



TOWN OF WABANA

**MUNICIPAL PLAN
1990**

(hereinafter referred to as the Municipal Plan)

MUNICIPAL PLAN AMENDMENT No. 3, 2021

(Text and Future Land Use Map)

MAY, 2021



URBAN AND RURAL PLANNING ACT, 2000

**RESOLUTION TO APPROVE AMENDMENT No. 3, 2021
TO THE TOWN OF WABANA MUNICIPAL PLAN**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Wabana.

- a) adopted the Amendment No. 3, 2021 to the Town of Wabana Municipal Plan on the 16th day of September, 2021.
- b) gave notice of the adoption of the Amendment No. 3, 2021 to the Town of Wabana Municipal Plan by publishing a Notice in the Northeast Avalon Times October 13, 2021 and in the Telegram on October 30, 2021.
- c) set the 15th day of November as the deadline for submission of objections and submissions for the Public Hearing Commissioner, as per the Provincial Government COVID-19 protocol regarding Public Hearings.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Wabana approves the Amendment No. 3, 2021 to the Town of Wabana Municipal Plan as adopted.

SIGNED AND SEALED this 13th day of Dec, 2021.

Mayor:

Town Manager/Clerk:

Municipal Plan/Amendment
REGISTERED

Number 5245-2022-003

Date 21 JULY 2022

Signature [Handwritten Signature]

(Council Seal)



URBAN AND RURAL PLANNING ACT, 2000

**RESOLUTION TO ADOPT
AMENDMENT No. 3, 2021**

TOWN OF WABANA MUNICIPAL PLAN

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

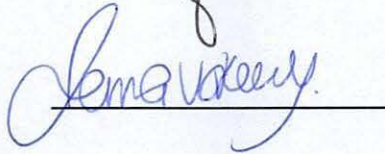
Adopted by the Town Council of Wabana on the 16th day of September, 2021.

Signed and sealed this 15th day of Dec, 2021.

Mayor:



Town Manager/Clerk:

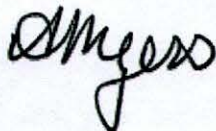


(Council Seal)



