

TOWN OF ARNOLD'S COVE MUNICIPAL PLAN 2010

Published in Newfoundland Gazette: August 6, 2010

WITH CONSOLIDATED AMENDMENTS

UPDATED AS OF JUNE 22, 2012

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF ARNOLD'S COVE MUNICIPAL PLAN 2010**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Arnold's Cove adopts the Arnold's Cove Municipal Plan 2010.

Adopted by the Town Council of Arnold's Cove on the 5th day of May, 2010.

Signed and sealed this 2nd day of June, 2010.

Mayor: *Thomas Osbourne*
Tom Osbourne

Clerk: *Wayne Slade*
Wayne Slade

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.

MCIP:



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF ARNOLD'S COVE
MUNICIPAL PLAN 2010**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Arnold's Cove:

- a) adopted the Arnold's Cove Municipal Plan 2010 on the 5th day of May, 2010.
- b) gave notice of the adoption of the Arnold's Cove Municipal Plan 2010 by advertisement inserted on the 13th day of May, 2010 and the 20th day of May, 2010 in the Packet newspaper.
- c) set the 27th day of May, 2010 at 7:30 p.m. at the Town Hall, Arnold's Cove for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, on the 2nd day of June, 2010 the Town Council of Arnold's Cove approves the Arnold's Cove Municipal Plan 2010.


SIGNED AND SEALED this 2nd day of June, 2010

Mayor:


Tom Osbourne

Clerk:


Wayne Slade

Municipal Plan/Amendment	
REGISTERED	
Number	0110-2010-003
Date	0110-2010-003 July 15, 2010
Signature	

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TOWN OF ARNOLD'S COVE

MUNICIPAL PLAN 2010

1 INTRODUCTION - THE PLAN AND DEVELOPMENT REGULATIONS

This Municipal Plan for the Town of Arnold's Cove has been prepared in accordance with the provisions of the Urban and Rural Planning Act 2000 of Newfoundland and Labrador. It is accompanied by the Town of Arnold's Cove Development Regulations which provides the land use controls necessary to implement certain land use policies of this Municipal Plan.

The Urban and Rural Planning Act requires that a review be carried out every five years in order to ensure that, at a very minimum, a plan and its regulations are up to date and in compliance with the latest provincial policies and standards.

The Arnold's Cove Municipal Plan contains goals and land use policies approved by Town and registered by the Minister of Municipal Affairs. The Municipal Plan is binding upon Town and upon all other persons, corporations and organizations within the Arnold's Cove Municipal Planning Area.

In order to implement the Municipal Plan, the Arnold's Cove Development Regulations 2010 was approved and registered at the same time as the Arnold's Cove Municipal Plan 2010. The provisions of the Development Regulations set out the requirements for variances and non-conforming uses among other matters. Included with the Arnold's Cove Development Regulations is Newfoundland Regulation 3/011 - Development Regulations under the Urban and Rural Planning Act 2000.

Policies and regulations under the Municipal Plan and Development Regulations must comply with all applicable Provincial and Federal regulations. Prior to adoption by the Town under the Urban and Rural Planning Act, the Department of Municipal Affairs reviews the Plan and Regulations to "to determine provincial and other government agency interests . . ." (Section 15(3) of the Urban and Rural Planning Act)

Development schemes, design concepts, comprehensive plans, subdivision agreements and concept plans, further implement the Municipal Plan and Development Regulations with more detailed designs, design strategies and policies for roads and other facilities, and development. Furthermore, the Municipal Plan is implemented through and in turn, implements in part, the Integrated Community Sustainability Plan as described and set out in the to the Municipal Plan. The Integrated Community Sustainability Plan can be modified or amended without recourse to a municipal plan or development regulations amendment.

The boundaries between the different land use designations 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. Therefore, where necessary, minor adjustments may be made to these boundaries for the purpose of implementing the Plan or the Development Regulations.

