

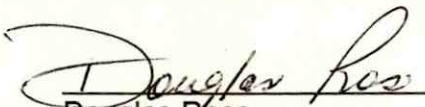
TOWN OF HERMITAGE - SANDYVILLE
MUNICIPAL PLAN 2011

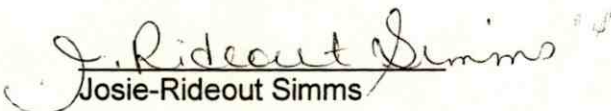
**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF HERMITAGE - SANDYVILLE MUNICIPAL PLAN 2011**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Hermitage - Sandyville adopts the Hermitage - Sandyville Municipal Plan 2011.

Adopted by the Town Council of Hermitage - Sandyville on the 13th day of December, 2011.

Signed and sealed this 21st day of February, 2012.

Mayor: 
Douglas Rose

Clerk: 
Josie-Rideout Simms

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:



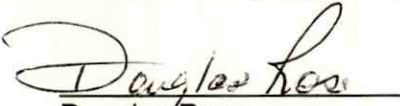
**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF HERMITAGE - SANDYVILLE
MUNICIPAL PLAN 2011**

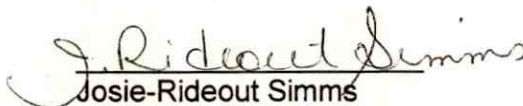
Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Hermitage - Sandyville:

- a) adopted the Hermitage - Sandyville Municipal Plan 2011 on the 13th day of December, 2011.
- b) gave notice of the adoption of the Hermitage - Sandyville Municipal Plan 2011 by advertisement inserted on the 17th day of January, 2012 and the 24th day of January, 2012 in the Coaster Newspaper.
- c) set the 6th day of February, 2012 at 7:00 p.m. at the Town Office, Hermitage - Sandyville 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 Hermitage - Sandyville approves the Hermitage - Sandyville Municipal Plan 2011 on the 21st day of February, 2012.

SIGNED AND SEALED this 21st day of February, 2012

Mayor: 
Douglas Rose

Clerk: 
Josie-Rideout Simms

| |
|---|
| Municipal Plan/Amendment REGISTERED |
| Number <u>2265-2012-001</u> |
| Date <u>March 20, 2012</u> |
| Signature <u></u> |

Table of Contents

| | | |
|------|---|----|
| 1 | INTRODUCTION..... | 1 |
| 2 | BACKGROUND..... | 2 |
| 2.1 | <i>General Description and Natural Setting</i> | 2 |
| 2.2 | <i>History</i> | 3 |
| 2.3 | <i>Businesses and Services</i> | 4 |
| 2.4 | <i>Municipal Services</i> | 5 |
| 2.5 | <i>Employment/Unemployment</i> | 6 |
| 2.6 | <i>Population</i> | 6 |
| 2.7 | <i>Climate Change</i> | 7 |
| 2.8 | <i>Integrated Community Sustainability Plan</i> | 8 |
| 3 | GENERAL GOALS AND DEVELOPMENT POLICIES..... | 9 |
| 3.1 | <i>Future Land Use Designations and Policies</i> | 9 |
| 3.2 | <i>General Development Initiatives and Policies</i> | 9 |
| 3.3 | <i>Conditions – All Development</i> | 10 |
| 3.4 | <i>Agriculture</i> | 11 |
| 3.5 | <i>Archaeological and Heritage Resources</i> | 11 |
| 3.6 | <i>Coastline and Harbour Areas</i> | 12 |
| 3.7 | <i>Comprehensive Development</i> | 12 |
| 3.8 | <i>Environment</i> | 13 |
| 3.9 | <i>Forestry</i> | 13 |
| 3.10 | <i>Mineral Exploration</i> | 13 |
| 3.11 | <i>Mineral Workings</i> | 14 |
| 3.12 | <i>Solid Waste Disposal – Hermitage Landfill</i> | 14 |
| 3.13 | <i>Subdivisions – Groundwater Supply Assessment</i> | 14 |
| 3.14 | <i>Trails</i> | 15 |
| 3.15 | <i>Unserviced Development</i> | 15 |
| 3.16 | <i>Waterways and Wetlands</i> | 15 |
| 3.17 | <i>Windmills, Wind Turbines, Alternative Energy Sources</i> | 16 |
| 4 | DESIGNATIONS..... | 17 |
| 4.1 | <i>Residential</i> | 17 |
| 4.2 | <i>Town</i> | 17 |
| 4.3 | <i>Industrial</i> | 18 |
| 4.4 | <i>Rural</i> | 18 |
| 4.5 | <i>Park</i> | 19 |
| 4.6 | <i>Environmental Protection</i> | 19 |
| 4.7 | <i>Protected Public Water Supply</i> | 19 |

Maps – Future Land Use Maps 1 and 2

HERMITAGE - SANDYVILLE MUNICIPAL PLAN 2011

1 INTRODUCTION

The Town of Hermitage - Sandyville Municipal Plan 2011 has been prepared in compliance with the Urban and Rural Planning Act 2000. The Hermitage - Sandyville Municipal Plan contains policy statements and maps approved by the Town and registered by the Minister of Municipal Affairs to guide community growth and development for the next 10 years.

