdivision development plans will address specific proposals for development of a site in a relatively short time frame. The subdivision plan will be more detailed and will address all needs pertinent to development of the site including, but not limited to:

- Conformity to the goals, objectives, and policies of this Municipal Plan;
- Conformity to an area concept plan as approved by Council, which accounts for the development of lands abutting the site;
- A description of the subject lands;
- Consideration of land ownership as it will affect the layout of streets and the optimal use of land and municipal services;
- Access to the site from existing roads and internal road layout;
- Extension and development of municipal piped services for new subdivision;
- Demonstration of the long-term viability of any proposed on-site servicing system through soil analysis and other appropriate site evaluation. Council may require a site assessment as part of an area concept plan which shall accurately depict the conditions of the proposed subdivision site;
- Phasing scheme;
- Provision for lotting;
- Provision for 10% recreation lands or alternative measures if requested by Council;
- Adherence to the Town's Engineering Design Guidelines for Subdivisions for standards for streets designs, grades, storm drainage, building line setback, access, landscaping (landscape plan if required), buffers, development standards for each lot, etc.

3.2.1.16 Open Space Requirements

The provision for open space within a residential subdivision development shall be the responsibility of the developer, and if required by Council, shall dedicate a maximum of not more than 10 percent of suitable land in new residential areas for recreational open space or alternatively, Council may as an alternative require the developer to pay a sum of money equal to 10 percent of the assessed market value of the area of land prior to any development of the subdivision.

3.2.2 Mixed Use

Commercial development in the Town is concentrated in two areas: near the centre of the Town, and in the southern area along Route 20. However, the predominant use in these areas is residential. Commercial development is limited to a few retail outlets which serve local needs. It is the intent of this plan to protect the residential nature of these areas while at the same time permitting commercial uses in a central area of the Town to service the community.

Mixed Use Polices:

3.2.2.1 Land Use

Within the Mixed Use area, single dwelling use, double dwelling, recreation open space and conservation shall be permitted. Other uses may be permitted such as row dwelling, apartment building, boarding house residential, cultural and civic, child care, home based business, home for the aged, medical, personal and professional services, office, general assembly, passenger assembly, club and lodge, funeral home, indoor assembly, communications, taxi stand, antenna, convenience store, shop, catering (restaurant and take-out food service), general service, and light industry may be permitted throughout the area under the discretion of the Council provided they are compatible with the residential character of the area and do not cause a nuisance by virtue of excessive noise, dust, odour, increased traffic or hours of operation. Sewerage treatment (plants) may also be considered on a discretionary basis.

3.2.2.2 Site Plans

Council may require the developer to provide a comprehensive site plan for any proposed developments, indicating building locations, delivery areas, parking spaces, access, landscaping and buffer areas, and where other development components are to be located. In assessing proposals, Council shall be primarily concerned with aesthetic factors, scale and conformity with the desired character of the area, and compatibility with other land uses in the vicinity, in particular any residential development.

3.2.2.3 Adverse effects

Adverse effects of any proposed development on adjacent residential uses shall be prevented or minimized through proper site layout, scale of development, and buffering. The type of buffer that may be required is subject to the site specifics of the particular proposed development.

3.2.2.4 Access to Street

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

3.2.2.5 Parking

Adequate off-street parking and loading facilities shall be provided for any non-residential development.

3.2.2.6 Office Use

Office use may be permitted as a home based business. The Office use, if located within the home, shall be subsidiary to the residential use. The Office use may be located in an accessory building on the same lot as the residence. There shall be no open storage of materials, equipment or products, and the use shall not adversely affect the residential quality of the area through increased traffic, noise, unsightly premises, and similar considerations. Provisions for parking shall meet the standards as prescribed by Council.

3.2.2.7 Boarding House Residential

Boarding House Residential uses such as Bed-and-breakfast operations must not adversely affect the residential quality of the area through excessive traffic, noise, or parking of an excessive number of vehicles. The number of rooms shall be established in the Pouch Cove Development Regulations.