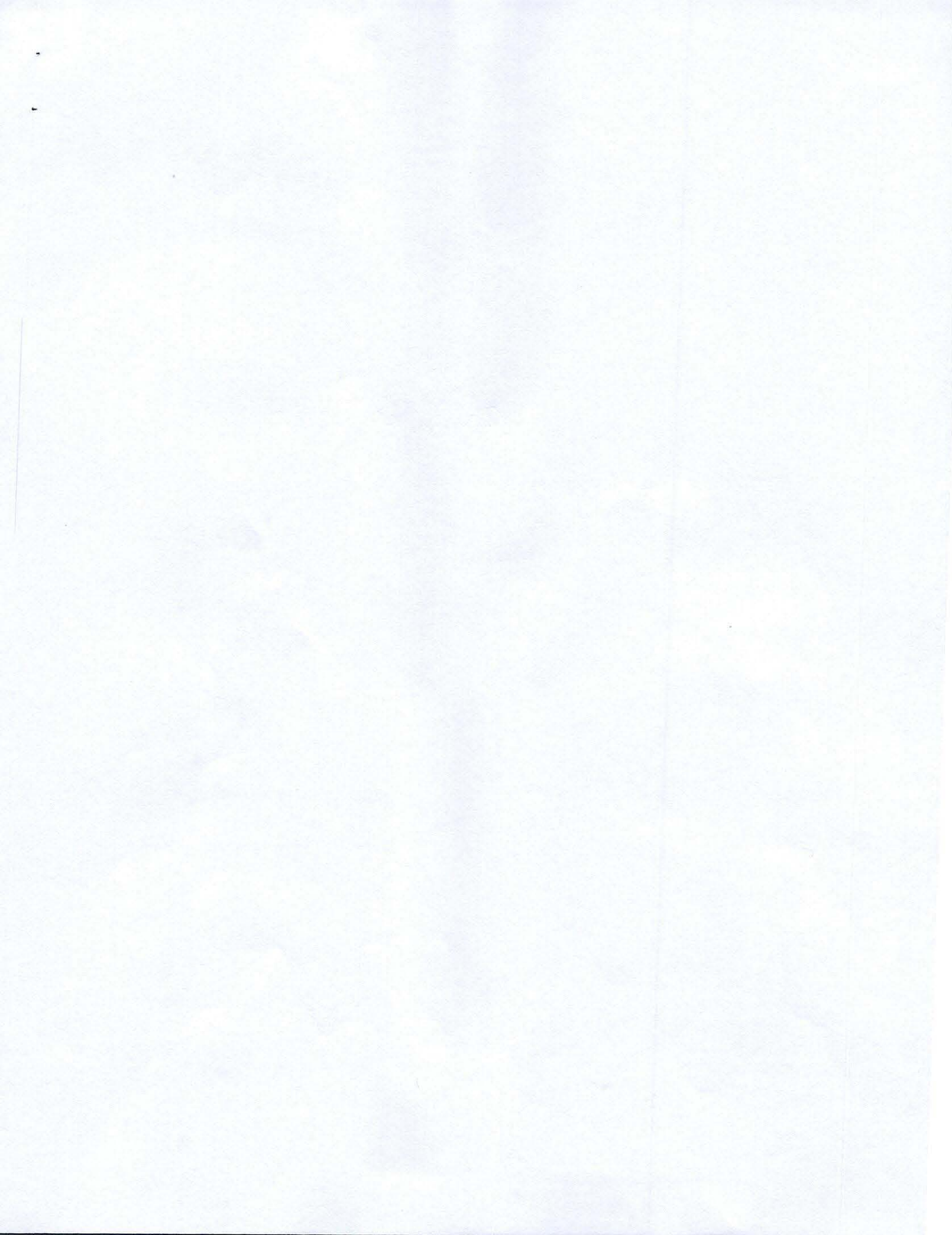
CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Amendment No. 3, 2021 to the Town of Wabana Municipal Plan has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



Anna Myers
Member, Canadian Institute of Planners (MCIP)





TOWN OF WABANA

MUNICIPAL PLAN AMENDMENT No. 3, 2021

BACKGROUND

The Town Council of Wabana wishes to amend its Municipal Plan. The proposed amendment seeks to (1) make changes to the 1990 Municipal Plan's Future Land Use Map and (2) make changes to the text of the Municipal Plan.

The Town of Wabana reviewed the 'Conservation' designation West Dam Pond, with the view of promoting recreation, economic development and tourism opportunities. Almost 30 years ago, the pond was identified for consideration as potential water supply areas; however, this protection is no longer needed as the Town made the commitment to provide drinking water from 12 Protected Wells in the Town. The Town has invested \$6 M already, and has approved another \$5 M in the well system for the community. The Protected Wellhead designations have been made under the Water Resources Act, 1990 and the Provincial Protected Wellhead Regulations apply in these areas to protect the water supply for the Town of Wabana. Note that at this time, West Dam Pond is only used as a water supply for fire-fighting purposes in the nearby neighbourhood.

The purpose of this Municipal Plan Amendment No. 3, 2021 is make the following changes to the Future Generalized Land Use Map of the Municipal Plan:

To redesignate the area around West Dam Pond from 'Conservation' to 'Recreation Open Space'; See attached Town of Wabana Municipal Plan Amendment No. 3, 2021 Map.

Council will also consider an associated amendment to the 1990 Development Regulations Land Use Zoning map.

In addition to rezoning these areas for "Recreation Open Space", the Town wishes to expand the types of uses in this zone by adding to Discretionary Uses: 'outdoor market' and 'campground'. This will necessitate adding a definition for campground in the Development Regulations.

PUBLIC CONSULTATION

During the preparation of this proposed amendment, Council undertook the following initiatives so that individuals could provide input.