Section 13, clauses (2) and (3), of the Urban and Rural Planning Act 2000 states:

(2) **A plan shall**

- (a) include a statement of the objectives of the plan;
- (b) indicate the policies to be implemented under the plan;

- (c) *divide land into land use classes and the use that may be made in each class and shall include prohibited uses of land;*
- (d) *include proposals for land use zoning regulations;*
- (e) *include proposals for the implementation of the plan;*
- (f) *provide provisions with respect to non-conforming uses; and*
- (g) *provide for the development of the planning area for a 10 year period.*

(3) *A plan may, with respect to a planning area*

- (a) *describe and determine the physical, economic and social environment;*
- (b) *describe existing and proposed transportation networks and proposed networks of streets;*
- (c) *establish areas for comprehensive development;*
- (d) *propose the phasing in of development;*
- (e) *establish areas for comprehensive development;*
- (f) *provide for the protection, use and development of environmentally sensitive lands;*
- (g) *provide for storm water control and erosion control;*
- (h) *provide for the protection, use and development of natural resources and for the prevention of natural resource development with incompatible negative impacts;*
- (i) *provide for the excavation, filling in or reclamation of land;*
- (j) *provide for the non-removal of trees and vegetation and for other environmental matters including requiring that environmental studies be carried out prior to undertaking specified developments;*
- (k) *provide for the height and siting of developments;*
- (l) *provide for the use and conservation of energy;*
- (m) *provide for and recommend the attraction, location, development and diversification of economic activity;*
- (n) *provide for garden suites and back lot development;*
- (o) *establish locations, provisions for and policies with respect to housing and facilities for senior citizens; and*
- (p) *make other proposals, that in the opinion of the council or regional authority are necessary.*

2 Background

More information about Arnold's Cove is contained in the Municipal Plan 2010 Background Report.

Facing Placentia Bay and bounded on the east by the Trans Canada Highway, Arnold's Cove is a town with a little over a thousand people located on the Isthmus of Avalon. Arnold's Cove is 30 minutes from Clarenville, and an hour and a quarter from St. John's.

The Municipal Planning Area of Arnold's Cove - 46.9 square kilometres in area, includes the Town -4.93 square kilometres, the settlement of Arnold's Cove Station and the Town's Protected Public Water Supply at Sleeve's Pond. The bulk of the Planning Area lies east of the Trans Canada Highway and borders the Bull Arm Development Area, Trinity Bay, while the Town proper borders on Placentia Bay and takes in a much smaller area to the west of the Trans Canada Highway. The municipal boundary which this includes everything but the wharf of the Whiffen Head crude oil transshipment plant and the proposed LNG (Liquified Natural Gas) transshipment facility at Grassy Point.

The Avalon Isthmus communities of Long Harbour - Mount Arlington Heights, Arnold's Cove and Come By Chance, plus Bull Arm, are host to a nickel refinery, an oil refinery, a crude oil transshipment plant, and a major fabrication site for the offshore and other marine related purposes. An additional refinery is in the planning stages, along with a liquified natural gas storage and transshipment facility.

The fishery is still important in the Isthmus area for the communities that border Placentia Bay, particularly, Icewater Seafoods of Arnold's Cove which employs 250 workers on a seasonal basis. However, except for docking facilities, no services are provided at the harbour.

Businesses serving residents include a building supplies dealer, a small supermarket and several convenience stores, a service station, hair-dressing salon, a gift shop, a pharmacy and a doctor's and dentist's office, insurance company, barber-shop and hair-dressing salon and others which not only serve residents, but also the industrial and construction sectors.

These services are complemented by the high quality of its institutions and people - numerous volunteer organizations, a commitment to civic improvement (Tidy Towns and Communities in Bloom, OceanNet), an active heritage society and an all-grade school which together make Arnold's Cove an ideal place to live in. Golden Years Manor with twenty apartments and Hilltop Manor, which provides level one care - ensure that as persons become older and perhaps less able, they will be able to remain in their community.

