



Town of Petty Harbour-Maddox Cove Municipal Plan

2014



Project Number: 123040.00

Municipal Plan

November 2014



Prepared For:

The Town of
Petty Harbour-Maddox Cove

Prepared By:



Gazetted: January 16, 2015

Consolidated: No amendments as of November 18, 2015

**Urban and Rural Planning Act
Resolution to Adopt**

**Town of Petty Harbour-Maddox Cove Municipal Plan
2014**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Petty Harbour-Maddox Cove adopts the Petty Harbour-Maddox Cove Municipal Plan 2014.

Adopted by the Town Council of Petty Harbour-Maddox Cove on the 11th day of August, 2014.

Signed and sealed this 24th day of November, 2014.

Mayor:

Not Hated

Clerk:

Stephanie Stack



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*.

Mary Bishop
M. Bishop, F.C.I.P.

Urban and Rural Planning Act Resolution to Approve

Town of Petty Harbour-Maddox Cove Municipal Plan 2014

Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Petty Harbour - Maddox Cove

- a) adopted the Petty Harbour-Maddox Cove Municipal Plan 2012-2022 on the 11th day of August, 2014.
- b) gave notice of the adoption of the Petty Harbour-Maddox Cove Municipal Plan by advertisement inserted on the 12th day and the 23rd day of September, 2014 in the Telegram.
- c) set September 29th at the Community Center, Petty Harbour-Maddox Cove, 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 Petty Harbour-Maddox Cove approves the Petty Harbour-Maddox Cove Municipal Plan 2014 as adopted.

SIGNED AND SEALED this day of 24th November, 2014.

Mayor: Nat Hatakeji

Clerk: Stephanie Strack

Municipal Plan/Amendment	
REGISTERED	
Number	3760 - 2014 - 001
Date	December 22, 2014
Signature	<u>[Signature]</u>



In 20 years I want Petty Harbour-Maddox Cove to be...

... Surrounded by large areas of accessible wilderness with many new hiking trails, maintaining its present charming, old-fashioned character, with a thriving fishing and tourism economy, and with more facilities for residents and tourists, such as shops, restaurants, and with housing that maintains the heritage character of the place.

-Response from the Plan Review Online Survey

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1. Introduction

1.1. Purpose of the Municipal Plan

The Petty Harbour-Maddox Cove Municipal Plan is Council's comprehensive policy document for the sustainable management of growth within the Town over the 10-year planning period from 2014 to 2024. Prepared under the authority of the *Urban and Rural Planning Act, 2000*, the Plan repeals and replaces the Petty Harbour-Maddox Cove Plan (approved November, 1999).

The Plan sets out policies for the management of growth and development in the community. Through the Plan, Council aims to protect the historic character of the Town, encourage development in a sustainable manner and promote a healthy, safe, walkable environment for the residents of Petty Harbour-Maddox Cove.

The Municipal Plan sets out the vision, goals, and objectives for community development and includes written policies, proposals for implementation and the Future Land Use Map. Development Regulations implement Town policies through specific standards and requirements that ensure land is controlled and managed in accordance with the Plan.

1.2. Planning Area

The map to the right shows the Municipal Planning Area for the Town of Petty Harbour-Maddox Cove. The Planning Area is governed by Town Council, which exercises control over development within the municipality.



1.3. Plan Preparation & Public Consultation Process

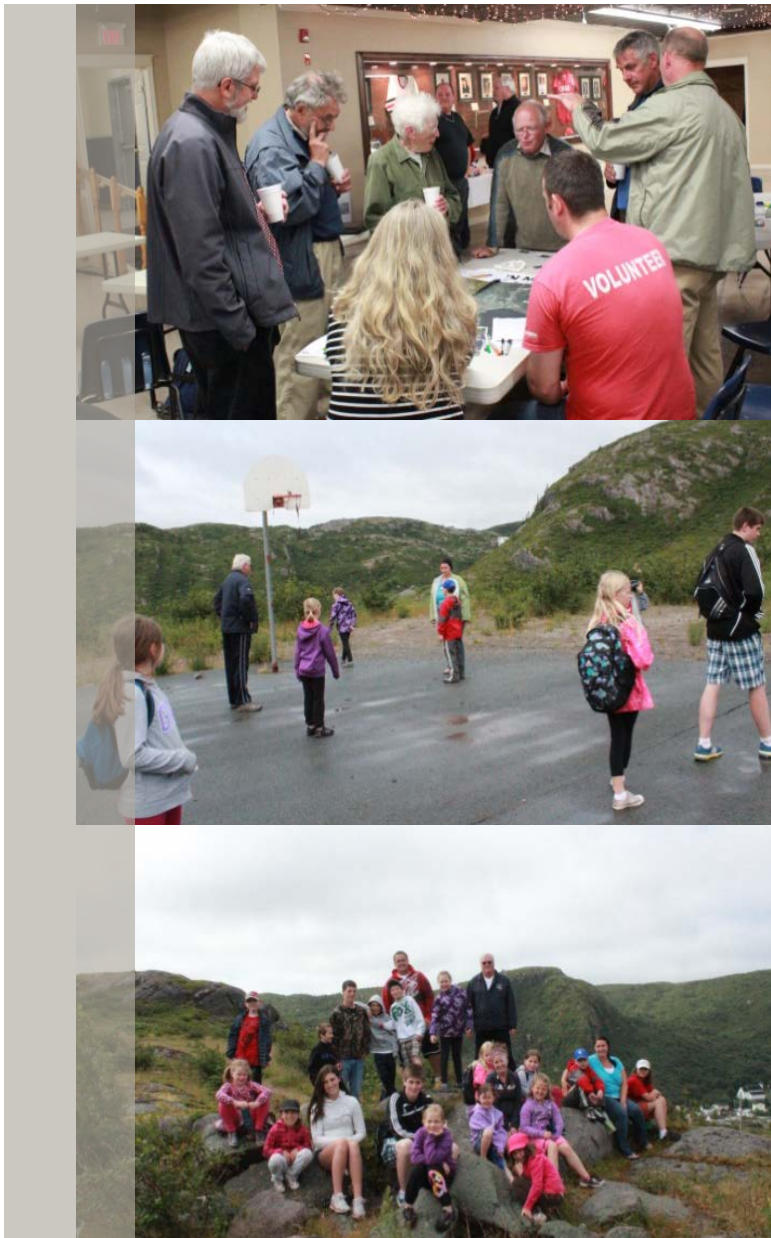
The first Town of Petty Harbour-Maddox Cove Municipal Plan and Development Regulations was approved in 1999. The planning process included a review of the 1999 Plan and Regulations.

The figure below outlines the process to establish the new Petty Harbour-Maddox Cove Municipal Plan in accordance with the *Urban and Rural Planning Act, 2000*. Relevant planning issues have been considered including a review of current land use, demographic and economic data. Through the Municipal Plan, future needs of the community are identified and addressed. The Municipal Plan takes into consideration, and incorporates where appropriate, the recommendations set out in the Integrated Community Sustainability Plan, as well as other studies and information including provincial floodrisk mapping and previous plans for redevelopment around the harbour.

The consultation process included discussions with a number of government agencies and local organizations. The residents of Petty Harbour-Maddox Cove were also consulted and given the opportunity to provide feedback throughout the Plan review process. A public meeting was held June 26, 2012 at the Petty Harbour-Maddox Cove Community Centre. The meeting was well attended and helped to identify key issues that should be addressed in the Municipal Plan, such as heritage preservation, improvements to municipal services and the walkability of the community. Residents and non-residents of the Town were also given an opportunity to provide feedback through an online survey available June 26 to August 10, 2012. The results of the survey confirmed the community's interest in heritage preservation and the importance of safe, walkable neighbourhoods.

The Petty Harbour-Maddox Cove Plan Review Process





To reach a wider range of age demographics, the children of the community were consulted about areas of the Town they thought were safe and unsafe and how play areas could be improved. Planning consultants also attended the *Petty Harbour-Maddox Cove Arts and Heritage Festival* on August 16 and 19, 2012 to provide an update on the planning process and acquire additional feedback.

Community Health and Built Environment

With support from the Heart and Stroke Foundation of Canada, additional community consultation effort was undertaken to engage citizens in discussions of how the built form of their community affects community health and well-being. Consultation events and the online survey included input from health professionals. Children of the community participated in a Walk with the Mayor to discuss ideas about increasing physical activity through parks and recreation.

1.4. Approval Process

When the Municipal Plan is formally adopted by resolution of Council under Section 16 (1) of the *Urban and Rural Planning Act, 2000*, Council gives notice of a public hearing on the Municipal Plan. At the public hearing the Commissioner appointed by the Council hears objections and representations, and writes a report to Council that includes recommendations and copies of submissions taken at the hearing.

After the Commissioner’s report has been submitted, Council considers the recommendations and may approve the Plan, or approve it with changes recommended by the Commissioner. Council then submits the Municipal Plan and accompanying Development Regulations to the Department of Municipal Affairs for registration. The Plan

comes into effect on the date that notice of its registration is published in the Newfoundland & Labrador Gazette (Section 24 (3)).

When the Municipal Plan comes into effect, it is legally binding upon Council and upon all other persons, corporations, and organizations proposing to develop or use land within Petty Harbour-Maddox Cove.