3.2.2.8 Medical Treatment and Special Care

Medical Treatment and Special Care shall be limited to only homes for the aged in the form of residence for seniors may be permitted, provided that adequate pedestrian and vehicular access and parking can be provided. The size and scale of the development shall be reviewed by the Council in any decision to permit this form of development within a residential area.

3.2.2.9 Childcare

Group or Family Childcare use must not adversely affect the residential quality of an area through excessive traffic, noise, or similar considerations that may be associated with the business. Group or Family Childcare business shall operate in accordance with provincial Child Care Services Act and all applicable Regulations.

3.2.2.10 General Services and Light Industrial Uses

General services uses and light industrial uses shall be small scale uses such as small workshops, laundromat, and warehouses. General services uses and light industrial uses shall be carried out in a separate building away from any residence. Outdoor storage of equipment or materials shall be prohibited. Uses which are not hazardous and do not create a nuisance by reason of noticeable noise, odour, dust or flames, or result in electrical interference may be permitted.

3.2.3 Commercial

The Commercial designation is applied to local and highway commercial uses. The intent of the Plan is to allow the continuation of these uses, most of which are long-standing. Several commercial uses are located along the Pouch Cove Highway consisting of convenience stores, gas stations and garages. It is the intent of this plan to allow for the continuation of these uses as permitted uses in areas that are of a rural residential nature.

Small-scale local and personal-service commercial uses may be permitted within residential areas (see the Residential policies). Commercial uses may also be permitted within the Mixed Use designation.

Commercial Policies:

3.2.3.1 Land Use

Land designated Commercial shall be developed primarily for commercial uses such as retail and service activities. The permitted uses shall include theatre, cultural and civic, office, medical and professional, personal service, shop, child care, convenience store, passenger assembly, commercial residential, service station, cultural civic, shop, outdoor assembly and recreation open space. Other discretionary uses that may be permitted include Clubs and lodges, amusement, general assembly, taxi stand, police station, funeral home, indoor market, office, general services, veterinary, light industry, educational, place of worship, catering, funeral home, outdoor market, service station, take-out food service, general industry, and antenna.

3.2.3.2 Open Storage

No open storage shall be permitted in the front or side yards of any commercial property. Property owners will be required to keep their premises well maintained and tidy.

3.2.3.3 Parking

Adequate off street parking, loading and safe access to the street shall be provided. Parking shall meet requirements as outline in Schedule D of the Town's Development Regulations.

3.2.3.4 Buffers

Proper site layout and buffering shall be used to prevent or minimize the adverse effects of any commercial development on adjacent residential uses.

3.2.3.5 Access to Street

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

3.2.4 Industrial

Industrial activity in the Town consists of a marine slipway and storage area for fishing boats on the coast near the Town Hall. The following policies will guide the growth and development of the Industrial areas.

Industrial Policies:

3.2.4.1 Land Use

Land designated Industrial shall be developed primarily for marine related industrial uses such as general industries, general services marine related industry light industries and transportation. Permitted industrial uses shall be compatible with neighbouring residential uses in terms of noise, dust, glare, vibration, smell, traffic, and related factors.

Other discretionary uses that may be permitted include office, communications, service station, general services, antenna and shop provided they are directly related to an industrial enterprise. Hazardous industry uses such as scrap yards shall not be permitted.

3.2.4.2 Location

Within the designated Industrial area in the immediate vicinity of the Harbour, preference will be given to fishing, fish processing and marine-related uses. Other industrial uses may be permitted at Council's discretion

3.2.4.3 Restricted Development

Industrial uses that are determined to be incompatible with the natural environment or nearby development through excessive emissions of noise, smell, chemicals or other pollutants, shall not be permitted.