The Municipal Plan is binding upon the Town and upon all other persons, corporations and organizations within the Municipal Planning Area. The Plan must be reviewed by the Town every five years and, if necessary, revised to take account of development that cannot be foreseen during the next ten year period.

The Hermitage - Sandyville Municipal Planning Area is the area set out under the Urban and Rural Planning Act 2000 for planning and regulatory purposes. This Planning Area boundary is the same as the Town boundary. The Land Use Zoning, Subdivision and Advertisement Regulations – known as the Development Regulations come into effect the same time as the Municipal Plan. The Development Regulations shall deal with matters relating to development and buildings as defined under the Urban and Rural Planning Act 2000, which include in addition to permitted and discretionary land uses, matters such as non-conforming uses, advertisements, subdivisions and permitting requirements.

Development Regulations must comply with the requirements of the Urban and Rural Planning Act 2000, Newfoundland Regulation 3/01 (Development Regulations under the Urban and Rural Planning Act 2000) and any other pertinent rules and regulations enacted by the Province, including, the Municipalities Act, and as well, legislation relating to environment, health and safety, agriculture, mines and mineral workings, highways, and forestry. Development schemes (amendment to the Municipal Plan), 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.

The Town may reserve land for future acquisition as the site of any public roadway, service or building, or for a school, park or other open space, and may make such agreement with owners of the land as well permit its acquisition and use of these purposes. The Town may also specify the manner in which any particular area of land is to be used subdivided or

developed, and may regulate the construction of buildings which would interfere with the carrying out of any development project.

2 BACKGROUND

This section of the Municipal Plan largely based on the Town of Hermitage – Sandyville Integrated Community Sustainability Plan 2010.

2.1 General Description and Natural Setting

The Town of Hermitage – Sandyville, population 499 in 2006, is located on the South Coast of Newfoundland with Hermitage located in Hermitage Bay and Sandyville located in Connaigre Bay. Hermitage – Sandyville lies about 200 kilometres from the Trans Canada Highway, and 25 kilometres from Highway 360, the main highway of the region.

The town and planning area take in an area of approximately 29 square kilometres.

The major service centres of the region – St Alban's (medical clinic, government services and retail) and Harbour Breton (hospital, major retail and vessel repairs and storage and accommodations services) have 2006 populations of 1,278 and 1,877 respectively. Harbour Breton lies approximately 50 kilometres from the community.

Hermitage - Sandyville is a member of the Coast of Bays Corporation, a regional economic development board head-quartered in St. Alban's. The Coast of Bays population in 2006 was 7,917.

Hermitage was incorporated in 1963 with the addition of Sandyville formerly known as (Dawson's Cove) in 1969. The communities span the peninsula that separates Hermitage Bay and Connaigre Bay. Hermitage located on the Hermitage Bay side of the peninsula while Sandyville is on the Connaigre Bay side.

Hermitage is located in a well protected cove which has a very good harbour extended well inland. Facing north-west the harbour entrance is deep with a shallow bottom near its head and is protected by barren topped hills which rise on both sides of the harbour. Its orientation and relatively short reach, the protection afforded by a semi-enclosed harbour and a breakwater for the inner harbour, the rocky terrain and the high elevation of much of the community except for port-side developments means that Hermitage is fairly well protected from storm surges.

The bulk of Sandyville is located on and next to a Barachois which is protected by a sandy beach. There are several fishing stages on the beach. Most of this community lies within several metres of the mean sea level as is the road to Seal Cove. Sandyville faces almost due south and is vulnerable to storm surges due to lack of protection, the long reach, the soils and the low elevation of nearby terrain.

There is a ferry service from Hermitage to the communities of Gaultois and McCallum. It takes approximately a half hour to get to Gaultois and one and quarter hours to get to McCallum.

2.2 History

Hermitage got its name by a family of Ingrams who lived here first, were afraid of everyone and everything and would only go to Gaultois if they really had to. They were referred to as the Hermits and hence, Hermitage got his name. Sandyville got its name in the beginning of the 19th century, when two immigrants and converts of the Salvation Army, met in London, Ontario. Four years later as a honeymooning couple with the surname of Dawson came to Newfoundland and settled at Dawson Cove, now renamed Sandyville.