It is a very compact community where the school is within a kilometre of the older and newer residential areas, and the new newer residential area off Spencer's Drive is only about a kilometre and a half from the port area.

The 2006 (Statistics Canada) population of 1003 is not expected to change much over the ensuing decade, nor, despite the activity in the region, is development. Instead, the projections call for a moderate pace of high quality development, with about forty (40) homes being built during the decade ending in the 2020 together with a number of new businesses taking advantage of the Town's location on the Isthmus and services and amenities - schools, recreational services and care facilities.

Already good quality, services and roads will be improved, with the focus being on treating the domestic sewage and upgrading the municipal water system to ensure adequate water pressure throughout the Town.

Based upon preliminary subdivision layouts shown on the Municipal Plan Background Map (source: map - Town of Arnold's Cove Vision 2020 updated) the potential number of new serviced residential lots is about 285.

The total number of full time jobs in the Isthmus, including Long Harbour, is expected to be about 2,200, with another 7,500 long and short term construction and fabrication jobs at Bull Arm, Long Harbour and the proposed LNG and oil refinery sites (Discovery REDB Strategic Economic Plan 2008 and Town of Long Harbour Mount-Arlington Heights).

However, proximity to major population and service centres and the distribution of these industries in other communities of the Isthmus, ensure that growth in the Town of Arnold's Cove itself will remain moderate, even as it benefits financially from commercial and industrial real property and business taxes along with grants in lieu of taxation.

Including the original settlement of Placentia Bay based on a still productive fishery, the events with the biggest effects on Arnold's Cove were:

- a) the official resettlement programs of the nineteen sixties which created a whole new community back of the existing community laid out in the manner of a typical subdivision which in turn was followed by town status in 1972 and, regulations on development;
- b) as part of the modernization of the Province, the industrialization of the Isthmus beginning around the same time as the resettlement program - which initially included the Come By Chance Oil Refinery, initiated in the late sixties, and completed in 1973, followed by the Bull Arm Fabrication Site for Hibernia in 1990, and the Whiffen Head Oil Transshipment Plant in 1998;
- c) the completion of the Trans Canada Highway in 1965, which had the effect of benefitting communities like Arnold's Cove, that were readily accessible to this transportation arterial.

It is not expected that Arnold's Cove in 2020 is going to be substantially different from the one residents are currently experiencing. The Town is going to remain

prosperous compact livable, walkable community with a higher level of services - paved roads, upgraded water and sewer systems and a more fully developed trails and recreational system.

Climate change has not factored into the discussions about Arnold's Cove future, since the Town does not believe that given the orientation of the port facilities it is particularly vulnerable to storm surges.

Residential areas and emergency services - town office and fire hall, school, medical clinics - emergency access in and out of Arnold's Cove are not vulnerable to sea level rise or storm surges, and were not damaged in prior major storm events. A second access from the Trans Canada Highway is proposed.

Obviously, the design and construction of major facilities in next to and in the marine environment has to account for weather related impacts and climate driven changes in sea levels and storm impacts.

3 MUNICIPAL PLAN OBJECTIVES

The main objective of the Municipal Plan is to foster the development of the

community's social and economic well-being in a way that is socially, economically and environmentally sustainable over the long run through the appropriate policies and initiatives under the Municipal Plan, the Integrated Community Sustainability Plan and in association with members of the community, regional bodies and other levels of government.

4 LAND USE POLICIES

4.1 General Development Policies

4.1.1 Future Land Use Designations and Policies

All development within the Arnold's Cove Planning Area shall be managed in accordance with the general land use policies and designations set out in the ensuing sections. These designations are shown on the Future Land Use Maps.