3.2.4.4 Open Storage

Property owners with unsightly uses will be required to store their materials in the rear yard. Scrap yards and similar uses will be screened from view of the road by high fences or some other form of buffer as required by Council. Screening and buffering using fences or trees may be required in order to preserve an attractive appearance. Proper site layout and buffering shall be used to prevent or minimize the adverse effects of any proposed development on adjacent residential uses.

3.2.4.5 Parking

Adequate off street parking, loading and safe access to the street shall be provided. Parking shall meet requirements as outline in Schedule D of the Town's Development Regulations.

3.2.4.6 Access to Street

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

3.2.5 Public Use

Land designated Public Use shall include government, church, educational and other uses for general or limited public access. Facilities required to deliver municipal services to residents, such as the Town Hall, are also within the intent of this designation.

There are a number of schools, churches, municipal buildings and recreational facilities in the Town which are necessary for the continued social and economic functioning of the community. It is important to protect and encourage development of these uses within the community.

Public Use Policies

3.2.5.1 Land Use

Within the Public Use designation, the predominant use of land shall be for community-oriented facilities such as schools, places of worship, child care, municipal buildings, general assembly, recreation, open space, conservation, recreation buildings, and their accessory uses.

Complementary uses may be permitted, provided that they will not conflict with the operation of existing facilities or the future development of public uses. The complementary uses may include recreational open space such as parks and playing fields, office, indoor assembly, outdoor assembly, catering, cemeteries, antenna, and home for the aged.

3.2.5.2 Compatibility with Residential Uses

The development and operation of new facilities and buildings for public use shall not impose adverse effects on adjacent residential areas in terms of traffic, noise, and hours of operation.

3.2.5.3 Location

Public buildings and uses are encouraged to locate in the central part of the community and within easy walking distance of most residents.

3.2.5.4 Access

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

3.2.5.5 Parking

Adequate off-street parking shall be provided.

3.2.6 Recreation/Open Space

The Town of Pouch Cove has significant areas of natural scenic value and potential. The rugged coastline, inland waterways and in particular the Shoe Cove Brook ravine provide residents of the Town with many opportunities for outdoor recreation.

The intent of this Plan is to designate lands used for active and passive recreation to meet the needs of Pouch Cove residents and visitors. Passive recreational uses such as walking trails may be permitted, provided that they will have no adverse effect on the site.

Land designated as Open Space/Recreation is for active and passive recreational non-building uses such as parks, playgrounds, outdoor swimming areas, and buildings which are accessory to the open space uses. Council shall endeavour to reserve land at various places in the Town for Open Space/Recreation uses.

Recreation/Open Space Policies:

3.2.6.1 Land Uses

Permitted uses include parks, sports fields, linear trail systems, and walking trails are permitted. Recreational facilities permitted shall include two types: indoor and organized facilities (e.g., social clubs, recreation centre) and outdoor facilities (e.g., sports fields, open concert/festival, and picnic/camping parks). Other uses may be permitted include office in association with a permitted use.

3.2.6.2 Effects Surrounding Property

Development and operation of recreational facilities shall not impose adverse effects on adjacent residential and other uses in terms of noise, traffic and hours of operation.

3.2.6.3 Recreation Uses

The Town shall promote and protect Community recreation areas located on Satellite Road, where a ball field and playground facilities are constructed. The east side of Route 20 near Castella's Road includes a soccer pitch, baseball field and playground.

Additional recreational facilities will be provided in areas where they are needed and when the Town's financial resources permit. Since most of the regional and local recreational facilities are less accessible to the older age groups, the provision of additional facilities will give special consideration to these groups.

3.2.6.4 Trail Development

The Town of Pouch Cove shall work with the East Coast Trail Association to preserve, protect, buffer and delineate the route of the East Coast Trail on Land Use Zoning Map and define appropriate standards. The Town will also ensure that:

- buffered trails are not suitable for general and resource related industrial uses;
- natural topography and vegetation will be maintained as much as possible;
- a buffer free of development will be maintained between the East Coast Trail and shoreline recreational uses or wharves; and
- Council shall support further work on the East Coast Trail with minimal disturbance to the surrounding land.

