

June 24, 2007

**TOWN OF COW HEAD
DEVELOPMENT REGULATIONS AMENDMENT NO. 8, 2007**

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF COW HEAD
DEVELOPMENT REGULATIONS AMENDMENT NO. 8, 2007**

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

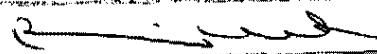
- a) adopted the Cow Head Development Regulations Amendment No. 8, 2007 on the 16th day of July, 2007.
- b) gave notice of the adoption of the Cow Head Development Regulations Amendment No.8, 2007 by advertisement inserted on the 26th day of November, 2007 and the 3rd day of December, 2007 in the Northern Pen newspaper.
- c) set the 12th day of December at 7:30 p.m. at the Town Hall, Cow Head for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Cow Head approves the Cow Head Development Regulations Amendment No. 8, 2007 on the 17th day of December, 2007.

SIGNED AND SEALED this 17th day of December, 2007

Mayor: 
Garland Hutchings

Clerk: 
Eura Curtis

Development Regulations Amendment
REGISTERED
Number <u>1230-2008-002</u>
Date <u>14 JANUARY 2008</u>
Signature 

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF COW HEAD
DEVELOPMENT REGULATIONS AMENDMENT NO. 8, 2007**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Cow Head adopts the Cow Head Development Regulations Amendment No. 8, 2007.

Adopted by the Town Council of Cow Head on the 16th day of July, 2007.

Signed and sealed this 15th day of October, 2007.

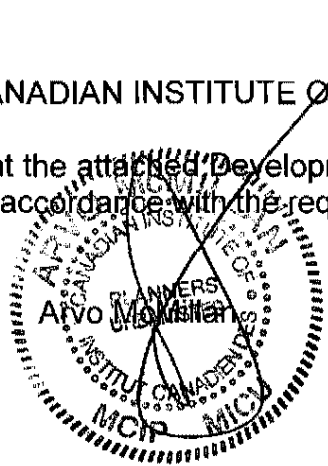
Mayor: 
Garland Hutchings

Clerk: 
Eura Curtis

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. 8, 2007 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:



**TOWN OF COW HEAD
DEVELOPMENT REGULATIONS AMENDMENT NO. 8, 2007**

BACKGROUND

This amendment is designed to comply with Municipal Plan Amendment No. 3, 2007. Land Use Zoning Map 2 is amended to show the expanded Residential Zone, while Land Use Zoning Maps 1 and 2 show the Protected Public Water Supply Area Zone.

The Rural Resource Zone is amended to allow seasonal residential development as a discretionary use.

A new zone, Protected Public Water Supply Area is added to Schedule C.

PUBLIC CONSULTATION

The public consultation process was the same as that for Municipal Plan Amendment No. 3, 2007.

DEVELOPMENT REGULATIONS AMENDMENT NO. 8, 2007

1. Land Use Zoning Maps 1 and 2 are amended as shown on the attached plans.
2. Schedule C - Rural Resource Zone - Discretionary Use Classes is amended by adding 'seasonal residence" so that the table of permitted and discretionary uses WHICH STATES:

ZONE TITLE	RURAL RESOURCE	(COW HEAD)
PERMITTED USE CLASSES - (see Regulation 85)		
Agriculture, forestry.		
DISCRETIONARY USE CLASSES - (see Regulations 22 and 86)		
Outdoor assembly, single dwelling, outdoor market, general industry, mineral working, recreational open space, cemetery, solid waste, Transportation.		

IS AMENDED TO STATE:

ZONE TITLE	RURAL RESOURCE	(COW HEAD)
PERMITTED USE CLASSES - (see Regulation 85)		
Agriculture, antenna, conservation, forestry, and recreational open space.		
DISCRETIONARY USE CLASSES - (see Regulations 22 and 86)		
Cemetery, general industry, mineral working, outdoor assembly, outdoor market, seasonal residential, single dwelling, solid waste disposal and transportation.		

3. Schedule C - Rural Resource Zone - Condition, Condition 7 WHICH STATES:

"8. Residential Dwellings

Residential dwelling shall not be permitted in the Rural Resource zone except at the discretion of the Authority and where such a dwelling is clearly ancillary and necessary for the effective operation of a permitted or agricultural use."