A Notice was published in the local newspaper, the Northeast Avalon Times, on June 21, 2021 to inform and to invite the public for input to the proposed changes. The last day for public input was June 30, 2021.

Three submissions were received, plus a positive comment was posted on Facebook. Two expressions of concern from two residents living on Butterville Road . The proposed "Recreation Open Space" area is located over 300 metres from Butterville Road. The area in between is zoned "Resource Management Area" and as several Town wells are located within this buffer, it is protected from any future development. This serves as a 300 m buffer between the "Recreation Open Space" zone and Butterville Road residents.

The third submission received was from an individual interested in developing a campground at Bell Pond, which is located at the southeastern area of the island, near the community of Freshwater. Mr. Barrett has received approval-in-principle for his development subject to obtaining provincial government approvals, but these have not been submitted to finalized approval of his application.

The Town also reached out to the Water Resources Management Division for comment. The Manager of Water Rights, Investigations and Modelling indicated that the Department had no comments regarding the proposed amendment. The Manager, Groundwater Section indicated that "...the area is outside of any wellhead protection areas so no Section 61 permitting is required.

Based upon the 2016 CBCL Well Field Assessment study, the surface water (including the wetlands) in the area serve as recharge zones for the groundwater. Increased development in this area may affect the groundwater quantity and quality for both the private well users in the vicinity and the users on the nearby public water supply wells. Extra caution should be used when developing this area and consideration of maintaining as much undeveloped green space and wetland areas as possible should be a priority."

It should be noted that development must comply with Federal and Provincial legislation and regulations, in particular, (1) under Section 7 of the Lands Act, 1990, there is a 15 m shoreline reserve; and (2) any development in wetlands and near waterbodies must be referred to the Water Resources Management Division.

MUNICIPAL PLAN AMENDMENT No. 3, 2021

1. Text amendment to the Municipal Plan is shown in the text below where the text to be removed is shown with strikeout, ~~like this~~, and new text is shown in bold font, **like this**.

These are the sections of the Municipal Plan with these proposed revisions:

"2.5. Recreational Open Space

Recreational open space is intended for development of either active recreational uses, such as playgrounds and ball fields, or passive recreational uses, such as parkland, walkways and general beautification. It is council's intention to ensure that existing community recreation facilities are maintained in an operative condition and to facilitate and promote the development of minor parks and recreational facilities within residential neighbourhoods.

It is also council's intention to develop a community park at the southwest corner of the junction of Railroad Street and west Mines Road and to ~~promote the establishment of a provincial regional park on a site immediately east of the West Dam Reservoir and its catchment area~~ **that includes the potential as discretionary uses, an outdoor market and campgrounds.**

Council also intends to undertake a long-term program of tree and shrub planting within recreational open space areas, based on silvicultural and horticultural advice. The purpose of this program is to improve the presently severe visual environment of the urban area; establish protective vegetative windbreaks around recreational areas; and to promote private interest in landscaping and planting.

Objectives and policies pertaining to recreational open space land use are stated as follows:

Objectives :

- (i) Support provision of recreational services and facilities in response to identified community and neighbourhood needs in locations conveniently and safely accessible to the public.
- (ii) Promote development of a ~~provincial~~ **regional recreation** park providing camping and related facilities attractive to tourists and other visitors to the area.
- (iii) Utilize recreational open space as initial locations for implementing a planting and beautification program designed to improve the visual appearance and natural quality of the community environment.

Policies: Areas designated for recreational open space use are located on Map No. 1 (E & W). Development standards for these areas will be pre by regulation in accordance with the following policy directions:

- (i) Recreational open space land use areas are reserved for active and passive outdoor recreational use and such outdoor assembly and subsidiary service buildings as council may deem to be consistent with and supportive of the main outdoor recreational use.