3.2.7 Recreation Park (Marine Drive)

Marine Drive Park

The former Marine Drive Provincial Park located within the Town of Pouch Cove, is now under private ownership. It shall be the Policy of this Plan to encourage and support the development of private recreational and commercial facilities within the Park boundary. Passive recreation uses such as the East Coast Trail shall be maintained.

Policies

3.2.6.1 Land Use

The predominant use of land within the area designated Park shall be for recreation uses and facilities, public, private, and commercial parks, and natural areas. This designation is intended to accommodate recreation uses that access large tracts of open spaces. Permitted uses include hotels, motels, tourist cottage, campgrounds, tourist information services, outdoor amusement uses, recreational open space, campgrounds or trailer parks, tourist cabins (rental), outdoor assembly, convenience store, outdoor market for the sale of recreational trailers. Discretionary uses include commercial residential, catering, including take-out food service, indoor assembly, light industry, shop, club and lodge, amusement, and antenna.

3.2.7.2 Development Criteria

Council shall ensure that facilities are designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses. Adverse effects of any proposed development shall be prevented or minimized through proper site layout and buffering. An appropriate buffer depth shall be provided between residential areas and active recreational uses such as snowmobile trails. Where necessary, screening may be required, including appropriate trees, shrubs, earthen banks or berms, landscaping, and fences to protect residential areas.

3.2.7.3 Site Plan

Prior to any new development permitted in this designation, a development and site plan must be submitted for the consideration of Council. This plan will provide dimensional layouts indicating location, scale, and design of proposed facilities and landscaping. In assessing proposals Council will be primarily concerned with aesthetic factors, conformity with the desired character for the area, and compatibility with other land uses in the designation.

3.2.7.4 Access to Street

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

3.2.8 Conservation

The intent of the Conservation designation areas is to protect certain lands within the Town which by reason of their intrinsic character, are sensitive, vulnerable, or ecologically significant, or have natural or recreation values. They include wetlands, watercourses, bodies of water, shoreline frontages, steep cliffs, as well as, open natural spaces such as woodlands, green belts, buffers, natural trails, areas of scenic attraction for public enjoyment, etc. In most cases, these areas are located where municipal services cannot be feasibly extended. The East Coast Trail shall be designated as Conservation.

Cemeteries which are located separately from a church are designated as Conservation. Those cemeteries which are accessory to a church property are included in the Public Use designation.

Conservation Policies:

3.2.8.1 Land Uses

The Conservation designation shall protect and conserve environmentally sensitive and important lands from adverse development. Development associated with conservation shall be permitted. No permanent buildings or structures shall be permitted on lands designated for Conservation Uses, except those necessary for environmental protection (e.g., for erosion control).

Passive recreational uses such as the Shoe Cove walking trail may be permitted, provided that they will have no adverse effect on the site. Uses that are complimentary to a recreational open space or conservation use may also be permitted at Council's discretion. Such use may include animal grazing, or other forms of agriculture. Sewerage treatment (plants) may also be considered on a discretionary basis.

3.2.8.2 Compatible Uses

Within the designated Conservation areas, recreational open space such as parks, and their accessory uses may be permitted. Uses that are complementary to a recreational open space use may also be permitted at the Council's discretion.

3.2.8.3 Trail Development

The Town of Pouch Cove shall work with the East Coast Trail Association to preserve, protect, buffer and delineate the route of the East Coast Trail on Land Use Zoning Map and define appropriate standards. The Town will also ensure that:

- buffered trails are not suitable for general and resource related industrial uses;
- natural topography and vegetation will be maintained as much as possible;
- a buffer free of development will be maintained between the East Coast Trail and shoreline recreational uses or wharves; and
- Council shall support further work on the East Coast Trail with minimal disturbance to the surrounding land.