IS AMENDED TO STATE:

"8. Residential Dwellings - Single Dwellings and Seasonal Residences

Single dwellings and seasonal residences (cottages) may be permitted in the Rural Resource area at the discretion of the Authority, subject to the following conditions:

- the single dwelling is accessory to and essential to the operation of the permitted land use and occurs on the same lot as the permitted land use;
- the seasonal residence is not serviced and no individual access is permitted to Highway 430, instead, a minimum of six cottages must connect to an access which connects to Highway 430;
- where there is a subdivision for cottages, the plan of subdivision is approved by the Department of Government Services before a permit is issued by the Authority;

- the minimum lot area for any unserviced single dwelling or seasonal residence is 1,860 square metres in a planned subdivision, or 3,000 square metres if the dwelling unit is a free-standing remote cottage or seasonal residence dwelling;
- all necessary referrals have been carried out and approvals received from the various government departments, including but not limited to the Department of Government Services, the Department of Environment and Conservation, the Department of Natural Resources, and the Department of Transportation and Works, before a permit is issued by the Authority.

A single dwelling, except as provided for under Condition 12 of this zone - Seasonal Residence - may only be permitted in the Rural Resource zone at the discretion of the Authority where such a single dwelling is clearly ancillary to and necessary for the effective operation of a permitted or agricultural use.

Notwithstanding Regulation 43 – Lot Frontage – a single dwelling or a seasonal residence may be allowed on a lot or property which does not front directly onto a street.”

4. Schedule C - Mineral Workings Zone - Permitted and Discretionary Use Classes, WHICH STATES:

ZONE TITLE	MINERAL WORKINGS	(COW HEAD)
PERMITTED USE CLASSES - (see Regulation 85)		
Mineral working..		
DISCRETIONARY USE CLASSES - (see Regulations 22 and 86)		
Agriculture, Forestry, Antenna.		

IS AMENDED TO STATE:

ZONE TITLE	MINERAL WORKINGS	(COW HEAD)
PERMITTED USE CLASSES - (see Regulation 85)		
Mineral exploration and mineral working.		

DISCRETIONARY USE CLASSES - (see Regulations 22 and 86)

Agriculture, antenna and forestry.

5. Schedule C is amended by adding the Public Protected Water Supply Area Zone, WHICH STATES:

**USE ZONE TABLE
PROTECTED PUBLIC WATER SUPPLY (PPWSA) ZONE**

ZONE TITLE	(COW HEAD)
PROTECTED PUBLIC WATER SUPPLY AREA (PPWSA) ZONE	
PERMITTED USE CLASSES - (see Regulation 85)	
Antenna, Conservation, Public Services and Public Utilities and Recreational Open Space.	
DISCRETIONARY USE CLASSES - (see Regulations 22 and 86)	
Agriculture and Forestry	

CONDITIONS FOR THE PROTECTED PUBLIC WATER SUPPLY AREA ZONE

1. General Conditions and Referrals

In addition to any other approvals or requirements by the Town, all development in this zone shall be subject to the approval of the Minister of Environment and Conservation.

Conditions 1, 2, 3, 4 and 5 are based upon Department of Environment and Conservation Policy Directive W.R. 95-01 - Water Resources Management Division as modified.

- (1) Existing activities will be allowed to continue unless it is established that these are impairing water quality or have the potential to impair water quality.

- (2) The Minister of Environment and Conservation may require proponents of existing activities, which have the potential to impair water quality, to obtain his/her approval.
- (3) No development shall be carried out in the Protected Public Water Supply Area Zone except in accordance with this policy.
- (4) No person shall carry out any development in the Protected Public Water Supply Area Zone without obtaining prior approval in writing from the Minister.