1.5. Implementing the Plan

When a Municipal Plan comes into effect, Council is required to prepare regulations for the control of the use of land in the form of Development Regulations. These regulations are prepared and approved at the same time as the Municipal Plan, and like the Plan, may be amended at any time to include new land uses and specific regulations to guide development within the Planning Area.

Day-to-day administration of the Municipal Plan and Development Regulations will be conducted by staff members authorized by Council to issue permits for developments approved by Council. Staff also make recommendations to Council on matters pertaining to development in accordance with the Municipal Plan and Regulations.

1.6. Reviewing and Amending the Plan

Under the *Urban and Rural Planning Act, 2000*, Council must review the Plan every five years from the date on which it comes into effect, and if necessary, revise it to reflect changes in the community that can be foreseen during the next 10-year period. The Plan may be amended as necessary prior to the five-year review in response to

new development proposals, changed policies, or community priorities.

1.7. Interpretation

In this Municipal Plan:

“Council” shall mean the Council of the Town of Petty Harbour-Maddox Cove.

“Development Regulations” shall mean the Petty Harbour-Maddox Cove Development Regulations.

“Municipal Planning Area” shall mean the Petty Harbour-Maddox Cove Municipal Planning Area.

“the Plan” shall mean the Petty Harbour-Maddox Cove Municipal Plan.

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

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

1.8. Regional Plan

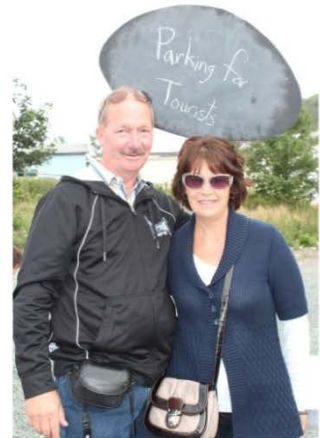
The Town of Petty Harbour-Maddox Cove is located within the St. John’s Urban Region. As such, the Municipal Plan for the Town must conform to the policies of the *St. John’s Urban Region Regional Plan, 1976* (currently under review).

This Plan recognizes that areas within Maddox Cove have been developed that are inconsistent with the *St. John’s Urban Region Regional Plan*. A large portion of the



developed area in Maddox Cove, including dwellings in Motion Bay Subdivision, and along Maddox Cove Road and Old Maddox Cove Road are within the Restricted Developed designation. As part of the Planning Process for this Plan, a Regional Plan Amendment was proposed and approved to correct inconsistencies and to include additional lands in Maddox Cove for future urban development.





2. Planning Context

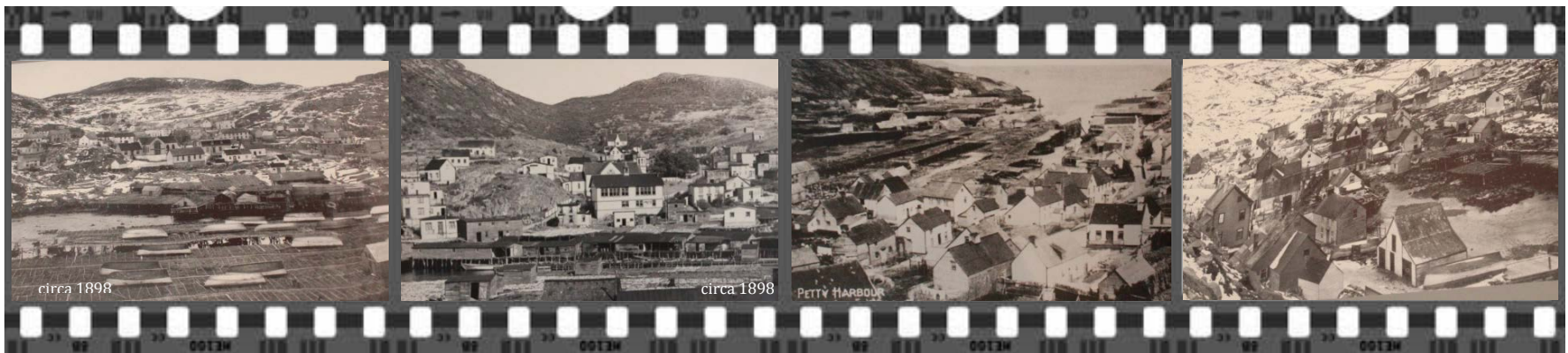
2.1. Historical Context

Since its early days as a seasonal base for the Basque fishery in the 1500s, settlement in Petty Harbour has revolved around the fishery. However, early settlement was subject to difficulty and danger. Set deep into the head of Motion Bay, the steep hills around “Pettite Harbour” made the land inhospitable to settlement and farming, while the submerged rocks in the harbour made access dangerous. Despite attacks between 1676 and 1781 by pirates, migrant fishermen and the French, the population of Petty Harbour gradually increased, with permanent settlement beginning in the 1670s. By 1857, the population had risen to 747 and Petty Harbour was established as a self-sufficient community with two churches, over 100 dwelling houses, two schools, premises for salting fish and three cod oil factories. The population had now begun to exceed the land’s capacity to support it, and residents began to move first to nearby Maddox Cove, and subsequently to the Goulds. By 1869, Maddox Cove had reached a population of 90. While the Goulds

eventually formed its own community, Maddox Cove continued its close connection with Petty Harbour.

The turn of the century brought new employment to the community when the Reid Newfoundland Company built Newfoundland’s first hydro-electric generating station. In addition, connections to St. John’s were being made, first with a rail link between Trepassey and St. John’s in 1909, followed by a road connection from Petty Harbour to St. John’s in 1932. These connections made commuting to St. John’s for work more convenient. In 1972, Petty Harbour-Maddox Cove became an incorporated Town. Into the 1970s, the population of Maddox Cove began to increase with the development of a 77-lot subdivision. Though the population was gradually increasing, centralization of schools saw the closure of the schools in Petty Harbour in 1987, and students began attending school in the Goulds.

The closure of the cod fishery (the Cod Moratorium) in 1992 had a dramatic effect on the community. It meant not



only a loss of employment for the predominantly male fishermen, but also a loss for the women of the community who worked in the processing plants. At the beginning of the moratorium there were approximately 110 active fishers in Petty Harbour. By 1996, the number dropped to only 60-70 active fishers. Fortunately, in 1996 Petty Harbour fishers began fishing crab. While the crab fishery started with just two quotas, as the price of crab increased, so did the crab industry in Petty Harbour. Today, the crab fishery sustains the majority of fishing activity.

While the community still has an active fishery, being located within the St. John's Urban Region also means that people can easily commute to work in nearby employment centres of St. Johns, Mount Pearl, and Paradise. The convenient connections from the Town to goods and services elsewhere in the region have also had an impact on the community. The local grocery store closed in the mid-1990's as commuting residents began to frequent larger supermarkets and other shops in Goulds, Mount Pearl and St. John's.

Despite the changes that have taken place in the Town over the past twenty years, Petty Harbour-Maddox Cove remains a close knit community with strong social and family ties and has retained its sense of identity and community pride in its history and heritage as a fishing community.

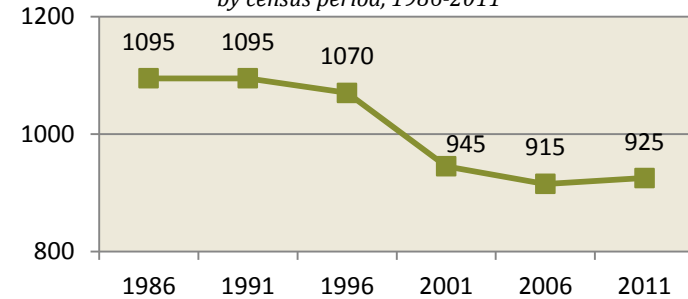


2.2. Population

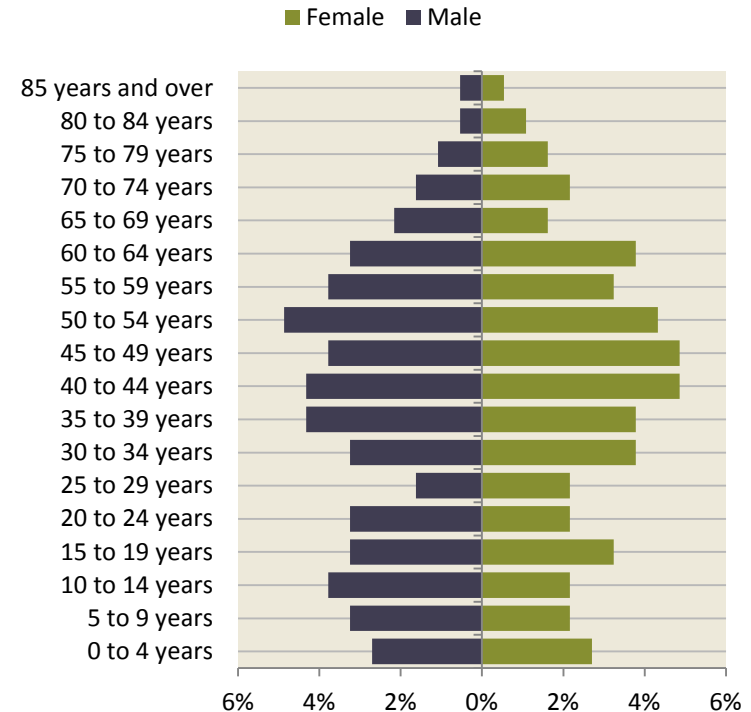
Since the closure of the cod fishery in 1992, Petty Harbour-Maddox Cove has experienced a 15.5% decline in population. The current population of the Town is 925. While the decline in population has had many effects on the community, it has not been as dramatic as other rural fishing communities in the province. This is likely due to the Town's proximity to other sources of employment in the region that are within easy commuting distance of the Town.