There was no hospital close to Hermitage-Sandyville but it had four mid-wives, one of which is said to have delivered approximately 365 babies. There was a doctor's boat brought here in 1950 to take the doctors to the surrounding communities to care for the patients.

One of the first companies in Hermitage-Sandyville was Newman and Company who traded in salt cod fish and stores, as well as whaling and sealing expeditions to Greenland in 1744.

Construction of the first St. Saviour's Church in Hermitage began in 1850. Built from stone, the church was a gift from Thomas Newman Hunt of the firm Newman, Hunt and Company, a firm based in London, England with interests throughout Newfoundland. The church was built in the Gothic style familiar to England and the stone, slate, timber and limestone used in its construction were shipped from England to Hermitage. The first service in the stone church was held on Sunday, May 13, 1855. The church was consecrated on August 26, 1855 by Bishop Edward Field.

By 1920 the congregation of St. Saviour's decided to build a new church, modelled on a church in Nova Scotia. The stone church had not fared so well. Cracks were showing in the stone and the mortar was deteriorating. Construction of the new church began in the late spring of 1920. The basement was poured on September 22 of that year.

(Source: Hermitage-Sandyville Come Home Year 1992 book and Heritage Foundation of Newfoundland and Labrador website.)

Fishing and the fish plant were the main sources of income in the community but after the Cod Moratorium there was a big decline in the fishing industry and the residents found it necessary to move away and seek work elsewhere. After a number of years the aquaculture industry was introduced to the Coast of Bays Area and a few residents were successful in finding employment. Each year more people are getting involved with the aquaculture as it is growing steadily in the Hermitage-Sandyville area.

2.3 Businesses and Services

Besides the fishing Industry there is very limited employment opportunities for the residents of the community, which means that people have leave for work, or adapt to a life where the primary wage earner resides elsewhere for extended periods of time. However, aquaculture is now becoming a major employer in the town with positive outcomes on the town as a whole.

Although the industrial base is limited, the town is relatively well-supplied with businesses and health and educational services which include: a credit union, several retail outlets, a building supplies store, a restaurant, a clinic, a school, and an inn.

Health

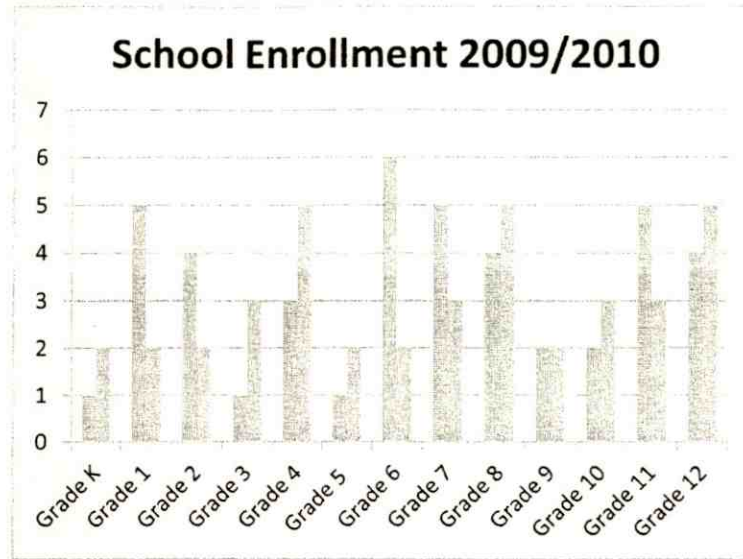
There is a Community Clinic with a full time nurse five days a week and a doctor who services Hermitage, Sandyville, Seal-Cove, Gaultois and McCallum. For additional medical treatment it is necessary to visit the Connaigre Peninsula Health Center in Harbour Breton. For more serious appointments such as ultrasound, chemotherapy, mammograms and so forth, it is necessary to travel 250 kilometres to the Central Newfoundland Regional Health Center in Grand Falls- Windsor.

Education

The school in Hermitage-Sandyville is John Watkins Academy which opened in 1973 and was named after Canon John Watkins who was a rector of the parish from 1943-1970. It evolved from a central high school (grades 7-11) to an all-grade school serving the communities of Hermitage-Sandyville. In 1995, students from John Loveless Memorial at Seal Cove began to be bused to Hermitage. Until 1997, John Watkins Academy, which was under the jurisdiction of the Bay D' Espoir Integrated School Board, became a part of the Nova Central School District which has its head office in Gander.