3.2.8.4 Conservation Buffer Waterbodies

Along the shoreline of all water bodies and water ways, a conservation buffer area shall be established which includes all land within 15 metres of the high water mark along shoreline. Proposed developments affecting water bodies or watercourses, such as stream crossings, watercourse alterations, and other public works, may be permitted in limited circumstances where it is shown they will have minimal adverse impact. The number and size of such activities will be minimized. Any such proposed development shall be referred for review and approval to the Department of Municipal Affairs and Environment, and the Department of Fisheries and Oceans, and any other relevant agencies before Council issues any permits for development.

3.2.8.5 Preservation of Natural landscape

It is also essential that all the visual amenities and undevelopable areas such as the shoreline, rivers, brooks, streams, flood plains, steep slopes, and rock outcrops are preserved and retained in their natural state. This can add to the open space system and complement the rural development patterns. Areas of scenic attraction and with recreational potential shall be preserved and protected.

3.2.8.6 Open Space Access and School Areas

Public access shall be preserved to Conservation areas. Wherever possible, greater provision will be made to open space in areas adjacent to schools.

3.2.8.7 Excessive Slope

Extensive areas of land having slopes in excess of 15% are designated Conservation. Development is not considered feasible on such slopes because of excessive runoff and erosion and high costs to install and maintain services, and risk to public safety.

3.2.9 Agriculture

Lands within the municipal planning area which form part of the St. John's Urban Region Agricultural Development Area (ADA) are designated as Agriculture on the Future Land Use Map. The Shoe Cove Pasture, located off Satellite Road, is designated as part of the St. John's Urban Region Agricultural Development Area. This Plan shall protect the St. John's Urban Region Agricultural Development Area as it is amended from time to time.

Agriculture Policies:

3.2.9.1 Land Uses

Agricultural use directly connected with or ancillary to an existing agricultural use may be permitted in association with the approval of the Land Development Advisory Authority, Department of Fisheries and Land Resources.

3.2.9.2 Effects Surrounding Property

Development and operation of agricultural uses shall not impose adverse effects on adjacent residential and other uses in terms of noise, traffic and hours of operation.

3.2.9.3 Access

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

3.2.9.4 Parking

Adequate off-street parking shall be provided.

3.2.10 Mineral Working

A small quarry development with some potential for further aggregate resource is located off Meeting House Road, within the Municipal Planning Area. The Town wishes to ensure proper operation of the site used for this type of land use.

Mineral workings includes the extraction, exploration, processing or storage of gravel, sand, rock or any other mined material, concrete and asphalt making, rock crushing, quarrying, sand and gravel pits and other types of mining in general. Agriculture, forestry and antenna uses may be permitted.

Mineral Working Policies:

3.2.10.1 Land Uses

Aggregate extraction may be permitted in association with the approval of the Mineral Lands Division, Department of Natural Resources. All but very small scale mineral workings and related activities shall be prohibited within general view of roads and developed areas and development of new mineral workings activity at any location in the Planning Area shall not be permitted where it would create a negative impact on visual amenities as determined by Council. Council shall ensure that aggregate extraction will have minimal impact upon adjoining land uses, particularly the visibility of gravel pits. Buffering and screening may be required to minimize dust and noise. Open pits shall be rehabilitated by the operator prior to abandonment.

3.2.10.2 Site Rehabilitation

All derelict lands resulting from aggregate extraction, mineral exploration and their related operations shall be properly rehabilitated by the operators. Council may consider the appropriateness of utilizing worked out quarry sites for industrial uses which cannot be accommodated in the urban areas and which do not need the provision of urban type services.

3.2.11 Cemetery

There are several cemeteries in the Town of Pouch Cove. These areas should be preserved and maintained. Cemeteries which are located separately from a church are identified on the Future Land Use Map. Those cemeteries which are accessory to a church property are included in the Public Use designation

Cemetery Policies:

3.2.11.1 New Cemetery Sites

New cemetery sites may be located in areas designated for Open Space/Conservation at Council's discretion provided they have access to an existing public road, require no additional municipal services and are designed to facilitate public access.