To identify land for the future development needs of Arnold's Cove, the following land use designations are established in the Plan and designated on Future Land Use Maps:

- a) Residential
- b) Rural Residential

- c) Mixed Development
- d) Commercial
- e) Industrial
- f) Community Service
- g) Rural
- h) Environmental Protection
- j) Highway.
- i) Protected Public Water Supply

4.1.2 Accessory Buildings and Uses

Accessory buildings and uses shall be subject to the conditions set out in this Municipal Plan and the Development Regulations.

Residential accessory buildings shall be clearly subsidiary to the main or principal dwellings on a lot.

An accessory use is defined under Newfoundland Regulation 3/01 – Development Regulations under the Urban and Rural Planning Act, 2000 as "a use that is subsidiary to a permitted or discretionary use and that is customarily expected to occur with the permitted or discretionary use."

4.1.3 Advertisements and Signs

Advertisements and signs shall, while complying with requirements for safety and convenience and promoting the businesses and resources of Arnold's Cove, be designed and located in such a way as to contribute to the overall attractiveness of Arnold's Cove.

4.1.4 Agriculture

Agricultural uses shall be approved by both the Department of Natural Resources and the Town, together with other appropriate agencies.

4.1.5 Archaeological Resources

Archaeological sites and discoveries are protected under the Historic Resources Act, 1985. If such a site is discovered, development shall stop and the Provincial Archaeology Office of the Department of Tourism, Culture and Recreation consulted. Also, if any major development is proposed, this Office shall be advised before an approval is granted by the Town so that the necessary research can be carried out before construction begins.

4.1.6 Compatibility of Uses, Buffers and Screening

Town shall ensure as much as possible that new development will not negatively affect existing and proposed land uses by creating a hazard or nuisance such as noise, dust, odour or unsightly appearance. Town may require a developer to provide appropriate screening or to undertake other measures to minimize negative off-site effects.

4.1.7 Comprehensive Development

The Town may permit a large scale private or public comprehensive development that except for land use does not meet the requirements of the Development Regulations and this Municipal Plan provided that:

- a) the Town is satisfied that either the site conditions are such that the standard requirements could not be met, or, the quality of the development would be greater than could otherwise occur through the application of the standard requirements;
- b) a comprehensive development plan of the property has been granted approval in principle by the Town, along with other approvals before permits are issued for development;
- c) the comprehensive development itself has frontage on a publicly owned and maintained road;
- d) the development is compatible with adjacent development;
- e) water supply and waste disposal services for the development are approved by the Government Service Centre and other appropriate agencies;
- f) there are at least two developments within the comprehensive development and the land area of the development is at least one hectare.

Along with other conditions and requirements, the Town may require that a communal water supply and waste disposal service be provided by the developer and maintained by the developer and/or owners of the development.

4.1.8 Development and Roads and Services

New development shall make efficient use of existing roads and infrastructure. Town shall further ensure that new development will not create unreasonable servicing demands or costs.

The Town may refuse permission for a subdivision or any development where in its opinion it is uneconomical to provide all requisite services, including road maintenance, garbage pickup and fire protection.

Development on private water and/or waste disposal systems shall be approved by the Department of Government Services and all other appropriate agencies before a permit is issued by the Town.

Unless specifically exempted under the Development Regulations - for example, comprehensive development, remote cottages, agricultural operations or wharves - all new development shall have direct frontage onto a publicly owned and maintained road, and in the case of a new subdivision, shall have frontage on a road constructed under the terms of a subdivision permit issued by the Town.

4.1.9 Discretionary Powers

Under the Urban and Rural Planning Act [Section 35 (1) (e) (viii)] and this Municipal Plan and the Development Regulations, the Town can exercise broad discretionary powers over development to ensure

that development occurs in such a way as to protect the basic interests of the community and individual in accordance with the other provisions of this Municipal Plan and in accordance with the applicable legislation.

Discretionary powers are exercised over a wide range of developments, including discretionary uses, non-conforming uses, variances and developments which under the Act and in the opinion of the Town require the exercise of such powers.