The school has a library with a part-time librarian and a CAP site. John Watkins Academy has an enrolment of 82 students as of September 2009,

down from 206 students in September 1989. Below is a graph showing the student enrolment for 2009/2010.



2.4 Municipal Services

Water and Sewer

The town is almost fully serviced with a municipal water and sewer system.

Water is obtained from the Granfer Pond – Strickland Pond Protected Public Water Supply. The boil order has been lifted since December 2008. The town has difficulty keeping a consistent chlorine residual due to the high flow of water to the fish plant, when it is in operation. Sandyville also has difficulty keeping that chlorine residual as a result of being on the far end of the system.

By the end of 2010, the Town should have a sand filtration water system in place to provide safe drinking water going to each household at all times.

The town's sewer system carries waste directly to the outfalls and then into the ocean. In Sandyville, there is a lift station that takes waste to the outfall in the Sandyville harbour.

Solid Waste Disposal

Currently garbage is collected by the town truck by going from door to door on a weekly basis and then deposited at a land fill site located about 1.5

kilometres on Highway 362 from Hermitage where it is burned once a week. This fire burning can be hazardous, especially in the summer months. Under the Provincial Waste Management Strategy the plan is to have all garbage taken to the supersite in Norris Arm and by 2013 to have all existing landfill sites closed. In addition to taking the garbage to another site, there will be a strong emphasis on waste diversion and recycling.

Fire Protection and Emergency Preparedness

The Town of Hermitage-Sandyville has a fire department consisting of approximately 20 members, including a Fire Chief, Assistant Chief, 2 Captains, and 2 Lieutenants. They are constantly attending training sessions to be better prepared for any emergency that may arise. They have a meeting at the local fire hall every second week to practice their training and make sure everything is in proper working order. They have a rescue van and this past year they purchased a new pumper truck with a value of over \$250,000 dollars.

As part of its Integrated Community Sustainability Plan, the Town intends to have an Emergency Management Plan in place by the end of 2011 in compliance with the requirements of the Newfoundland and Labrador Fire and Emergency Services Agency.

Recreation

The town has a municipal park which the council continues to care for and keep presentable so that people can camp there – Partridge Cove Park. It includes a beach at the end of the park with a gazebo and a boardwalk so one can go for a walk and take in the lovely scenery. There is also a boardwalk going around the local pond which a lot of residents use on a regular basis and the Mayors March for the Heart and Stroke Disease is held there every year.

2.5 *Employment/Unemployment*

After the fishery started declining many people found it necessary to move away to find employment. Statistics Canada lists the unemployment rate for our community in 2005 to be 59.3% as opposed to 44% in 1996 which is an increase of approximately 15% in 9 yrs.

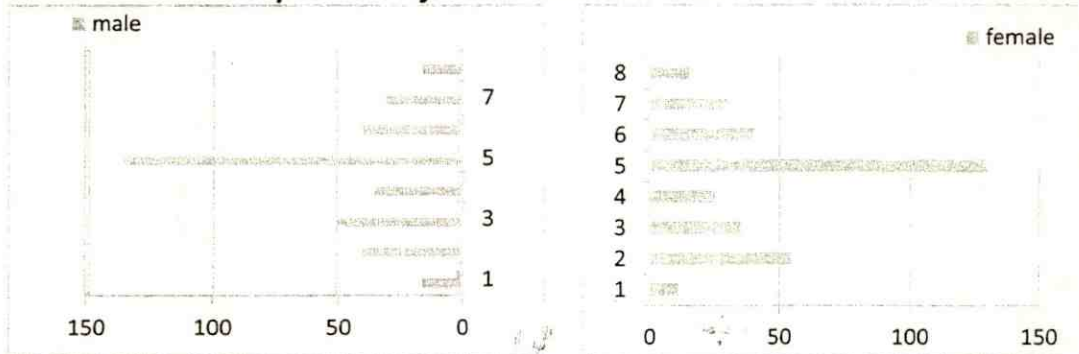
2.6 *Population*

According to the 2006 Census our population is currently 499 with 233 dwellings. This represents a 17.1 percent decline from the 2001 population of 602. There are a greater number of older people in the community and the younger ones are leaving to look for work elsewhere, which is making our