3.2.11.2 Expansion of Cemeteries

Expansion of existing cemeteries to areas outside those designated for Open Space/Conservation may be permitted by amendment to this Plan and the area is re-zoned to accommodate the expansion area.

3.2.12 Watershed

As the source of water supply to the Town, the North Three Island Pond and its large drainage area are designated as Watershed. It is the intent of the Plan to protect it from existing and future uses and development that could adversely affect the existing and long term quality of water in these designated areas.

Any proposed development in the watershed area shall require approval from the Water Resources Management Division, Department of Municipal Affairs and Environment and approval of the Town of Pouch Cove.

Watershed Policies:

3.2.12.1 Land Use

Land designated Protected Water Supply shall be protected and the only permitted uses shall be conservation and recreation open space uses. Forestry activities, agriculture and silviculture, and antenna may be permitted within the Protected Watershed Area, subject to the approval of the Water Resources Management Division, Department of Municipal Affairs and Environment and the Department of Natural Resources.

Established uses in the designated Watershed Area shall be limited to passive recreational activities such as hiking, fishing, and canoeing.

3.2.12.2 Continuation of Established Uses

It is the policy of the Plan to allow the continuation and minor expansions of existing uses in the designated Watershed Area, provided that the future water quality in the area is not adversely affected.

3.2.12.3 Mineral Workings

Mineral workings shall be limited to mineral exploration within the designated protected Watershed areas. Any exploration activities must be approved by the Water Resources Management Division, Department of Municipal Affairs and Environment, and Mineral Lands Division, Department of Natural Resources, as well as the Town of Pouch Cove.

3.2.12.4 Forest Harvesting

Selective forest harvesting may be permitted within Watershed areas, subject to approval of the Water Resources Management Division, Department of Municipal Affairs and Environment and approval of the Town of Pouch Cove. Maintaining water quality is the overriding priority.

3.2.13 Rural

The remaining lands within the Pouch Cove Planning Area are designated Rural and are intended to be used primarily for rural resource and recreational open space uses. No development shall be permitted on land within this designation except those associated with agriculture, forestry, mineral workings, outdoor recreation, resource conservation, or other uses as may be outlined in this Municipal Plan.

Uses that may be allowed at the discretion of Council include outdoor assembly uses and rural industrial activity associated with the resource base. This will apply particularly to uses that need to be located close to resources or for some other reason cannot be located close to the built up areas of the Town. Such activities include outdoor assembly uses like playground, sports fields, hockey rinks, etc.

Activity concerning electric power transmission, other public utilities or road construction and maintenance, consistent with the objective of retaining the qualities of the rural environment, may be permitted.

Rural Policies:

3.2.13.1 Land Uses

The uses permitted in the designated Rural areas include agricultural, forestry, public or private recreational uses characterized by large areas of open space, provided they do not detract from the rural character of the area;

3.2.13.2 Discretionary Uses

Other uses that are compatible with permitted uses may also be permitted at the discretion of Council. These uses may include; outdoor assembly, single dwelling, multi-dwellings, rural general industrial use, service station, mineral workings, outdoor markets, veterinary, animal, recreation open space, and antenna. Infrastructure uses include water treatment plant, wind power and fire fighter training facility.

3.2.13.3 Residential Use

Single residential dwelling use shall only be permitted in conjunction with a permitted or discretionary use.

3.2.13.4 Mineral Working

Mineral workings shall include the extraction, exploration, processing or storage of gravel, sand, rock or any other mined material, concrete and asphalt making, rock crushing, quarrying, sand and gravel pits and other types of mining in general. Aggregate extraction may be permitted at the discretion of Council. All but very small scale mineral workings and related activities shall be prohibited within general view of roads and developed areas and development of new mineral workings activity at any location in the Planning Area shall not be permitted where it would create a negative impact on visual amenities as determined by Council. Council shall ensure that aggregate mining will have minimal impact upon adjoining land uses, particularly the visibility of gravel pits. Buffering and screening may be required to minimize dust and noise. Open pits shall be rehabilitated by the operator prior to abandonment.