Despite the overall decline over the past twenty years, new developments occurring in Maddox Cove contributed to a slight increase in population since 2006. While the total population trends are important for determining the needs of the community, what is more telling of the demographics of the community is the breakdown of the population by age groups, as depicted in the population pyramids to the right. Since 2006 the total population has remained almost stable, yet the population of certain age groups has changed substantially. The population of residents aged fifty and over has increase from 285 in 2006 to 320 in 2011, while the population of residents aged 20-29 has decreased from 125 to 85, respectively. This will have impacts on the community as a larger proportion of seniors require more options for housing, transportation and access to medical and other services. Presently, there is limited land available in the Town to accommodate new development and this may be limiting the Town's ability to retain young people in the community.

Population of Petty Harbour-Maddox Cove
by census period, 1986-2011



Population Pyramid of Petty Harbour-Maddox Cove
% of population by age group and gender, 2011



2.3. The Built Environment

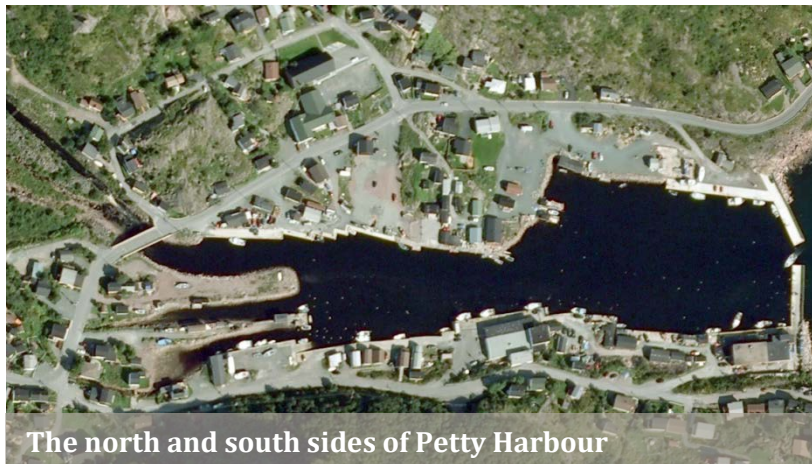
The landscape that created difficulties for development throughout the history of Petty Harbour-Maddox Cove continues to limit developable areas within the Town. Much of Old Petty Harbour has been developed leaving little land available for infill. While there is more land available in Maddox Cove, an analysis of topography indicates very limited opportunities for development (See **Appendix A**). However, some areas do indicate acceptable conditions which could be considered for future development. Given the interest in development in Petty Harbour-Maddox Cove, the Plan should identify some areas to accommodate future growth. New and infill developments should take into consideration the availability and capacity of the water and sewer system, and visual impacts of development on the surrounding area.

Development Pattern

The unique landscape of Petty Harbour – a picturesque harbour surrounded by steep hills – gives the community

its distinct characteristics. Small homes, set into the landscape and accessed through narrow, winding streets surround the small fishing harbour that continues to be the focus of the community.

The area surrounding the north side of the harbour has become the town centre and includes a mix of uses. Civic uses such as the Town Hall, Petty Harbour-Maddox Cove Heritage Museum, Community Centre, and War Memorial are located here, as well as the Post Office, St. Joseph’s Church and commercial uses. The town centre is the focal point for the community where many events occur throughout the year. While commercial uses still cater to local residents and the fishing industry, with businesses like Petty Harbour Canvas Co. Ltd, a hair salon and the convenience/liquor store, there has been an increase in businesses around the harbour that also cater to tourists. These include a restaurant, housekeeping units and adventure tours.



The north and south sides of Petty Harbour



Maddox Cove Subdivision





The south side of the harbour remains the focus of the active fishery and includes the office of the Harbour Authority, fish processing plant and many fishing sheds. Similar to the north side, the south side of the harbour is surrounded by predominantly residential uses, consisting of smaller homes perched on the hillside.

Maddox Cove is physically separated from Petty Harbour by the steep topography and development here is characterized by more modern single family dwellings. The formal Motion Bay Subdivision and more informal subdivisions along the main road and Old Maddox Cove Road have provided areas for new developments and add a contemporary look to the otherwise historic Town.

The predominant form of housing in the community is the single dwelling. In recent years, larger homes have been constructed on sites in Maddox Cove that take advantage of views of the ocean. In 2012, the Town approved a four-unit townhouse development at the end of Motion Bay Road, the first of its kind in the community.

The Town's recreational facilities consist of a ball field and club house, small play area and basketball court, and a wooded trail system in Maddox Cove. The trail system has not been well maintained and requires upgrading to appropriate standards for use. A small play area located on Cribbies Road in Petty Harbour has also fallen into disrepair and requires redevelopment. The Town Hall building contains a large meeting hall space which is frequently used for community recreation and social functions. This building is currently undergoing upgrading to its exterior but still requires maintenance, as well as improvements to the parking area.



The Town has few formalized walking trails. However, the Motion Bay Road Extension provides a logical connection between Petty Harbour and Maddox Cove that could be upgraded to a walking trail standard, improving the linkage between the two parts of the community. There are also other traditional footpaths that extend from the built up areas into the higher elevation, western areas of the Town, past the cemetery and on into the City of St. John's. These footpaths are popular with residents and provide access to ponds and berry picking areas.

East Coast Trail Network

The East Coast Trail – 540km of wilderness trail from Cape St. Francis to Aquaforte – includes Petty Harbour-Maddox Cove's coastline. The trail system has garnered world attention and was recognized by National Geographic as the world's best coastal destination. Parking areas and trail signage mark the entrance to trail segments in Maddox Cove and on the south side of Petty Harbour.

In 2012, the Nature Conservancy of Canada acquired a 4.5 ha. parcel of land in Maddox Cove at the beginning of the trail that will be preserved in its natural state. In addition, the parcel reserves a 5 m right-of-way for the East Coast Trail. It is important for the Town to identify and protect the integrity of the East Coast Trail within the Town Planning Area, and support efforts of the East Coast Trail Association to continue to develop and maintain the trail, its associated infrastructure and links to the community.

Health and the Built Environment

Being healthy is not just about how we live, but also where we live and how our communities are designed and constructed. Many studies have demonstrated a relationship between the physical design and layout of towns and the physical and emotional health of people living in them. Creating physical environments that encourage healthy living is an important aspect of supporting individuals in making better choices for their health. As part of the Plan Review Process, the physical design of the community was evaluated to determine the extent to which it facilitates physical activity.

Petty Harbour-Maddox Cove is a reasonably walkable community. The challenges of the steep topography provide both opportunities and challenges for active transportation. The physical separation of the residential area of Maddox Cove from Petty Harbour where most amenities and services are located means that many residents drive to services both within and outside the community. This situation is further exacerbated by a lack of sidewalks and crosswalks along the main road connecting Petty Harbour with Maddox Cove. During public consultations, residents indicated that they use the alternative trail route along Motion Bay Road Extension and Pancake Road, even though this route is rough and steep.

Within the older parts of Petty Harbour, the more compact density and mix of residential, commercial and public uses encourages walking, despite the lack of sidewalks. The south side of the harbour has few amenities, but the area is close to and accessible via the street network to the central area of the Town on the opposite side of the harbour.



The Plan should encourage active living by identifying a pedestrian network that provides linkages and connections from places where people live to the central part of the community where services and amenities are located, and address issues of pedestrian safety and accessibility. Other aspects of the Plan that could affect community health and well being include consideration of access to local foods and options for transportation to services not available in Petty Harbour-Maddox Cove that are available in nearby Goulds, particularly for seniors and those with mobility issues.

2.4. Natural Environment

The natural environment of Petty Harbour-Maddox Cove is characterized by its rugged coastline, steeply sloping hillsides dissected by Petty Harbour and Maddox Cove Rivers. Several ponds are located at the top of hills on the north side of the community. Western Barrens Pond (Beer Pond) located just outside the Town boundaries in the City of St. John's provides a source of potable water to the Town.

The Petty Harbour river which flows from First Pond to Petty Harbour has been damned and flow regulated by NL Power since a small hydroelectric station was constructed in 1900. Nevertheless, this river has experienced flooding during intense storms. The Department of Environment and Conservation updated mapping along the river to delineate flood risk areas in 2013 including risk associated with climate change. The Municipal Plan sets out policies to recognize areas at risk of flooding and prevent development in vulnerable areas.

Climate Change

It has become widely recognized that around the world the climate is changing. The results of a changing climate affect communities in many ways. In Newfoundland and Labrador, climatologists predict an increase



in sea level, more frequent and intense storms, longer, warmer summers and milder winters. These conditions result in damage to infrastructure and buildings from storm surges, flooding, more frequent and severe storm events, erosion of coastlines, heightened risk of forest fires and water shortages during dry periods. Additionally, roads deteriorate where there are frequent freeze/thaw cycles.