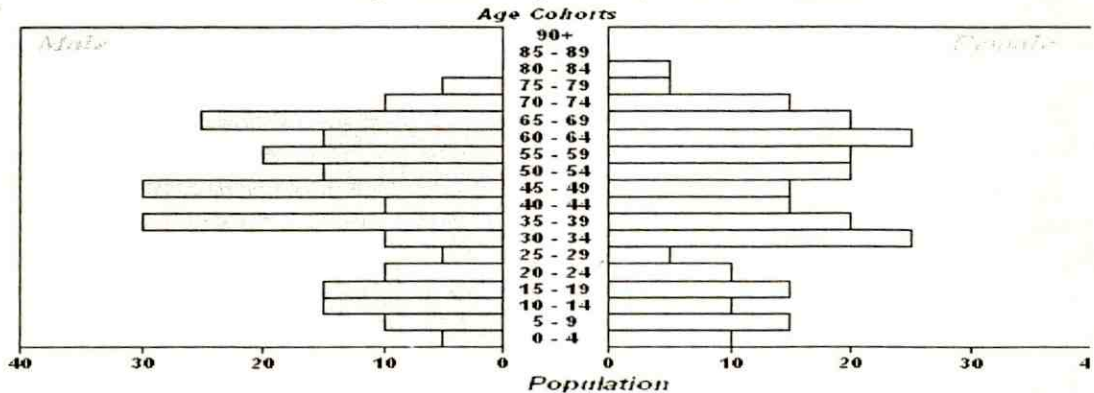
net population decline. If the town cannot keep its younger residents in the community, it will decline even more because the school will not be able to stay open. This is a major concern of the Town Council. There are no new dwellings being constructed in the community, so Council is forced to raise taxes constantly for the residents, which makes it hard when everyone is on a budget.

Below is a graph showing the declining population trend over the past 14 years.

Population Pyramid CENSUS 1996



Population Pyramid, Census 2006



Source: <http://www.communityaccounts.ca>

2.7 Climate Change

For the purpose of this municipal plan it is assumed that over time the number of storm events and the amount of precipitation will increase and that it is likely that the sea-level will continue to rise. However it is also assumed that unless the change in climate is catastrophic in nature, the impact of storms on the two communities will be similar to major storm events in the past. Prudent behaviour then and now dictates that vulnerable types of development and emergency services are not located in areas that could be affected by storm surges or washouts or landslides and *that roads*

and services are designed and located so as to ensure access, potable water and safety during major storm events.

Wharves and facilities located next to the coast line should be designed to take into account the latest data about climate change and weather.

As set out in Section 2.1, Hermitage is much less vulnerable to storm surges than Sandyville. In the summer of 2010 a breakwater was constructed in Sandyville to mitigate the effects of storms.

2.8 Integrated Community Sustainability Plan

The Town adopted its Integrated Community Sustainability Plan in March 2010 in order to set out initiatives to be undertaken by the Town and its partners over the next five to ten year period for the Town to remain viable and also that would enable the Town under the headings of environmental, economic, social and cultural sustainability to become a more sustainable community under the Community Vision of ***"To build upon our contribution to the history of the region while striving to face the challenges of the future, maintaining a sense of community and a respect for the environment."***

This municipal plan builds upon that foundation and along with dealing with land use issues. Although all initiatives ('targets') under the ICSP are important, certain initiatives under the ICSP are noteworthy as being of direct relevance to the municipal plan, namely:

- a) Involvement with the regional and provincial waste management planning processes (affects the current landfill);
- b) Establish feasibility of upgrading and extending the Town's water supply system by 2013 and exploring ways of providing primary waste treatment in both communities by 2018 (long run implications for development);
- c) Develop a harbour front plan to protect existing water front properties and allow for continued economic activities by 2015 (relates to policies in respect of climate change and the future role of the Hermitage waterfront and should be expanded to include the Sandyville shoreline and barasway);
- d) Develop an Emergency Preparedness Plan by 2011;
- e) Improve docking facilities and access to docking facilities and protection of the fish plant and harbour facilities in Hermitage through a combination of means, including a breakwater west of the fish plant (2013, 2012, 2015)
- f) Install breakwater in the Sandyville Barasway (2011) – *Note: though measures have already been taken, additional measures for protecting the shoreline and development adjacent the shoreline may be required.*

3 GENERAL GOALS AND DEVELOPMENT POLICIES

GOAL

The goal of the Hermitage - Sandyville Municipal Plan is to accommodate and encourage constructive change that will foster the community and region's economic and social development while adhering to basic principles of sustainable, economically sound and environmentally appropriate urban and rural development within the Municipal Planning Area and the Town of Hermitage - Sandyville.

DEVELOPMENT POLICIES

All development within the Hermitage - Sandyville 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.

3.1 *Future Land Use Designations and Policies*

To identify land for the future development needs of Hermitage - Sandyville, the following land use designations are established in the Plan and designated on Future Land Use Maps:

Residential
Town
Industrial
Rural
Park
Environmental Protection
Protected Public Water Supply.

The boundaries between the land use designations set out on the Future Land Use maps are general only and, except in the case of roads or other physical barriers, are not intended to define exact limits. Therefore, minor adjustments may be made to these boundaries for the purpose of implementing the Plan.