The criteria for exercising discretionary powers under this plan are as follows:

- a) the applicant and the likely affected parties and the general public and other persons or agencies (provincial, federal, non-profit, etc.) are given adequate notification and opportunity to comment on the application and the decision of the Town;
- b) the discretionary power is exercised in a clear and fair (unbiased) manner;
- c) the exercise of the discretionary power is properly documented.

4.1.10 Discretionary Uses

Unless it is specifically set out as a permitted or discretionary use under the Municipal Plan, the Town may determine that a use should be identified as a discretionary use under the Development Regulations, where, in its opinion:

- a) the use could have a negative impact on the predominant uses of the zone and therefore it is desirable to consult with the public and possible affected parties prior to issuing, issuing subject to conditions, or refusing a permit;
- b) that to ensure that the discretionary use is compatible with nearby uses and/or the predominant uses of the zone, it is necessary to attach conditions to an approval that differs from the standard conditions for permitted uses under the Development Regulations.

4.1.11 Environment

In reviewing an application for a permit, the impact of a development on the land, marine and air environment of the Planning Area shall be considered and Provincial policies on the environment complied with.

A number of these issues are addressed under separate sections of the Municipal Plan.

4.1.12 Forestry

Forestry uses shall be approved by both the Forestry Services Branch of the Department of Natural Resources and the Town, together with other appropriate agencies.

4.1.13 Heritage Buildings and Areas/Port Side Area

The Town already has one designated heritage building, and three heritage cemeteries which are protected by the Town from development that could alter their basic character and heritage status. The Town under this Municipal Plan and the Municipalities Act may designate other heritage sites, and, define a heritage area under which the design of buildings shall be controlled in order to maintain the character of the heritage area.

The Town and the Harbour Authority together with other local and regional entities begin to develop a plan for the historic area (Background Map) that preserves the community's legacy and realizes its potential for tourism and community development and enjoyment.

4.1.14 Mineral Exploration

(1) Subject to the other provisions of this Municipal Plan, mineral exploration which is not classed as development by virtue of not having appreciable soil disturbance, construction of access roads, noise, odour and unsightly appearance - can be permitted anywhere in the Planning Area, provided that adequate notification is provided to the Town.

(2) Mineral exploration which is classed as development shall be permitted in the Agriculture designation, and is treated as a discretionary use in all other zones, provided that adequate provision is made for buffering and/or other means of reducing or eliminating the impacts of the exploration on other uses of land.

Where there is soil disturbance, the developer shall provide surety and/or other satisfactory guarantees of site landscaping to the Town.

4.1.15 Mineral Workings

Provided that adequate provision is made for screening and/or buffering, environmental protection and site reinstatement, mineral workings may be permitted in the Agriculture designation.

A permit shall be obtained from the Department of Natural Resources, Mineral Lands Division for a mineral working before any approvals are given by the Town.

4.1.16 Nalcor Corridor

Within the NALCOR Corridor as shown on Future Land Use Map 1, all development applications shall be referred to Nalcor Energy for approval before a permit is granted by the Town.

4.1.17 Parking and Offstreet Loading Areas

Adequate parking and offstreet loading areas shall be provided for all uses unless specifically exempted under the Development Regulations.

4.1.18 Protected Road Zoning Plan

The Trans Canada Highway is a Protected Road under the Urban and Rural Planning Act 2000, Protected Road Zoning Regulations. Within the Town, development within 100 metres of the centre-line of the Highway is subject to approval of the Government Service. Outside the Town of Arnold's Cove but within the Municipal Planning Area development within 150 metres of the centre-lines of the Highway is subject to the approval of the Government Service Centre.

4.1.19 Recreational Trails and Walkways and T'Railway

There is a network of well-recognized and less well-recognized trails in the community of Arnold's Cove, in particular, the Bordeaux Trail, the Cabot Trail along the former highway, and the Newfoundland T'Railway which lies within the Planning Area alone.