The Plan should recognize the potential climate change impacts, identify vulnerable areas and include policies to manage development in a manner that minimizes risk of damage resulting from the impacts of climate change.

2.5. Economic Development and Tourism

Today, Petty Harbour-Maddox Cove remains an active fishing community with resource-based industries providing the second highest employment in the Town. It is expected that the fishing and marine industries will continue to supply employment for the community for the foreseeable future and the new Plan should recognize and support the continuation of the fishing industry as an intrinsic element of the community's economy and identity. In 2012, the Provincial Government contributed funds to assist the Harbour Authority of Petty Harbour in undertaking infrastructure improvements to increase capacity for marine traffic to and from the port. The upgrades will create new commercial opportunities for local businesses operating in the marine service sector and help sustain the fishing and marine industries into the future. The Town should continue to work with the Harbour Authority in developing the harbour.

The Town has also experienced growth in tourism over the past decade. The Town is increasingly included in day



trips from St. John's that also include travel to Cape Spear National Historic Site. The East Coast Trail links in Maddox Cove and the south side of Petty Harbour also attract resident and non-resident visitors. Increased tourism supports accommodations, food services, craft shops, boat tours, and more recently, an adventure tourism company (zip line tours). The Annual Arts and Heritage Festival adds to the package of authentic events that attract visitors to the Town.

The built heritage of the community, combined with the striking landscape of the hillsides, sea and coastline, and the presence of an active, working fishing community, gives Petty Harbour-Maddox Cove all the ingredients to satisfy the experiences visitors to the province are seeking. There is an opportunity for the Town to capitalize on the provincial tourism marketing strategy that emphasizes



creativity, genuine and friendly people, cultural vibrancy and heritage, and the rugged beauty of the natural environment.

There is currently a proposal to develop the Island Rooms, located between the north and south sides of Petty Harbour, as an outdoor museum and educational facility. This development will provide an opportunity for locals and tourists alike, to learn about the history of the fishing industry in Petty Harbour and will aid in bringing tourists to the Town.

Continued growth of the tourism sector in the community will present challenges to the Town. Most of the premises and activities of the fishing industry are located on the south side of the harbour which reduces potential for any conflict between tourism and other commercial uses. However, on the north side of the harbour, there is a mix of uses that have the potential for future conflicts, particularly around access and parking. Efforts of the Harbour Authority and the Town have resulted in an accessible waterfront that accommodates the variety of users. Continuation of wharf upgrades to achieve a continuous waterfront area would further enhance the harbour area.

The former Bidgood property across from the Town Hall, Community Centre and war memorial is the site of the Town's Annual Arts and Heritage Festival and has become a community gathering space. The Town is interested in preparing a plan for this area, to create an identifiable Town Centre within the community. Such a plan would need to address access, parking and facilities for community events and activities.

While the fishing and tourism industries are the major components of the economy in Petty Harbour-Maddox Cove, during the public consultations residents noted that there was a need to diversify and encourage a range of commercial services.

2.6. Heritage Preservation

The historic character of Petty Harbour, reflected in the built heritage of homes, outbuildings, fences, and narrow streets tucked into the landscape are features of the community that attract visitors. As property values rise, there is pressure to renovate or construct new dwellings that are inconsistent in size, scale and form with existing buildings in the harbour.

Preservation of the built heritage in Petty Harbour is a priority for residents. In responses to an online survey conducted as part of the Plan review process, 61.1% of residents surveyed feel that safeguarding the heritage character of the Town is one of the most pressing issues for Town Council to address.

The 1999 Municipal Plan established Heritage Area policies within the Residential land use designation, encouraging houses to be built in styles similar to existing homes, traditional to Newfoundland around 1900. Just outside this Heritage Area is the Petty Harbour Hydro-Electric Generating Station –Newfoundland's first hydro-electric generating station and a Registered Historic Site. This building is a good surviving example of one of the oldest hydro-electric plants in Canada, and one of the few plants of its type still in active service. The significance of this plant is just one more aspect that adds to the historic character of the community. The Plan should clarify the heritage provisions of the 1999 Plan and include specific



standards and expectations for renovations, redevelopment of residential and commercial properties, and new construction within a defined Heritage Area.

2.7. Municipal Services

Water and Sewer

In recent years, the Town of Petty Harbour-Maddox Cove has relocated its source of drinking water from First Pond located within the Town, to Western Barrens Pond (Beer Pond), located within the City of St. John's municipal boundary. While the water supply at First Pond is not currently the supply for Petty Harbour-Maddox Cove, it is Council's intent to retain it as a backup supply.

Source water is chlorinated and distributed to all households in the community. Water quality data obtained from the Department of Environment and Conservation show that the source water displays high levels of Trihalomethanes (THMs) and Haloacetic acids (HAAs) since the spring of 2009. THMs and HAAs are chlorination disinfection by-products that are formed when the chlorine used to disinfect drinking water reacts with naturally occurring organic matter in water. While these levels may be high, they do not harm the health of residents.



A water quality analysis may be required to identify the need for, and appropriate treatment technology to ensure a safe supply of potable water. Recent issues with a lack of water pressure in the area of Maddox Cove Road in the north of the Town and high water pressures in some other areas are currently being addressed by the Town through its Capital Works program. The Town should ensure that the water distribution system is adequately maintained. Leaks throughout the system may be of concern.

A sewage collection system exists in a large portion of the community, with the exception of the residential areas along Maddox Cove Road and Motion Bay Road Extension between Maddox Cove and Petty Harbour, as well as residences in the northern end of Maddox Cove. The two outfalls include a larger sewage collection system along the south side of Petty Harbour and a smaller system alongside Motion Bay in Maddox Cove. The smaller system in Maddox Cove is reaching its maximum capacity, which would limit future development unless upgrades are implemented. The system's capacity needs to be assessed through a sewage collection system study and a plan put in place for repair/replacement and routine maintenance of the overall system. Concerns have also been expressed about raw sewage discharge into Maddox Cove which limits use of Maddox Cove beach for community recreation. New federal guidelines for wastewater discharge into marine receiving waters may also have an impact on the town in the future and may require development of a wastewater treatment facility

Stormwater is managed via a system of open ditches and culverts. The stormwater management system requires review and a plan prepared that identifies areas to be upgraded to accommodate stormwater flows during more

extreme storm events that are being experienced as a result of climate change.

Streets

The Town maintains 5.6km of paved local streets and 0.7km of gravel roads in the community. Aside from the Main Highway which is the responsibility of the Department of Transportation and Works, local residential streets are narrow, and in poor condition, particularly in Petty Harbour. There are no sidewalks or crosswalks on any streets within the Town. Despite this, the narrow and haphazard street pattern contributes to the character of Petty Harbour, along with small building setbacks and placement of buildings into the landscape without considerable cut and fill.

In Maddox Cove, subdivision streets are wider, but are also without sidewalks or, in the case of Oceanview Subdivision, without curb and adequate road shoulder. New subdivision development in this area should be required to be developed to an adequate standard of street development, through formal subdivision agreements and provision of security deposits to guarantee work is completed as required.

Community Walkability

During the consultations on the Plan, residents raised concerns about the lack of sidewalks and crosswalks in the community. In other areas of the community, such as along the harbourfront, extension of harbourfront upgrades to connect the two areas which have been upgraded in the past would improve the walkability of the north side of the harbour and provide an alternative to walking along the main street. While narrow, winding side streets have little traffic and are suitable for walking, the lack of sidewalks



and crosswalks on the main street should be a priority of the Town, for reasons of pedestrian safety, and to encourage walking in the community. The Town should work with the Department of Transportation and Works to find a way to add crosswalks and speed reduction measures to the main road. The possibility of creating an alternative walking connection between Petty Harbour and Maddox Cove by upgrading Motion Bay Road Extension was also identified as a way to improve pedestrian connections between the two separate parts of the community.

Parking

The consultation process also identified a lack of adequate parking in the town centre along the main road as an issue. The narrow winding streets provide little room for on street parking. While the number of parking spaces available may be sufficient for the number of businesses in the area, the design and placement of parking areas could be improved. A parking study should be completed in order to address this issue.

Waste Removal

With the implementation of the Newfoundland and Labrador Provincial Waste Management Strategy, the Town of Petty Harbour-Maddox Cove continues to transport their waste to the Regional Integrated Waste Management Facility at Robin Hood Bay. During the consultation process, residents suggested that Council place an emphasis on recycling in the community and encourage waste reduction through recycling and composting to reduce the costs of transporting and disposing waste at the Robin Hood Bay landfill. The Plan should set policies to encourage waste reduction measures.

2.8. Community Consultation

Through this Plan Review process, the residents of Petty Harbour-Maddox Cove were consulted in a number of ways in order to reach a wide audience and receive valuable feedback. The results of the community consultation confirmed research on the issues that needed to be addressed in the 2012 Review of the Petty Harbour-Maddox Cove Municipal Plan. The most pressing issues that residents thought Council should address in the Municipal Plan include:

- Safeguarding the heritage character of the Town;
- Requiring housing design that is consistent with existing homes in the community;
- Improving recreation facilities and walking trails;
- Protecting a working harbour for fishers;
- Improving the harbour for community festivals/events and making a boardwalk along the entire harbour;
- Improving water and sewage services, particularly in Maddox Cove;
- Providing for more seniors housing; and
- Protecting views and sightlines of the ocean.