2. Activities Not Permitted in the Zone

The following activities shall not be permitted in the Protected Public Water Supply Area Zone:

- a) placing, depositing or discharging or permitting the placing, depositing or discharging into a body of water any sewage, refuse, chemicals, municipal and industrial wastes or any other material which impairs or has potential to impair water quality;
- b) using an intake, pond, lake, river or specified buffer zones for any activity detrimental to water quality, and not permitted in the Water Resources Act;
- c) using ice covered water body for transporting logs or wood, riding skidoos/motor vehicles/all terrain vehicles, leading animals, or any other activity, including littering, which impairs or has potential to impair water quality;
- d) using or operating existing facilities in such a manner that impairs or has potential to impair water quality;
- e) vehicle maintenance facilities, warehouses and chemicals and salt storage depots;
- f) storage and disposal of pesticides and manure, application of manure and chemicals in specified buffer zones, extensive land clearing, and peat land drainage without adequate treatment;

- g) clear-cutting of forest in sensitive areas, establishment of camps and camp facilities, storage of chemicals, application of pesticides, drainage of peat land for afforestation, and application of toxic fire retardants;
- h) activities, operations or facilities associated with aggregate extraction and mineral exploration such as work camps, vehicle parking and maintenance facilities, washing of aggregates, asphalt plants, discharge or deposit of waste material into a body of water, and significant disturbance to land for mineral exploration purposes;
- i) application of herbicides in the right-of-way, and use of chemically treated utility poles and other related structures;
- j) aquaculture development and associated activities having potential to impair water quality;
- k) processing and manufacturing plants having potential to impair water quality; and,
- l) waste disposal facilities, and any other storage or disposal facilities that the Minister of Environment and Conservation considers environmentally unacceptable.

3. Activities Regulated in the Zone

Subject to the other provisions of these Regulations, in this zone no person shall, including the permitted and discretionary use classes, undertake any of the following activities without obtaining prior written approval from the Minister of Environment and Conservation and a permit from the Town:

- a) expansion and upgrading of the existing activities, operations or facilities;
- b) land clearing or drainage, construction of access roads, servicing of lands for subsequent use, or extension and upgrading of existing buildings or facilities;
- c) installation of storm or sanitary sewer pipelines, pipelines for transmission of water for hydroelectric generation, agriculture uses, or any other purposes;
- d) construction of roads, bridges, culverts, and other stream crossings, and installation of power and telecommunication transmission lines;

- e) modification to intake structures, pump house, reservoir; and
- f) any other development or activity which, in the opinion of the Minister of Environment and Conservation, has caused impairment or has potential to impair water quality.

4. Approval Process

- (1) The proponent shall submit a detailed development plan along with maps, drawings and specifications and other information as required by the Town and the Minister of Environment and Conservation for approval.
- (2) The Minister of Environment and Conservation may, on the recommendation of his/her officials, issue a certificate of approval for the proposed development on such terms and conditions as the Minister considers necessary to protect water quality.
- (3) The proponent shall obtain separate approvals under Section 48 of the Water Resources Act from the Minister and Conservation for all permanent or temporary stream crossings or for alteration to bodies of water that may be necessary to carry out the approved development.
- (4) The proponent shall also obtain licences, permits or approvals under other Acts and Regulations, including the Development Regulations as required prior to commencing the approved work.
- (5) The proponent of the approved development shall notify the Town by providing a copy of the approval issued under this policy before commencing the work.
- (6) The proponent shall maintain adequate liaison and consultation with the person or authority responsible for the operation and maintenance of the waterworks during the implementation and operation of the approved work.
- (7) The Minister of Environment and Conservation may require the inspection of the approved development from time to time by his/her officials to ensure that the development is carried out in an environmentally acceptable manner and the proponent is complying with the terms and conditions of the approval.

- (8) The Minister of Environment and Conservation may require a proponent to monitor water quality according to a monitoring program approved by the Minister in order to evaluate the impact of the approved development on a public water supply.