Wherever space and terrain characteristics allow, the appearance and use of well-known trails shall be protected by natural vegetation buffers that separate the trail and other forms of development and from hazard areas and areas subject to erosion, ..

The minimum trail corridor dimensions shall be set out in the Development Regulations. However, wherever feasible the minimum width of a trail corridor shall generally be 30 metres, 15 metres in either direction from the centre-line of the trail. Where necessary, this minimum corridor width can be expanded.

4.1.20 Site and Subdivision Development

The Town shall consider soil stability, risk of flooding, and/or soil erosion, the adequacy of site grading, drainage and landscaping, and, the potential of the development to cause erosion onto and pollution of adjacent development and lands and bodies of water receiving run-off from the site, and other similar matters, before approving a development.

4.1.21 Uses Permitted In All Designations

Except as otherwise set out in this Municipal Plan and the Development Regulations, accessory buildings and uses, antenna, conservation, mineral exploration, public utilities and recreational open space and trails are allowed in all designations as either permitted or discretionary uses.

4.1.22 Waterways and Wetlands

- (1) Development within waterways and wetlands is subject to this Regulation and all relevant provincial and federal policies and statutes, including Department of Environment and Conservation Policy Directives W.R. 97-1, Development in Shorewater Zones and 97-2, Development in Wetlands. Where there is a conflict between the Policy Directives and this Section or the Development Regulations, the more restrictive standards shall apply.
- (2) **The minimum width of a buffer along a waterway or wetland shall be 15 metres from the highwater mark, or 1 in 100 year flood zone, of the stream, river, pond or other body of water or wetland.**

[MPA-2011-1](#) and [NL Gazette](#).
- (3) If the toe of an embankment with an average slope of 30% or more lies within 15 m of the highwater mark, or 1 in 100 year flood zone of the waterway, then the buffer shall be measured from the top of the embankment.
- (4) Subject to the approval of the Department of Environment and Conservation and the Town, the only uses that can be permitted in the buffer area of a waterway are roads, driveways, public utilities, recreational open space and trails and uses requiring direct access to a body of water, such as wharves and docks and other marine related uses.

- (5) Development, and this includes placing fill or other materials, within a waterway and the buffer area of a waterway is subject to the approval of the Town, the Provincial Government, and where necessary, the Government of Canada.
- (6) The Town or the Provincial Government may subject development within the buffer area of a watercourse to an environmental review, and may approve, approve subject to conditions, or refuse such development. The matter of adequate and usable legal public access to the waterway shall be a consideration in the review of an application for a structure within a buffer and/or waterway.
- (7) Any development within a body of water or involving the alteration of a body of water must be approved by or exempted by the Department of Environment and Conservation for Crown Lands and referrals, Coast Guard Canada of the Department of Fisheries and Oceans - Navigable Waters Act, Fish Habitat Division of the Department of Fisheries and Oceans and/or, the Water Resources Division of the Department of Environment and Conservation before a permit is issued by the Town.

Development within a buffer is subject to the approval of the Water Resources Management Division of the Department of Environment and Conservation, Department of Fisheries and Oceans Canada and where applicable, the Government Service Centre of the Department of Government Services.

- (8) Wetlands can only be developed in such a way as to minimize damage and impacts on the hydrology and environment of the area.
- (9) Any development within a wetland or the buffer of a wetland shall require the approval of the Minister of Environment and Conservation as well as the Town whether or not that wetland is zoned Environmental Protection under the Development Regulations.
- (10) If a waterway or wetland is deemed to be minor, wherever possible protected by a buffer. If a site is to be developed, alternatives to such waterways and wetlands shall remain undeveloped and covering over or eliminating such waterways and wetlands shall be explored, including relocation of the waterway or wetland and/or redesign of the development.
 - a) A minor waterway is defined as being a drainage course, an intermittent stream which does not carry significant storm flows and/or a stream which is not a fish habitat.
 - b) A minor wetland is defined as a wetland less than 5,000 metres in area not associated with a waterway and not deemed have a role in water management, wildlife habitat or the conservation of an environmentally sensitive area.
- (11) **Bird Sanctuary** - The two sites located at Big Pond and the Lagoon (a barachois) - are further restricted as to the types of development and activities in order to protect these sites as bird sanctuaries. Development proposals shall be reviewed to ensure that there is no damage to bird habitat and to maintain the dune separating the barachois and Arnold's Cove of Placentia Bay. The Town may restrict the use of motorized recreational vehicles in these areas.