3. Community Vision & Goals



3.1. Community Vision

The Town of Petty Harbour-Maddox Cove will remain first and foremost an active fishing community. We will hold our past close, but look toward a future in which Petty Harbour-Maddox Cove is a safe, accessible community for residents of all ages, where the natural environment and scenic views of the ocean continue to be valued and protected. Our strong sense of community will be shared with visitors through our pride in our traditions, built heritage and natural surroundings.



3.2. Community Goals

Preserve and promote community culture and heritage

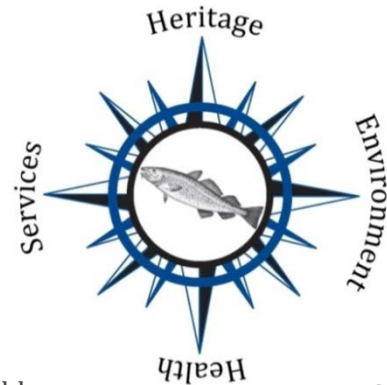
The Town of Petty Harbour-Maddox Cove has a rich history as an important Newfoundland fishing community. This history is still evident today and is displayed through the built heritage, streetscapes, natural landscape, stories and characters. It is the Town's culture that has created a strong community bond that attracts new residents, businesses and visitors. Protecting the historic architectural styles and traditional layout of buildings and streets in relationship to one another, the land and the water is essential in our future sustainability.

Encourage economic development

Council will continue to support the fishing industry by ensuring that land is designated for fishing activity, while at the same time encouraging new business development in the tourism sector by ensuring that lands are available in appropriate locations in the community to accommodate a range of other commercial enterprises.

Recognize, anticipate and plan for the impacts of a changing climate

As a coastal community, Petty Harbour-Maddox Cove is vulnerable to rising sea levels and more frequent and intense storm events that are occurring as a result of a changing climate. Council will ensure that new development is planned for safe locations away from vulnerable areas and take efforts to protect existing developed areas and infrastructure that are at risk of damage from storm surges and flooding.



Invest wisely to ensure high quality of municipal services

Maintaining municipal infrastructure and providing a high level of municipal services is a priority of Council. We will carefully manage municipal infrastructure assets, balancing investment to extend municipal services with the need for ongoing maintenance to ensure high quality of potable water, safe streets, waste disposal and recreation facilities.

Improve community health and well-being

The quality and design of the built environment of a community has a direct impact on community health and well-being. Communities that are safe, attractive, walkable and have a range of services, activities and amenities, create a higher quality of life for its residents. Council will ensure that community health, well-being and safety are considered in the design and management of public spaces, and in the evaluation of proposals for development. Furthermore, we will strive to enhance the physical and social well-being of citizens by encouraging active lifestyles, increasing connectivity between the north and south sides of Petty Harbour, and with Maddox Cove, as well as programs and opportunities for recreation for all ages.

Protect our natural environment

Petty Harbour-Maddox Cove's natural environment is an asset to the community. Council will practice environmental stewardship by incorporating the protection of the natural environment, waterways, wetlands and coastlines into their decision-making.



4. Community-Wide Policies

4.1. Objectives

The Town will pursue the following land use objectives in order to achieve its community-wide goals:

- Protect the natural and built heritage of the community.
- Ensure land use designations have a positive impact on health, the environment and quality of life.
- Manage investment in municipal infrastructure to ensure a well maintained and efficient level of services.
- Provide opportunities for community economic development and the continuation of existing uses.

4.2. Policies

The policies set out in this section of the Plan apply throughout the Petty Harbour-Maddox Cove Planning Area.



Protect the Built Heritage

Policy G-1 Townscape Character

It shall be the intention of Council to protect and enhance the Town's unique sense of place and ensure that new development is consistent with current style, size, scale and form of development in the Town, with special consideration given to the designated Heritage Area.

Policy G-2 Visual Impact of Development

1. It shall be a policy of Council to consider the visual impact of new development, in terms of the compatibility of the scale and form of the development and how the development fits into the landscape.
2. The visual impact created through cut and fill developments will be discouraged.

3. Prior to approval, Council may require an assessment of the visual impact of a development including its visibility from public roads, trails, residential areas or tourist establishments, the harbour, and the designated Heritage Area. The costs of conducting a visual assessment shall be the responsibility of the developer.

Policy G-3 Identification and Protection of Historic Resources

The Petty Harbour Hydro-Electric Generating Station has been designated a Registered Historic Site by the Heritage Foundation of Newfoundland and Labrador. Council shall identify and document additional heritage buildings, structures and landmarks of the Town and shall protect these assets from demolition unless it is financially prohibitive to maintain or improve the structure.

1. Written approval for the demolition of an identified historic resource must be granted by Council prior to demolition.
2. Council will encourage restoration, sensitive renovation and adaptive re-use of the historic buildings.



Policy G-4 Signs

Signs and advertisements erected in the community shall be of high quality and located and constructed in a safe manner in accordance with standards set out in the Development Regulations.

Policy G-5 Property Maintenance and Safety

1. Owners of dilapidated structures shall be required to repair or remove them at their own cost if they present a safety hazard or are deemed by the Council to be unsightly.
2. Wrecked or inoperable vehicles, boats, machinery or equipment of any kind shall not be stored or abandoned where it may be in general public view.

Policy G-7 Development in Hazardous Area

1. Council shall prevent inappropriate development in areas of known hazard that may be susceptible to erosion, flooding or any other hazards.
2. In areas of potential hazard, Council may require detailed engineering studies to evaluate the suitability of the land for a development where backfilling is proposed, or where there may be potential for flooding, erosion or other hazard to occur.
3. In approving a development in an area with potential hazard, Council may require additional engineering design or other measures to mitigate identified hazards as a condition of development.
4. In any event, no private development in an area of known or potential hazard risk shall result in public liability or public cost.

Policy G-8 Landscape Alteration

Activities such as filling in low lying or steeply sloped areas or cutting into hillsides to expand useable land area can have significant impacts on wetlands, natural drainage and the stability of slopes, resulting in erosion and creating visual impacts in the community.

1. Alteration of steep hillsides through the deposition of fill or by excavation, whether for the purposes of creating land suitable for development or not, shall be discouraged. Land disturbance shall require application, review and approval by Council and show the full extent of disturbance that is intended. Where the activity is intended to prepare land for development, Council may require applicants to assess the geotechnical, visual and environmental impacts of the development, as well as impacts on adjoining properties and land uses; and

Protect the Natural Environment

Policy G-6 Natural Environment and Resources

Protecting the natural environment provides many benefits to the community, such as conserving the picturesque setting, natural drainage systems, recreational opportunities and other values.

1. Within the Planning Area, development will be carried out so as to minimize its impact on the natural environment. Measures shall be taken to protect natural drainage systems, wildlife, and plant or fish habitats.



2. Where alterations to the landscape are approved, financial guarantees may be required to ensure adequate site rehabilitation and/or landscaping.

Policy G-9 Stream, Pond, and Wetland Protection

Council intends to protect Petty Harbour River, the streams, ponds and wetlands in the community from adverse impacts from development, and to ensure that development which can be damaged by flooding is not located in flood prone areas. Providing a buffer of undisturbed lands along wetlands protect fish habitat, prevent erosion, retain natural drainage features, prevent siltation, preserve public areas, and take account of areas prone to periodic flooding which have not been mapped.

1. A buffer strip of undisturbed land shall be retained along rivers and major stream and ponds. Within the buffer, utilities for which no other route is feasible, low impact trails, and necessary bridging or other vehicle crossings may be permitted.
2. Disturbance of wetlands, areas of bog or peatlands, shall be discouraged in order to retain the benefits to the Town of wetlands' ability to moderate runoff, act as part of the Town's storm drainage system, and protect streams and ponds lying within them.
3. Council will consult with the Water Resources Management Division, Department of Environment and Conservation about any proposed development or landscaping along a stream bank or shoreline.

Policy G-10 Development in Areas Vulnerable to Flooding

Three levels of Flood risk have been identified in a 2013 Flood Risk Mapping Project carried out for Goulds and Petty Harbour by AMEC Environment and Infrastructure. The designated Floodway is the 1:20 year flood plain and the designated Floodway Fringe which is the 1:100 year flood plain. A Climate change Flood Zone has also been developed to indicate the area which is likely to be impacted due to the latest forecasted effects of climate change. These maps are included in Appendix B.

It is the intent of Council to ensure that development occurs in a manner that minimizes the risk of damage that could occur due to flooding by managing land use in the designated floodways.

1. Proposals for development of lands located within the designated floodways identified on Flood Risk maps shown in **Appendix B** (or any subsequent revisions), are subject to the written approval of the Minister of Environment and Conservation under the Water Resources Act.
2. Development shall only be permitted where it is in accordance with the Provincial Policy for Flood Plain Management.
3. Additions, modifications, enhancements and improvements to existing structures that may result in an increase in the flood area within the flood plain, will be assessed for suitability by the Water Resources Management Division of the Department of Environment and Conservation, in the same way as new development would be assessed.
4. No residential development will be permitted in the 1:20 year floodway.