5. Buffer Zones

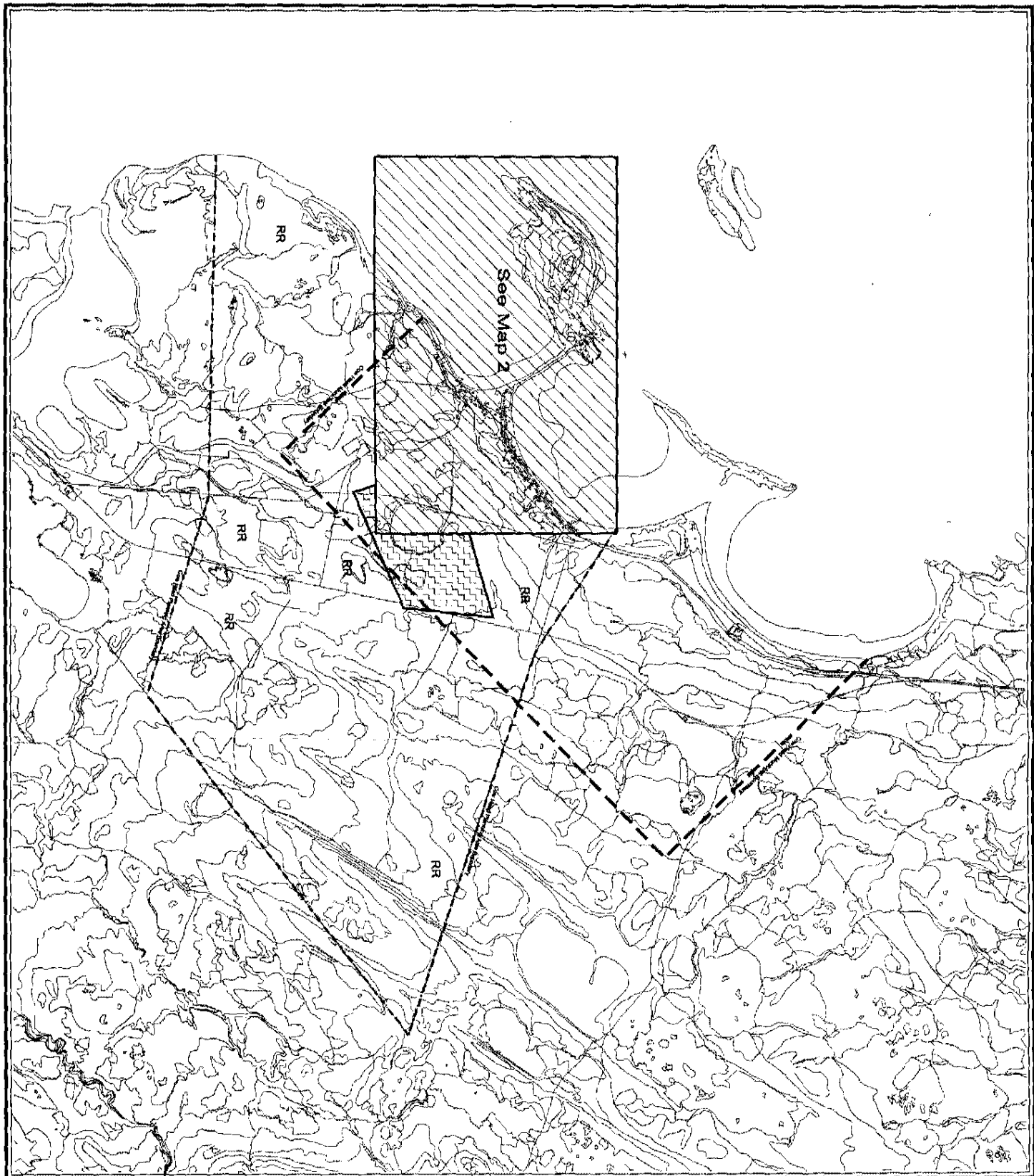
The proponents shall provide the following widths of buffer zones along and around water bodies from the high water mark in a designated area:

Water Body	Width of Buffer Zones
Intake pond or lake	a minimum of 150 metres
River intake	a minimum of 150 metres for a distance of one kilometre upstream and 100 metres downstream
Main river channel	a minimum of 75 metres
Major tributaries, lakes or ponds	a minimum of 50 metres
Other water bodies	a minimum of 30 metres

No development activity shall be permitted in buffer zones except those that are intended to promote vegetation.

6. Discretionary Use Classes

The discretionary use classes may be permitted at the discretion of the Authority provided that they are compatible or complementary to uses within the permitted use classes, or that their development will not inhibit or prejudice the quality of water for domestic purposes which in future would flow or which flows into the Town water pipes from sources within the Protected Public Water Supply Area zone.



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