Mineral extraction operations shall be conducted in a manner which shall minimize the adverse effects on water quality, fish and wildlife. All mineral operations will be required to complete a site rehabilitation plan as a part of the development application. Council shall not permit other development activities within 150 m of existing quarry operations that may jeopardize their operation or future expansion. Proposed operations shall be evaluated in conjunction with the Department of Natural Resources and the Department of Environment and Conservation.

3.2.13.5 Cottage Development

New cottage development shall not be permitted in the Rural area, in keeping with policies of the St. John's Urban Region Regional Plan. Conversion of existing cabins to permanent dwellings shall not be permitted unless the cabins are included within the Residential designation. This is to prevent premature urban expansion and demand for services in rural areas.

3.2.13.6 Forestry

The Rural area contains forests which provide a long-term domestic wood supply, recreational opportunities, and wildlife habitat. It is important that this resource be well managed. This Plan will support initiatives of the Department of Natural Resources to manage the forests for continued use by the public during and beyond the planning period.

4.0 IMPLEMENTATION

The Municipal Plan will be implemented over the ten-year planning period through the decisions of Council and agencies such as the Department Transportation and Works, Department of Natural Resources, Department of Municipal Affairs and Environment. Of particular importance to Council are the following:

- Effective administration of the Plan;
- The adoption of a five year capital works budget;
- adopting Development Regulations;
- adopting Development Schemes and plans of subdivision, and
- The procedure for considering future Amendments to the Plan.

4.1 PLAN ADMINISTRATION

For the purposes of administering the Plan, the Future Land Use Maps shall be read only in conjunction with the Goals, Objectives and Policies outlined in this document. All development applications will be carefully evaluated as to their conformity to the Plan. The full conformity of all proposals to the Plan shall be required by Council.

The boundaries between land uses designations are meant to be general, except where they coincide with roads or other prominent physical features, where they are intended to define the exact limits. It is intended that no amendment to this Plan shall be required to permit minor adjustments to these boundaries. Other than such minor changes, no development shall be permitted that does not conform to this Plan.

All persons wishing to develop land for any purpose within the Pouch Cove Municipal Planning Area shall apply to Council for permission through the established procedure. Council may refuse or approve applications, with or without conditions. The appeal of all Council decisions to the appropriate Appeal Board will be permitted in accordance with the Section 42 of the Urban and Rural Planning Act, 2000.

Prior to the major development of land within the Planning Area, a development agreement may be required, which will be signed by both the developer and the Council. This agreement shall establish the conditions under which development may proceed and shall be binding to both parties. Conditions governing developments may also be enforced by being attached to the development permit.

Nothing in this Plan shall affect the continuance of land uses that are lawfully established on the date that the Plan comes into effect.

4.2 PLAN IMPLEMENTATION

The preparation, adoption and approval of the Pouch Cove Municipal Plan represent only a part of the planning process. The Plan cannot implement itself and can be functional and effective only through Council's actions and efforts to carry it out.

In order to implement this Plan, Council must take the necessary action, as required by the *Urban and Rural Planning Act, 2000* as outlined below:

- control future development by enforcing the Pouch Cove Development Regulations and the policies of this Plan;
- undertake the capital works program on a progressive basis geared to the available resources of the community and financial assistance from the provincial government;
- make necessary amendments to the Plan if conditions of the community change, and
- undertake a review of the Plan every five years.

4.3 DEVELOPMENT REGULATIONS

To implement this Plan, Council shall prepare and adopt Development Regulations on the basis of this Plan. These regulations are intended for Council's control over future use of land and development within the Planning Area and they outline land use zoning, development standards and application procedures necessary to implement this Plan.