Policy G-11 Climate Change Impacts

It shall be a priority of Council to continue to work with the Departments of Environment and Conservation and Municipal Affairs to monitor and assess the impacts of climate change such as sea level rise, and implement measures to increase the resiliency of the infrastructure and the community generally to these impacts.



Ensure High Quality of Municipal Services

Policy G-12 Servicing Requirements and Costs

1. Council will ensure that new development will not create unreasonable servicing demands or costs for roads, water and/or sewer services.
2. Subdivision style development and development on public right of ways that are not Town roads will be provided at the outset with streets and other services constructed to Council's standards at the cost of the developer.
3. Development which is close enough to Town water and sewer lines for economical extension and connection will be required to extend the lines and connect to them. The Town shall not incur any net costs, either initially or in the foreseeable future, for private development.
4. Where development is proposed that will rely on private septic systems and groundwater as a source of drinking water, it must be demonstrated to the satisfaction of the Council and the Government Service Centre of Service NL, that the site has the capacity to bear such services over the long term without adverse on or off-site impacts.
5. Unserviced development will be required to assess groundwater quantity and quality in accordance with the Provincial Department of Environment and Conservation Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells, 2009.



Policy G-13 Street Right-of-ways

All development, including but not limited to buildings, fences, sheds, and parking lots, shall be set back from the right-of-way of a road far enough to provide an adequate level of public safety and space for snow clearing and maintenance. Specific consideration is given to development in the Heritage Area to allow smaller setbacks consistent with the historic development pattern. Building setback requirements shall be set out in the Development Regulations.

Policy G-14 Stormwater Management

In reviewing proposals for new development Council shall consider the impact of development on the Town’s stormwater drainage system to ensure there is adequate capacity to accommodate the development. Where there is insufficient capacity, the development may be refused or necessary upgrades made at the developer’s expense to accommodate the development.

Policy G-15 Subdivision Policies

Subdivision proposals will be designed to take account of site topography and drainage, links to existing roads, relationship to existing development and possible future development, and natural features including streams. Subdivisions will be developed with all infrastructure and improvements constructed to the Town’s standards at the cost of the developer.

Policy G-16 Development Agreements

The Town may require agreements for new developments involving residential, commercial, industrial, or resource uses, and for the subdivision of land. Such an agreement will be negotiated between the developer and the Town,

and include conditions for development and for financing of any services provided to the site which shall be constructed to municipal standards and consistent with the policies of this Plan and the Development Regulations.

Policy G-17 Water Pressures and Fire Flows

Council shall ensure that areas where it has been determined that water pressure cannot be sustained at high enough levels to provide adequate firefighting capability, or which are not located close enough to a water supply source suitable for firefighting purposes, shall be excluded from development.

Policy G-18 Home Occupations

It is Council’s intent to foster the growth of small businesses as home occupations in a manner that is compatible with surrounding land use. Businesses in the form of home occupations may be considered in any residential dwelling in any land use designation within the community. Business uses that consist only of an office in a dwelling will be a permitted use. Businesses operating as home occupations shall not be highly visible, generate traffic, noise, odours or create any potential hazards by virtue of the nature of the business to surrounding properties. Home businesses, such as bed and breakfast homes, child care and craft production, small-scale commercial and service uses such as doctors’ offices or craft shops, and community facilities may be considered if Council is satisfied that parking needs can be met and the use is compatible with surrounding residential uses.



Policy G-19 Non-conforming Uses

In accordance with Section 108 of the *Urban and Rural Planning Act, 2000*, Council shall recognize that any development or land use that legally exists on the day this Plan comes into effect, may continue. Where a building or use exists which does not comply with the intent of the Plan, it shall not be substantially expanded. Minor extensions may be approved, and a change from one non-conforming use to a more acceptable use may be permitted.

Policy G-20 Frontage on a Publicly Maintained Street

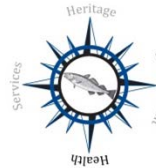
Any property proposed for development including lots created through subdivision of land, will be required to have direct frontage and access onto a publicly maintained road, or frontage on a new road that is constructed to Town standards under the terms of a Development Agreement.

Policy G-21 Municipal Public Works, Utilities and Telecommunications

Council may, within any land use designation, permit land to be used in conjunction with the provision of public services, utilities and telecommunications.

Policy G-22 Inter-municipal Cooperation

The Town will work with the City of St. John's to cooperatively plan and manage development along joint municipal boundaries to facilitate environmental protection, potable watershed protection, the development of trails along Maddox Cove Road and possible servicing arrangements.



Improve Community Health & Wellbeing

Policy G-23 Community Health & Wellbeing

It shall be the policy of Council to consider the impacts of development proposals on the health of the community to enhance safety, and the health and well-being of all residents.

Policy G-24 Open Space Recreation

Open space recreational and natural park areas will be permitted throughout the Planning Area to encourage active, healthy lifestyles.

Policy G-25 Access to local foods

Council shall encourage access to sustainable, local foods, by providing opportunities for development of community gardens, fish and farmers markets in appropriate locations.

Policy G-26 Pedestrian Connectivity

It shall be a priority of Council to seek ways to create stronger pedestrian linkages between Petty Harbour and Maddox Cove and public access to parks, through the creation of protected trails or the implementation of sidewalks along roadways.





Policy G-27 Protection of Community Trails

New development in Petty Harbour-Maddox Cove must take into account and provide for the continuation of traditional footpaths, public right of ways, and trail networks in the community.

1. In considering applications for development, or the use of a public right of way for access to private property, Council will ensure that pedestrian pathways remain open and accessible as a condition of approval.
2. New development may be required to provide a separation buffer between a proposed development and an existing trail or pathway.

Policy G-28 Pedestrian Safety

It shall be a policy of Council to improve pedestrian comfort and safety by employing traffic calming and crossing improvements where appropriate. Council will work with the Department of Transportation and Works to implement traffic calming measures along the main road.





5. Land Use Policies

The Municipal Plan identifies and designates lands within the Planning Area into the following broad land use categories or designations which are shown on the Future Land Use Map in **Appendix C**. Land in Petty Harbour-Maddox Cove will be managed in accordance with the general land use policies set out in Section 4 of the Plan and policies for specific land use designations, as follows:

Land Use Designations
Heritage Area
Residential
Harbourfront
Commercial-Industrial
Rural
Open Space Conservation
Recreation
Watershed



5.1. Heritage Area

The Heritage Area land use designation has been applied to the predominantly residential areas surrounding Petty Harbour in order to preserve and enhance the historic characteristics of the community. The majority of this area is comprised of single detached houses, but the area also contains a restaurant, post office, bed and breakfast, tourist shop, churches, and many of the Town owned properties, such as the Town Hall, museum, war memorial and community centre. In this designation, the majority of dwellings have windows, doors, narrow clapboard style siding and roof shapes traditional to Petty Harbour around 1900, built along narrow, winding streets. It is the intent that new developments in this designation will incorporate similar building styles, street right-of-ways, and building setbacks. This designation includes dwellings along Southside Road, Church Lane, Long Run Road, Kennedy's Lane, Skinners Hill, Cribbies Road, Main Road Lane and a portion of Main Road and Petty Harbour Road.

5.1.1. Objectives

- To protect and enhance the historic characteristic of Petty Harbour.
- To promote renovations of existing buildings that are consistent with historic design.
- To encourage infill and new developments that are sensitive in scale, design and consistent with traditional development patterns.
- To provide opportunities for adaptive re-use of heritage buildings.



5.1.2. Heritage Area Policies

Policy HA-1 Residential Land Use

The Heritage Area shall accommodate single or double dwellings. Council will also encourage a mix of housing forms as sensitive infill developments, which may include row dwellings, small apartment buildings or assisted living accommodations.

Policy HA-2 Non-residential Land Use

Child care may be a permitted use in the Heritage Area land use designation. Other non-residential uses may include cultural and civic, educational, general assembly, places of worship, tourist accommodations, restaurants, shops, convenience stores, medical, office, professional, and personal services, as well as marine-related light industry. Commercial uses, with the exception of bed and breakfast accommodations, home occupations and shops selling craft products, shall only be permitted in this designation in areas where they front along the main road.



Policy HA-3 **New Developments**

1. Within the Heritage Area, development that includes new buildings, building additions, exterior alterations, accessory buildings, or fences must be compatible with the historic building form, scale, height, grading, setbacks and architectural features such as the scale and size of windows or doors that are unique to Petty Harbour.
2. Development of existing vacant lots, or redevelopment of developed lots through replacement or renovation of existing buildings, where a lot does not meet the required standards for lot size, may be considered provided the development can meet the required building setbacks specified in the Development Regulations. Subdivision of land to create new lots must conform to the standards set out in the Heritage Area Use Zone.
3. Proposals for new development or alterations to existing buildings and structures shall be reviewed for consistency with, and impact upon, those features that contribute to the historic appearance of Petty Harbour. Such as:
 - the coastal setting and views from the water;
 - the presence, scale and visibility of prominent buildings, including Town Hall, St. George's and St. Joseph's Churches;
 - the compatible scale of buildings and structures; and
 - the historic street pattern.

Policy HA-4 **Notice of New Developments**

Council recognizes the importance of the Heritage Area to the community, and the goal to preserve and promote traditional building styles in this area.