3.2 *General Development Initiatives and Policies*

3.2.1 General Development Initiatives

Under this Municipal Plan it is the policy of the Town to support the following key initiatives which will support the Town's Integrated Community Sustainability Plan as outlined under Section 2.8 and which also enable the

Town to cope more readily with the effects of climate change and storm events.

In addition to carrying out the necessary studies and projects, the Town will carefully review development proposals to ensure that these will not negatively affect the implementation of those initiatives.

3.2.2 General Development Policies

In order to ensure that development occurs in an orderly manner and that appropriate development opportunities are maximized, subdivisions and other major developments shall be co-ordinated with other existing and proposed developments and the Planning Area's road system and services. In doing this, the Town may require that a comprehensive plan of development be prepared and adopted before any development is permitted in a given area.

To prevent the locking-in of developable lands from future development any development or subdivision may be required to provide for public access to adjacent undeveloped lands as a condition of permit from the Town.

When reviewing a development proposal, the Town shall consider the suitability of a site in terms of steepness of grades, soils and geology, location of waterways and wetlands and shall, when considering approval, ensure that the development has minimal or no negative effects on other properties and bodies of water.

If in its opinion, the development of the site having certain characteristics, such as steep or unstable slopes, poor drainage, high water table and so forth, could create problems for the development of the site or nearby properties, the Town can require the submission of a review of the development proposal by a certified engineer, landscape architect or similar professional.

Among other matters, the review shall evaluate the adequacy of site grading, drainage and landscaping and the potential of the development to cause erosion onto and pollution of adjacent properties and bodies of water.

3.3 *Conditions – All Development*

3.3.1 Services and Access

Services and access must be appropriate to the type and scale of development.

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

Development lacking either municipal water and/or municipal sewer services shall be approved by the Department of Government Services before a permit is issued by the Town.

In addition to any other considerations under this Municipal Plan, the Town may refuse permission for a development where in its opinion services are inadequate or it is uneconomical to provide and maintain these services.

3.3.2 Uses Allowed In All Designations

Accessory buildings and uses, conservation, public services, public utilities and recreational open space and trails are allowed in all designations as either permitted or discretionary uses.

3.3.3 Compatibility of Uses, Buffers and Screening

The 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. The Town may require a developer to provide appropriate screening and to undertake other measures to minimize negative effects.

3.4 ***Agriculture***

Higher intensity livestock and related agricultural uses shall be separated by an adequate buffer between existing and proposed residential developments. These agricultural uses shall conform to Provincial Government policies and guidelines with respect to such operations.

In general, all agricultural operations shall be approved by the Department of Natural Resources.

3.5 ***Archaeological and Heritage 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, the Provincial Archaeology Office shall be advised before an approval is granted by the Town. This is to ensure that the necessary research is carried out before construction begins.

The Town shall endeavour to conserve and develop its heritage resources. It shall encourage the preservation of buildings and sites of historic interest in Hermitage - Sandyville through regulation and/or other suitable means, including the designation of selected buildings and sites.

The Town may from time to time designate heritage sites and areas under the Municipalities Act without amendment to the Municipal Plan or Development Regulations.

3.6 *Coastline and Harbour Areas*

- (1) Development adjacent or near the coast line, including active harbours, shall be reviewed to ensure that unless it is a use requiring direct access to the body of water:
 - a) it is not likely to be damaged by a storm;
 - b) it is not a "vulnerable or critical use", that is, a residential use, a use catering to persons with disabilities or other special needs, and/or a use related to emergency services (example – a fire station or emergency command centre, emergency shelter or other facility) – uses which if damaged or destroyed, could cause injury or loss of life and/or make it more difficult to respond to an emergency.
- (2) Any development at or near the 4 m elevation above sea-level as determined from existing mapping or from surveys shall be reviewed by the Town and other appropriate agencies before a permit is issued and regardless of the designation, a permit may be refused, or approved subject to conditions, by the Town where in its opinion the development is a vulnerable or critical use, where damage to such a use could cause injury or loss of life or affect the ability to deal with an emergency.

3.7 *Comprehensive Development*

At the discretion of the Town a comprehensive development containing two or more individual developments on a large parcel of land may be permitted as a single comprehensive development.

While the use classes and overall density of the comprehensive development must comply with the use zone schedule of the zone in which it is located, other standards can be modified or waived.

The development must be compatible with adjacent development.

The Town may require that a comprehensive development be connected to municipal water and sewer services and has direct access to a publicly owned and maintained street.

3.8 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 adhered to.

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

3.9 Forestry

Forestry activities are regulated by the Department of Natural Resources and the Town.