4.4 DEVELOPMENT CONTROL

The Plan is a legal document which is binding upon all persons, groups, or organizations, including the municipal Council. Council shall exercise proper control over development within the Planning Area in accordance with this Plan and the Development Regulations.

All persons wishing to develop land for any purpose within the Planning Area shall apply to Council for permission on the prescribed application form(s) and shall submit a detailed plot/sketch plan of the proposal indicating the location and dimensions of the land and of the development. Council shall examine the application on the basis of the Development Regulations, which reflect the policy of this Plan, may approve the application, approve it with conditions, or refuse it.

An applicant who receives a refusal decision from Council on a development application may appeal that decision to the Eastern Regional Appeal Board.

Development in areas under the control of Council as well as other government departments will be referred to the concerned departments for review prior to reaching a decision.

4.5 PUBLIC WORKS AND MUNICIPAL SERVICES

The Town of Pouch Cove provides the usual municipal services such as water and sewer, road construction and maintenance, snow clearing, street lighting, garbage collection, volunteer fire brigade and recreational sites. The Town's major service expenditures are the water and sewer systems, followed by road construction and re-surfacing.

In order to suitably implement the goals and objectives of the Plan, an annual public works program will be adopted and implemented by Council. This will include a financial overview and preparation of a *Financial Evaluation for Municipal Capital Works Projects* which outlines proposed capital works to be undertaken by Council over a seven year period, subject to the availability of government funding.

The focus for municipal capital works projects will aim to meet modern infrastructure regulations, enhance reliability of services, optimize life-cycle costs considering operations and maintenance needs, and address risks identified over the course of the planning period. The Evaluation will include a five-year program of work to be undertaken as required under the *Municipalities Act 1999*.

The following identifies priority project themes that have been identified to implement this Municipal Plan during the Plan period. Projects will be pursued with due consideration of the financial position of the Town, its revenue sources, borrowing capabilities and available funding opportunities.

- Determine the most feasible design and seek to construct a Wastewater Treatment Plant that meets the requirements of the Wastewater Systems Effluent Regulations;
- Upgrade substandard undersized waterlines (2" and less) with proper sized main lines;
- Enhance system reliability for looped water lines wherever possible;
- Replace existing asbestos cement sewer piping with modern PVC piping;
- Evaluate flooding risks and ensure natural and built stormwater infrastructure will be sufficient to handle stormwater, considering the effects of climate change;
- Pave gravel roads only if it is determined that the water and sewer infrastructure underneath is built to acceptable municipal standards;
- Use Asset Management approaches as a strategy to realizing maximum value from assets;
- Pursue the development of a new municipal depot combined with a firefighter training facility;
- Map infrastructure assets in a Geographic Information System; and
- Examine hydrant placements and ensure all areas within the water service area have reasonable access to hydrants

Council's ability to undertake major public works during the Planning Period will depend largely on its financial management program. Overall, the objective will be to minimize the increase in municipal debt load and to economize on project costs where possible.

The following are regarded as important components of a financial management program for the municipality:

- (a) All proposed public works, which qualify for assistance from the provincial or federal governments, should be financed on this basis. This shall include cost sharing programs with the provincial government and grants.
- (b) Funds raised by the municipality to undertake public works shall be obtained from local revenues where possible. The principle source from which funds could be realized for this purpose is new development. Minor public works in particular should be financed from current accounts where possible.
- (c) Mill rates and service fees shall be managed during the Planning Period to keep pace with inflation and to ensure that an acceptable level of municipal services can be achieved.
- (d) Additional borrowing to undertake major public works shall preferably be on the basis of government guaranteed loans.
- (e) Annual locally generated revenue shall be applied against the municipality's long-term debt. Payments shall be in keeping with the policy of the Department of Municipal Affairs and Environment and agreement between the Town and Department.
- (f) For subdivision development, Council shall pursue a break-even policy for development that will require the developer to pay for the installation of all services to municipal standards.
- (g) (g) Lifecycle operations and maintenance costs shall be considered in the decision making processes of disposing and acquiring assets.