1. Council will give notice and consult with area residents on development proposals.
2. Council will take into account input from the public in determining the conditions of a new development's approval.

Policy HA-5 **Setbacks From Roads**

As far as possible, Council intends to preserve and promote traditional building siting for infill and redevelopment in the area, rather than applying uniform building setbacks from the streets.

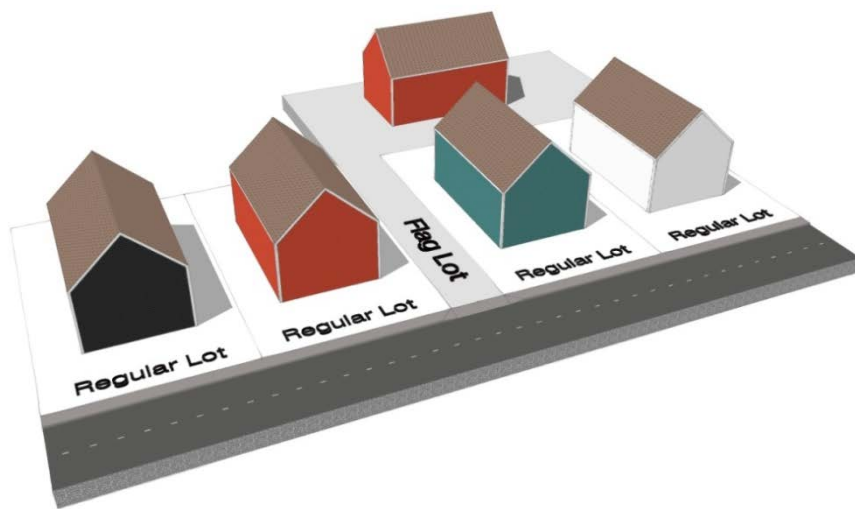
1. Where a building is proposed to be developed, the setback requirement will be consistent with building line setbacks on adjoining lots.

Policy HA-6 **Backlot Development**

Notwithstanding Policy G-20 and Policy HA-5, Council may consider "backlot" residential development in the Heritage Area designation if several conditions are met:

1. The lot will have adequate access to an existing public street.
2. The buildable area of the lot must meet the Town's area standards, excluding the access strip or laneway.
3. The access must be sufficient for Council to discharge its responsibilities to maintain access for health, safety and service provision.
4. There must be no further development opportunities using the same access, and only a single dwelling can be located off the access.
5. The backlot development must not prevent the future development of adjacent or surrounding lands.
6. There is no objection from abutting property owners who may be affected by the proposed development.





Example of a backlot development

Policy HA-7 Parking

Narrow roads and smaller lots contribute to the character of the area but prevent conventional parking arrangements and vehicle access.

1. In the Heritage Area, Town road standards, lot standards, siting standards, and parking and loading requirements will aim to maintain the landscape and look of the area, while providing a reasonable level of traffic safety and convenience.
2. Uses which require parking for attendance, visitors, customers or guests, will be required to demonstrate how necessary parking spaces can be accommodated in a manner which is safe, convenient and acceptable to adjacent uses.
3. Off premises parking will be permitted but must be identified at the time of application.

Policy HA-8 Petty Harbour-Maddox Cove Town Hall and Community Centre

It shall be the intention of Council to seek funding to upgrade and make improvements to the existing Town Hall/Community Centre in Petty Harbour, as part of Town Centre improvements set out in Policy H-5. Council will work with community groups to implement programs at the community centre that will encourage active, healthy lifestyles.

Policy HA-9 Recreational Open Space

Council will investigate opportunities to create a small public park or green space on the south side of the harbour.



5.2. Residential

The Residential designation is applied to the area along Petty Harbour Road as you enter the Town from the west end, along Cribbies Road, the east side of Motion Bay Road Extension and throughout Maddox Cove and applies to existing residential areas outside of the Heritage Area land use designation. Housing is the primary land use, in the form of single detached dwellings, with the addition of row housing along Maddox Cove Road in 2012. In addition, the Residential land use designation also applies to small, undeveloped sites that may be suitable for new development.

5.2.1. Objectives

- To provide sufficient area for a range of residential development.
- To encourage infill development along existing streets and services.

5.2.2. Residential Policies

Policy R-1 Residential Land Use

Within the Residential land use designation, single detached housing is the predominant land use. Other forms of residential development in the form of double dwellings are also permitted. Apartment buildings, assisted living accommodations, or row dwellings may also be considered. Residential dwellings shall be permitted to have a subsidiary apartment.

Policy R-2 Non-residential Uses

Child care and conservation uses shall be permitted. Convenience stores, business and professional uses, cafes and small restaurants with relatively high customer traffic may be considered where they are located on the main

roads or sites at an intersection with the main road. Other non-residential uses that may be considered include cultural and civic, educational and places of worship.

Policy R-3 Service Capacity

In considering proposals for development, Council shall ensure that the Town's water, stormwater and wastewater treatment systems have capacity to accommodate the development. Notwithstanding Policy R-1, new developments may be refused where it has been determined that there is insufficient capacity.

Policy R-4 Development on Motion Bay Road Extension

The publicly maintained portion of Motion Bay Road Extension currently ends at the last dwelling. Several development proposals for residential development have been submitted that would require street widening, servicing and upgrading of the street to ensure that development has sufficient frontage consistent with Policy G-20. Steep grades will restrict future individual building lots from having direct access to the west (the upper side) and east (lower side) of the right of way. Having reviewed the potential for development in the area along the right of way between the end of Motion Bay Road Extension to Cribbies Road (commonly referred to as Pancake Road) the following policies will apply:

1. Motion Bay Road may be upgraded and extended to permit one additional building lot to be developed, on the west and east side, immediately beyond the last existing dwellings on the street. Each lot shall have direct access to the street. The street shall be upgraded to standards established by Council and development



- shall be in accordance with a grading plan approved by Council.
2. Further development on the east side of the right of way may be considered, where the development, whether for one or multiple dwellings, has only one access which shall connect to Motion Bay Road Extension. Motion Bay Road Extension will be required to be upgraded to standards set by Council to the proposed access. Where more than one dwelling is proposed, the development will be required to include a street, constructed to standards specified by the Town, piped water, and piped sewer if connection to the Town's piped sewage system is determined to be possible. Development must also be carried out in accordance with a subdivision plan, including a grading plan prepared by a professional engineer.
 3. Development of land to the east of Pancake Road shall not result in any erosion or potential for erosion of the right of way as a result of cut and fill or regrading of the site.
 4. It shall be a policy of Council to upgrade the right of way between the publically maintained portions of Motion Bay Road Extension and Cribbies Road for pedestrian use only.

Policy R-5 Future Residential Development

Lands north of the ballfield have been identified as having potential for serviced subdivision development. The area will only be developed on the basis of an approved plan that is consistent with the policies of this Plan and the requirements of the Development Regulations. Incorporation of pedestrian trails and recreational amenities will be a priority for development in this area.



5.3. Harbourfront

The area surrounding Petty Harbour serves as the Town Centre of the community and the focus of economic and social activity. This area is designated Harbourfront and includes the lands south of Main Road, the Island Rooms and lands north of Southside Road, to include the fishing premises along the harbour.

5.3.1. Objectives

- To enhance the harbourfront as the Town Centre and community gathering place.
- To continue to support the fishing industry of Petty Harbour.
- To encourage economic activity around the harbour.

5.3.2. Harbourfront Policies

Policy H-1 Harbourfront Land Use

The Harbour Area is in transition. It is expected to serve several functions: as the continued site of fishery-related industrial and marine transportation uses, as a gathering place for community events, as the economic centre of the Town, and as the site of recreation and tourist development. It is the intention of Council to encourage a mix of uses, including tourism accommodations and services, outdoor markets, cultural and civic, museums, commercial activity, and light and general industrial uses.

Examples of these uses are bed and breakfasts, marine centres, marinas, fish plants, storage warehouses, and other light industrial uses, transportation uses including wharves and docks, general assembly and retail and service businesses. Specific permitted and discretionary uses will be set out in the Development Regulations.



Other uses within the Harbourfront land use designation may be considered, such as passenger assembly, food and catering businesses including take-out food service, retail businesses as outlined in the Development Regulations, indoor markets, hotels, office, medical, professional, personal and general service, and taxi stands.

Policy H-2 New Developments

1. Any development in the area shall be reasonably compatible with residential uses surrounding the harbour. Council may require siting or operation to reduce or eliminate expected negative impacts such as night lighting, noise, odour, fumes, or dust.
2. In considering proposals for development adjacent to the harbour, Council will require that existing access to the harbour and parking for fishing-related activities are retained.
3. In accordance with Policies G-10 and G-11, Council will manage development in accordance with the Provincial Floodplain Policy and ensure that where permitted, development is designed and constructed to reduce vulnerability to flooding.

Policy H-3 Petty Harbour Boardwalk

Council will continue to work with the Harbour Authority to extend

harbourfront improvements, to create a continuous access around the harbour and give further consideration to a potential connection to “The Point” at Mad Rock.

Policy H-4 Island Rooms Development

Council will support the outdoor participatory museum proposed to be located on the Island Rooms.