3.10 Mineral Exploration

- (1) Subject to the other provisions of this Municipal Plan, mineral exploration which is not classed as development by virtue of drilling, appreciable ground disturbance, construction of access roads, noise, odour and 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 Rural designation provided that adequate provision is made for buffering/and or other mitigations of impacts of existing or future urban residential, commercial, industrial, institutional and recreational areas and provided that all necessary approvals are obtained.
 - a) Buffering may take the form of a buffer between such mineral exploration and areas set aside for urban purposes within which higher impact mineral exploration is either prohibited outright, or is treated as a discretionary use.
 - b) Higher impact mineral exploration shall be subject to conditions that control noise, appearance, duration of the drilling or excavating program and the control of other impacts that may arise. The precise nature of these controls will depend upon

the location of the mineral exploration in respect to built-up areas and uses sensitive to noise and ground disturbance.

- c) Where there is ground disturbance, the developer shall provide a site restoration surety and/or other satisfactory guarantees of site landscaping to the Town.

3.11 Mineral Workings

The Town may provide for mineral workings in areas where there are known aggregate supplies and where there is less likely to be conflict between mineral workings and other uses. Such mineral workings shall be accommodated under designations and zones specifically designed to accommodate mineral workings and certain compatible uses, and/or they can be accommodated in the rural portions of the Planning Area, subject to controls that will minimize environmental damage and conflict with other land uses.

3.12 Solid Waste Disposal – Hermitage Landfill

A buffer is established around the Hermitage Landfill. Any development within this buffer, unless it is a relatively minor expansion or infill must be approved by the Department of Environment and Conservation.

3.13 Subdivisions – Groundwater Supply Assessment

The approval of new unserviced subdivisions containing five or more lots or the addition of unserviced lots to existing unserviced subdivisions require that a groundwater assessment be done to determine with high probability that acceptable quality and quantity drinking water will be available to homeowners for both the short and long term. This shall be done in accordance with the Provincial Land Use Policy – 'Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells' as from time to time amended and administered by the Department of Environment and Conservation, Water Resources Management Division.

This policy provides the administrative and technical guidance to developers applying for subdivision approval and to ensure that the development proposals are submitted with the required technical support.

3.14 Trails

The Town has developed a trail system around Long Pond and to Back Cove which are shown on Future Land Use Map 2. Also, the Town may establish other trails in the future.

The Town may require that any development within a specified distance of a significant well-established and clearly demarcated trail be reviewed to ensure that development does not negatively impact such trail. Where deemed necessary, the Town may require that a buffer be provided by the developer. Wherever possible, this buffer shall extend at least 15 metres from either side of the trail.

3.15 Unserviced Development

Development on individual parcels of land with onsite sewage disposal and/or water supply requires the approval of the Department of Government Services under the Sanitation Regulations of the Health and Community Services Act. In addition to the standards regarding onsite sewage disposal and water supply, the Department also sets out minimum lot area and frontage requirements for unserviced development pursuant to the Sanitation Regulations.

3.16 Waterways and Wetlands

Sound environmental and engineering practice and protection of the Town's amenities make it the general policy of the Town to protect the coastal areas and the waterways and wetlands of the Hermitage - Sandyville Municipal Planning Area.

A protective buffer of undisturbed soil and vegetation shall be preserved along the marine and freshwater shorelines of all waterways and wetlands, except very minor ones. The buffer shall be sufficient to prevent erosion, retain natural drainage features, prevent siltation, preserve public access and protect fish habitat.

Together with the Town, development in waterbodies and in the buffer areas of the waterbodies and is subject to the approval of the relevant provincial and federal agencies including, the Department of Environment and Conservation, the Department of Government Services, Department of Transportation Canada under the Navigable Waters Act and the Department of Fisheries and Oceans Canada.

Subject to the appropriate approvals and reviews, only trails and accessory uses, wharves and other uses requiring direct access to a body of water may be permitted in these buffer areas.

Among other matters, the matter of adequate and usable legal public access to the waterway may be used as a consideration in the review of an application for a structure within a buffer and/or waterway.

If a waterway or wetland is deemed to be minor, wherever possible such waterways and wetlands shall remain undeveloped and protected by a buffer. If a site is to be developed, alternatives to covering over or eliminating such waterways and wetlands shall be explored, including relocation of the waterway or wetland and/or redesign of the development.

3.17 *Windmills, Wind Turbines, Alternative Energy Sources*

Wind mills, wind turbines and other alternative sources such as solar panels ('Utilities' under Schedule B of the Development Regulations), which are not classed as public utilities can be approved by the Town in suitable locations provided that all necessary approvals are obtained from the Departments of Environment and Conservation and Natural Resources and the Town is satisfied that such development will not create a hazard or nuisance to nearby land uses.