4.1.23 Wind Mills, Wind Turbines and Wind Farms, Other Energy Sources

Utilities, which include wind mill, wind turbines, wind farms, and other energy together with access roads and associated facilities, are subject to the generating systems that do not fall under the definition of a public utility, approval of relevant provincial and federal departments and agencies and

Consideration their impact on nearby land uses and persons, the public utilities. The design and location of such utilities shall take into environment and archaeological resources within the Town, along with other matters that the Town may deem to be significant. For example, to prevent damage to persons and properties due to the failure of windmill or any of its components or the shedding of ice, the Town shall ensure that there is adequate separation distance between the windmill and nearby structures and properties. I

The design, construction and location of a windmill or other utility shall be certified by a competent professional who has consulted with the required agencies.

4.2 Residential Designation

The Residential Designation is applied to areas that are almost exclusively comprised of single dwellings and/or that are proposed for residential subdivisions.

In addition to single dwellings, other uses that can be entertained as permitted or discretionary uses include apartment buildings, double dwellings, green houses (agriculture use), home businesses, mobile homes, row dwellings and non- residential uses that are deemed to be compatible with the residential uses.

See also Section 4.1.21 - Uses Permitted In All Designations.

The Development Regulations shall ensure that non-residential uses are compatible with nearby residential uses and do not negatively affect the use and enjoyment of nearby residential properties.

All development in this designation shall be connected to municipal water and sewer services.

4.3 Residential Rural Designation

The Residential Rural Designation is applied to unserviced residential areas.

Permitted uses in this designation are single dwellings and home businesses. Other uses that can be entertained as permitted or discretionary uses include mobile homes and non-residential uses, including greenhouses that are entirely compatible with the predominant single dwellings.

See also Section 4.1.21 - Uses Permitted In All Designations.

The Development Regulations shall ensure that non-residential uses are compatible with nearby residential uses and do not negatively affect the use and enjoyment of nearby residential properties.

Development in this designation shall only be connected to private water supply and waste disposal systems, and shall only be permitted on existing publicly owned and maintained roads. No development requiring the extension or development of a road shall be permitted in this designation.

4.4 Mixed Development Designation

The Mixed Development Designation is applied to areas where there is a mixed array of land uses, where the predominant uses are generally residential or where it is desirable to allow for an array of residential and non-residential uses.

Non-residential uses, including green houses, compatible indoor and outdoor assembly (including campgrounds), commercial, light industrial and public uses – may be allowed as either permitted or discretionary uses.

See also Section 4.1.21- Uses Permitted in All Designations.

The Development Regulations shall ensure that non-residential uses are compatible with nearby residential uses and do not negatively affect the use and enjoyment of nearby residential properties.

Wherever feasible as determined by the Town, development in this designation shall be connected to municipal water and sewer services.

[MPA-2012-4](#) and [NL Gazette](#).

4.5 Commercial Designation

The Commercial Designation is applied to major commercial and commercial - light sites and industrial park sites.

The Commercial designation accommodates an array of assembly, **appropriate residential**, business and personal service, commercial, light industrial, public, service station, tourism related, and transportation and other similar uses as permitted or discretionary uses. General industry is a discretionary use in this designation.

General industry is a discretionary use in this designation.