(ii) In addition to areas designated by the preceding, council will acquire and reserve a minimum of 0.5 h (1.25 acres) for neighbourhood recreational open space within or adjoining each of the following residential neighbourhoods:

- East No. 1
- The Green
- Scotia No. 1 - West Mine
- The Front

These neighbourhood recreational areas will be so located as to be readily and safely accessible to residents of the neighbourhood and may be comprised of more than one site, provided that no site will have an area less than 1/2 acre. The form of recreational development in each instance shall be determined in consultation with residents of the neighbourhood.

(iii) The land area on the south side of West Mines Road, opposite the hospital, will be developed as a community park emphasizing beautification as a central feature of Town Square, providing an attractive and relaxing environment for residents of the community with particular consideration given to the recreational needs of the senior citizens home and the patients and staff of the hospital.

(iv) Land area adjoining the east end of West Dam Reservoir, ~~containing approximately 55 h (135 acres)~~, will be promoted for development as a **provincial regional recreation** park providing camping and trailering facilities **and outdoor market** for tourists and other visitors to the Island and may include a tree and shrub—nursery and demonstration project for use in relation to Objective (iii).

(v) Council will encourage and assist in coordinating the broader public use of educational and religious facilities such as meeting rooms, auditoriums and gymnasiums, and the use of school sites for community and neighbourhood recreational purposes.

(vi) Recreational open space use of a residential convenience nature such as tot—lots, parkettes and buffer separations between conflicting land uses, are permissible in residential land use areas in accordance with Policies 2.1 B. (ii, C. (iii) and

(vii) Recreational open space may be permitted in commercial land use areas in accordance with Policies 2.2 A. (iv) and B. (iv) and (v); in public and institutional land use areas in accordance with Policies 2.4 (v) and (vi); in conservation land use areas in accordance with Policy 2.6 (i); and in resource development areas in accordance with Policy 2.8 (v).

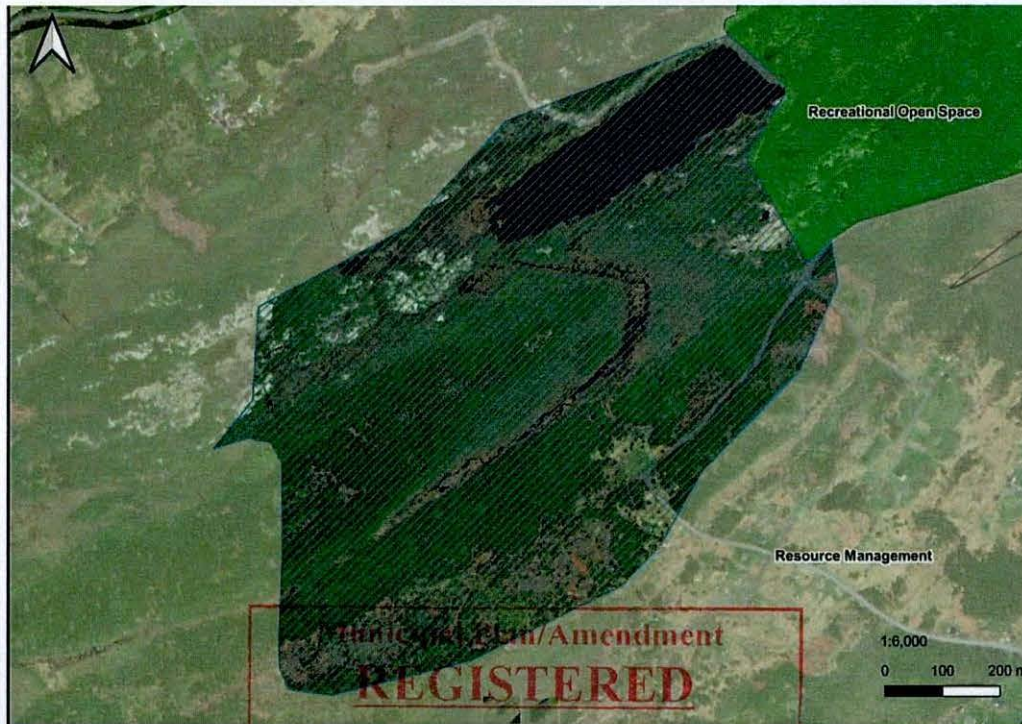
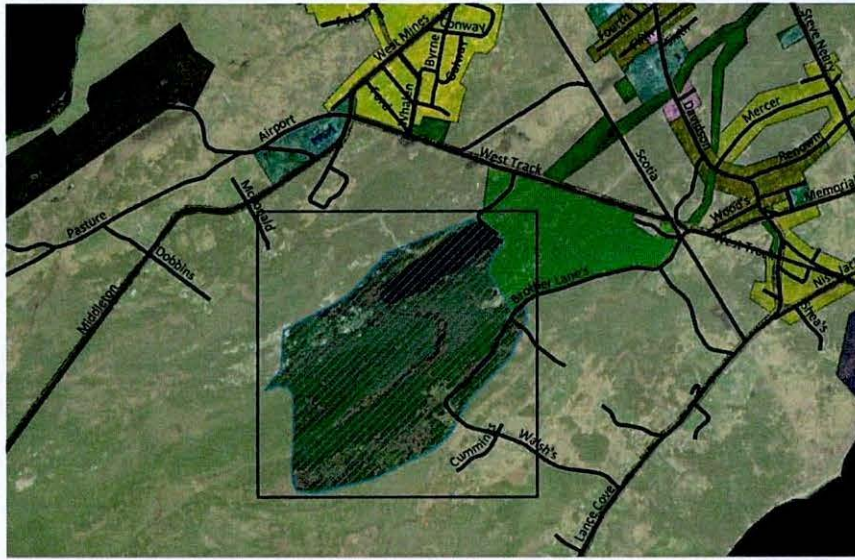
(viii) Council will encourage landscaping, planting and maintenance of land between buildings in public and institutional use areas in accordance with Objective 2.4 (iii) and Policy 2.4 (v).