4 DESIGNATIONS

4.1 Residential

The Residential designation is applied certain areas of the town which are only deemed suitable for single dwelling residential development and residential accessory uses.

Permitted Uses are uses allowed under Section 3.3.2, including home business accessory use and subsidiary apartment accessory use, bed and breakfast, mini-home and single dwelling. There are no discretionary uses in this designation.

4.2 Town

This designation reflects the historic mixed land uses, including port-side uses, of Hermitage and Sandyville and it accommodates opportunities for further development.

- (1) The Town shall encourage the restoration, renovation and adaptive re-use of existing buildings and encourage appropriate infill development.
- (2) The Town may pursue the preparation of a development scheme or plan that includes an archaeological survey, an inventory of historic buildings, and harbourside and streetscape design and improvements.
- (3) Permitted Uses are uses allowed under Section 3.3.2, including home business accessory use and subsidiary apartment accessory use, bed and breakfast, mini home, mobile home, and single dwelling.
- (4) Discretionary Uses are agriculture, antenna, catering, child care, club and lodge, commercial – residential, communications, convenience store, cultural and civic, double dwelling, educational, funeral home, general assembly, general industry, general service, light industry, medical and professional, medical treatment and special care, office, outdoor market, passenger assembly, personal service, place of worship, seniors' housing and personal care facilities, service station, shop, take-out food service, theatre, transportation and veterinary.
- (5) The discretionary assembly, business and personal service, mercantile, institutional, industrial, transportation, antenna and other

non-residential uses shall be compatible with the existing developments. General industrial uses in this designation shall be restricted to marine related uses.

4.3 Industrial

The Industrial designation is established to enable the Town to develop a small industrial park next to Hermitage Highway. In the future, this designation may also be applied to other suitable industrial sites and areas.

Permitted Uses in this designation are uses allowed under Section 3.3.2 and antenna, general industry, light industry, mineral exploration, office and transportation. There are no discretionary uses in this designation.

4.4 Rural

Under the Rural designation the Town can allow resource based uses, uses related to resource based uses and appropriate compatible uses, including resort/tourism types of developments, seasonal residential, solid waste and recycling, transportation and utilities as either permitted or discretionary uses.

All development in this designation is subject to the approval of the Departments of Environment and Conservation and Natural Resources and other appropriate agencies.

Permitted Uses in this designation are uses allowed under Section 3.3.2, agriculture, antenna, forestry, mineral exploration and transportation (wharves and docks for personal use, small scale).

Discretionary Uses in this designation are animal, campground, catering, cemetery, general industry and light industry related to resource-based uses, mineral working, mining, outdoor assembly, scrap yard, seasonal residential, single dwelling, solid waste disposal, transportation and utilities (Section 3.17).

Discretionary uses shall be compatible with resource-based development.

Seasonal residential development can only be permitted as a discretionary use if it is a "remote cottage" type of development – that is, development which does not front on a public road and does not have access to municipal services.

A single dwelling may only be permitted if it is accessory to a permitted use.

Wharves and docks and slipways and stages designed for personal use or which are relatively small in scale are permitted uses. Significant port facilities that are used for commercial vessels or marinas for recreational or commercial purposes may only be permitted at the discretion of the Town.

4.5 Park

The Park designation is applied to the Partridge Cove Municipal Park in order to ensure that this park remains protected and developed as a nature park.

Permitted Uses are uses allowed under Section 3.3.2 and campground.

Discretionary uses are antenna, mineral exploration and utilities (Section 3.17).

4.6 Environmental Protection

The Environmental Protection designation is applied to areas where it is desirable to protect the natural features of an area from development. These features can include certain streams, wetlands, and treed areas.

Development within the Environmental Protection designation is subject to the approval of the Department of Environment and Conservation and other relevant agencies, along with the Town.

Permitted Uses in this designation are restricted to conservation.

Excepting Conservation, which is permitted, Discretionary Uses in this designation are Section 3.3.2 uses, antenna and transportation (wharves and docks).

4.7 Protected Public Water Supply

The Protected Public Water Supply designation applies to the Granfer Pond – Strickland Pond Protected Public Water Supply of Hermitage - Sandyville where it lies within the Planning Area.

Development is restricted to uses and activities that will not damage the water supply in a way that cannot be satisfactorily controlled.

HERMITAGE SANDYVILLE MUNICIPAL PLAN 2011

Conservation and public services and public utilities are permitted uses in this designation. Antenna, recreational open space and trails may be permitted as a discretionary use in this designation.

Development within the Protected Public Water Supply designation is subject to the approval of Department of Environment and Conservation and the Town.