A waste transfer station or recycling facility may be permitted as a discretionary use in this designation provided that it is compatible with the other uses of the designation.

See also Section 4.1.21 - Uses Permitted in All Designations.

Wherever feasible as determined by the Town, all development in this designation shall be connected to municipal water and sewer services.

[MPA-2012-4](#) and [NL Gazette](#).

4.6 Industrial Designation

The industrial designation applies to the main port and major industrial sites that may include industries related to the oil and gas production and storage, the processing of fish, and manufacturing and repairs of vessels and heavy equipment.

Permitted uses include general industry, light industry, mineral exploration, office, shop and transportation.

Discretionary uses include catering, hazardous industry, mineral workings, recreational open space and trails and utility.

Whether it is a permitted or discretionary use, the Town shall ensure that no development occurs which may impede the appropriate industrial development of the designation.

See also Section 4.1.21 - Uses Permitted In All Designations.

Wherever feasible or necessary, development in this designation shall be connected to municipal water services and have frontage on a publicly owned and maintained road.

4.7 Community Service Designation

The Community Service Designation is applied to selected public facilities and spaces, including the community park at the Trans Canada Highway.

The Community Service designation allows an array of public and public accommodation, assembly, institutional - schools and care facilities and other compatible uses as permitted or discretionary uses.

Under this designation, whether it is a permitted or discretionary use, the Town shall ensure that any development is compatible with the primary public functions of the designation.

See also Section 4.1.21 - Uses Permitted In All Designations.

Wherever feasible or necessary, development in this designation shall be connected to municipal water services and have frontage on a publicly owned and maintained road.

4.8 Rural Designation

The Rural Designation is applied to largely undeveloped lands suitable for resource development and/or development which is not suitable for an urban setting and/or in order to provide lands for development through the amendment process as it becomes necessary to accommodate the Town's expansion. The Rural designation in the latter case prevents premature development.

The Rural designation also applies to sites along the marine shoreline where there is a cluster of fishing stages and wharves and other non-industrial marine-related activities.

Permitted uses include agriculture, forestry, mineral exploration and recreational open spaces and certain accessory uses.

Discretionary uses include animal, antenna, campground and cabins, outdoor market, scrap yard, solid waste disposal (recycling facility or transfer station only), transportation, utility.

A campground may contain both a campground and accessory uses, and tourist cabins associated with an approved campground designed to accommodate travel trailers, tents and similar uses.

Scrap yard and solid waste disposal shall not abut a residential area or designation.

See also Section 4.1.21 - Uses Permitted In All Designations.

Development in this designation is not required to be connected to the municipal water supply and sewer system.

4.9 Environmental Protection Designation

The Environmental Protection designation is applied to well-defined areas along or around selected waterways and wetlands to ensure that their integrity is maintained.

Conservation uses are permitted uses in this designation. However, subject to the appropriate approvals and reviews, roads and public utilities, access to properties inside and outside this designation, agriculture, recreational open space and trails and accessory uses, and uses requiring direct access to a body of water can also be permitted in this designation as discretionary uses.

All development in this designation is subject to the approval of the Department of Environment and Conservation and other provincial and federal agencies as required, including where necessary, Fisheries and Oceans and Canada.

4.10 Protected Public Water Supply Designation

The Protected Public Water Supply Designation is applied to the Sleeve's Pond Protected Public Water Supply which is the source of the Town's municipal water system. This water supply is protected in accordance with provincial policy, and in accordance with the detailed regulations under the Town's Development Regulations.

Uses within this designation are limited to those compatible with the maintenance of a high quality water source for the Town.

4.11 Highway Designation

The Highway Designation is applied to the Trans Canada Highway (Provincial Highway 1). Only uses approved by the Department of Transportation and Works and the Town can be allowed under this designation. Uses that can be entertained for approval in this designation include public services and public utilities, recreational open space and trails, and, transportation.