2.6. Conservation

There are substantial land areas on the island wherein protective rather than developmental measures must take priority. These include potential water supply catchment areas, natural drainage routes near urban development, and cemeteries. Lance Cove Pond, **and** Bell Pond ~~and West Dam Reservoir~~, together with the natural water catchment areas surrounding them, are to be preserved from development until such time as it is clearly demonstrated that they are either unsuitable sources of potable water supply or that there is no future potential need of their use for this purpose. Development within these areas will be restricted to recreational uses which will not adversely affect environmental quality.

Within the 15 m buffer along all natural waterbodies along tThe natural drainage route extending eastward ~~from the site proposed as a provincial park~~ to its discharge into the sea at Freshwater Cove, together with several of its tributaries; the drainage route and associated wet land adjoining the Scotia No. 1 residential neighbourhood to the east; the steep banks and wetland along the route of the streams flowing through Lance Cove, Bickfordville and Freshwater will all be preserved from development and maintained in a clean and healthy state. These drainage routes, all have potential for eventual development as convenient and attractive pedestrian walkway routes and may be utilized for this purpose in accordance with an overall plan of tourism and outdoor recreational development.”

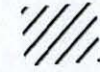
2. The Municipal Plan's Future Land Use Map proposed for amendment is as shown on the attached Municipal Amendment No. 3, 2021 Map.



Municipal Plan Amendment
REGISTERED
 Number 5245-2022-003
 Date 21 JULY 2022
 Signature [Signature]

Town of Wabana

Municipal Plan Future Land Use Map Amendment No. 3, 2021



From Conservation to Recreational Open Space

Dated at Wabana
This 13 day of Dec, 2021

[Signature]

Mayor

[Signature]

Town Manager/Town Clerk

I CERTIFY THAT THIS MUNICIPAL PLAN
AMENDMENT HAS BEEN PREPARED IN
ACCORDANCE WITH THE REQUIREMENTS OF THE
URBAN AND RURAL PLANNING ACT, 2000.



[Signature]
 Anna Myers MCIP