Policy H-5 Town Centre Improvements

It is Council’s intention to prepare a plan to improve the Bidgood’s property located on the north side of the harbour, and redevelop the area as a community gathering place with facilities such as public washrooms and other amenities. The improvements will be part of a larger Town Centre Plan, which will include connections to adjoining town-owned properties, such as the Town Hall, the Heritage Museum, community centre and war memorial.

Policy H-6 Temporary Uses

Temporary uses, such as the parking of RVs or other types of accommodations are not permitted in the Harbourfront land use designation. Mobile food establishments will be subject to conditions set out in the Town’s Mobile Vending Regulations.

Policy H-7 Residential Developments

Residential development in the Harbourfront designation along Maddox Cove Road and Main Road shall be limited to existing residential uses. Additions or extensions of existing residential developments may be permitted at the discretion of Council. New residential development shall not be permitted in the Harbourfront land use designation.

Policy H-8 Parking Study

Council shall complete a parking study to review the number of available parking spaces around the harbour, and consider how parking could be improved to meet the needs of the Town.

5.4. Commercial-Industrial

This land use designation applies to the lands located on the east side of Maddox Cove Road at the northern end of the community. The site is used by a heavy equipment company and also includes a single residence. The land use designation is intended to recognize the current use of the property.

5.4.1. Objectives

- To recognize the existing heavy equipment company as an established industrial use in the community.
- To provide options for future commercial use of the site.

5.4.2. Commercial-Industrial Policies

Policy CI-1 Commercial-Industrial Land Use

Land uses within the Commercial-Industrial designation will be at the discretion of Council. The uses may include general or personal services, offices, indoor or outdoor markets, general or light industry as well as service stations and transportation uses.

Policy CI-2 Consultation

In recognition of nearby residential areas and the prominence of the Commercial-Industrial land use designation in Maddox Cove, Council will consult with area residents on development proposals that will change the land use of the site. Council will take into account input from the public in determining the conditions of its approval.



5.5. Rural

The Town is surrounded by a unique landscape of steep hills, rock outcrops, rivers, ponds and streams. Lands surrounding the built-up community are included in the Rural land use designation. This area is largely comprised of forest and contains the Petty Harbour Ponds. This designation includes the forested areas beyond Maddox Cove Road and Old Maddox Cove Road, as well as, the areas surrounding Old Petty Harbour Road, and the area south of Southside Road.

5.5.1. Objectives

- To set aside undeveloped rural lands to conserve resources and protect the natural environment.
- To provide suitable sites for resource or other uses that may be inappropriate near urban or residential uses.

5.5.2. Rural Policies

Policy RU-1 Rural Land Uses

Rural land is intended for conservation and traditional rural activities such as small-scale wood cutting, fishing and hunting, and low-impact passive recreation. Cemeteries, rural uses at a commercial scale such as agriculture, outdoor market, outdoor assembly, mineral workings and exploration, and general industrial uses which meet the conditions described in Policy RU-2 and Policy RU-3 may also be considered.

Policy RU-2 Industrial Uses

A non-fishery related general industrial use which is not suited for a location in the built-up part of the Town because of extensive land requirements, outdoor storage,

or other features of its operation may be located on a suitable site in the Rural area provided it:

- a) will have low impact on the surrounding areas and is not easily visible from roads, areas scheduled for urban development, and the trail system;
- b) is screened as far as possible with natural topography or vegetation;
- c) does not require any municipal services;
- d) is capable of development without adverse environmental impacts;
- e) does not require retail sales or services to be carried out from the Rural site; and
- f) must be located so that no significant traffic increase is generated in built-up parts of the Town.

Policy RU-3 Mineral Workings and Exploration

Mineral exploration and aggregate extraction activities will be required to obtain a permit or licence from the Mineral Lands Division of the Department of Natural Resources and comply with all conditions for development, operation, decommissioning and rehabilitation. Extractive resource activities and land uses in this designation shall be screened from public roads, residential areas, parks, trails, and if appropriate, from other rural uses where possible, by leaving existing tree cover in place.



5.6. Open Space Conservation

The Open Space Conservation land use designation applies to land along the rivers throughout Petty Harbour-Maddox Cove and corresponding floodplains, the coastline from “The Point” at Mad Rock toward Maddox Cove along Motion Bay, the East Coast Trail, property acquired by the Nature Conservancy of Canada (NCC) in Maddox Cove and the land located north of the ball field encompassing the Maddox Cove River valley. This land use designation is intended to protect natural areas and to prevent development in potentially hazardous areas.

5.6.1. Objectives

- To identify and protect important waterways and wetlands from the impact of development.
- To prevent development in areas of potential hazards such as flooding and storm surges or on steep slopes.
- To provide a natural buffer along the East Coast Trail.

5.6.2. Open Space Policies

Policy OS-1 Open Space Land Uses

Lands designated as Open Space Conservation on the Future Land Use Map are intended to be used primarily for conservation. Passive recreational uses such as walking trails, parks and accessory uses such as picnic tables and lookouts shall be permitted.

Policy OS-2 2-8 Main Road, Maddox Cove

The Plan recognizes as an existing use, a dwelling constructed at No. 2-8 Main Road, Maddox Cove as a non-conforming use within the Open Space designation. The dwelling may be used as tourist accommodation or other

commercial use that caters to the tourist trade, but shall not be altered to increase the building footprint, or expand the useable area of the site.

Policy OS-3 East Coast Trail

Council supports the continued development of the East Coast Trail, most of which is located on the Town’s main road and along traditional paths in the Open Space Conservation designation.

1. A buffer free of development shall be maintained between the Trail and the shoreline. A natural buffer of undisturbed land and vegetation shall also be maintained inland from the Trail that is sufficient to protect the Trail from physical damage and, east of Gunners Hole, to provide a visual screen.
2. Council shall consult with the East Coast Trail Association on proposals for development within 200 metres of the Trail.
3. Council will work with the East Coast Trail Association to continue to promote the Trail as an important economic asset.



2-8 Main Road, Maddox Cove



5.7. Recreation

The areas designated for Recreational uses include the Town's main recreational area in Maddox Cove that includes a ballfield, playground and club house, as well the small park on Cribbies Road.

5.7.1. Objectives

- To promote active, healthy living in the community.
- To provide opportunities for physical activity and well-being within close proximity to neighbourhoods.
- To provide safe, affordable and quality recreational facilities for all residents, regardless of age, physical ability and financial means.

5.7.2. Recreation Policies

Policy Rec-1 Recreation Land Uses

Within the Recreation land use designation uses such as playing fields, sports grounds, parks, playgrounds and community gardens are permitted. Other uses may include indoor and outdoor assembly. Recreation facilities may also include food services, and meeting rooms as accessory uses.

Policy Rec-2 Cribbies Road Park

Council may redevelop the Cribbies Road Park into a multi-purpose recreation park. This may include a multi-purpose surface for a number of activities, such as skateboarding, a playground, community garden, park benches or viewing platforms.

Policy Rec-3 Multi-Generational Facilities and Programs

Petty Harbour-Maddox Cove is an aging community. To accommodate the growing senior population, it shall be a policy of Council to ensure that recreation facilities are designed to accommodate residents of all ages and physical abilities.



5.8. Watershed

The Town's source of potable water is Western Barrens Pond (Beer Pond), located within the City of St. John's Boundary. The Watershed land use designation includes the area surrounding First Pond and the Petty Harbour Ponds, and has been designated as a back-up water supply area.

5.8.1. *Objectives*

- To ensure a quality supply of potable water to the Town.

5.8.2. *Watershed Policies*

Policy W-1 **Watershed Land Uses**

To protect the water quality and flow conditions of ponds in the Watershed land use designation, land shall remain undisturbed and development shall be limited to the continuation of existing uses.





6. Municipal Services & Infrastructure

The provisions of municipal infrastructure such as streets, sidewalks, water treatment and distribution systems, fire protection, sewers and sewage treatment facilities, and waste collection and disposal are the primary responsibilities of municipal government. This infrastructure supports growth and development of the community and contributes to community safety, health and well-being.

6.1.1. Objectives

- To ensure safe and efficient movement of traffic on local roads and highways.
- In the Heritage Area, to maintain the traditional appearance and pattern of streets and streetscape.
- To ensure continued safety, supply and distribution of potable water in the community.
- To take measures to reduce the amount of waste entering the environment.

6.1.2. Transportation Policies

Policy MS-1 **Local Road Standards and Function**

1. It is Council's intention to ensure the safety of vehicles, pedestrians, and cyclists through regular maintenance and upgrading of Town streets as part of municipal capital works programming.
2. Road upgrading in the Heritage Area land use designation shall conform to the existing pattern of narrow, traditional road right-of-ways.

Policy MS-2 **Pedestrian Pathways**

It shall be a policy of Council, working with residents, to identify and map traditional footpaths and public rights of way throughout the community and to develop policies to

ensure that such routes are taken into consideration when reviewing development applications.

Policy MS-3 **Public Transportation**

Council shall seek opportunities for small-scale public or private transportation from Petty Harbour-Maddox Cove to services in the City of St. John's, particularly for the elderly.

6.1.3. Drinking Water Policies

Policy MS-4 **Drinking Water Distribution System**

Council will work with the City of St. John's to protect the quantity and quality of water in the Western Barrens Pond Protected Water Supply Area.

Policy MS-5 **Water Quality Study**

Council will continue to work with engineering professionals to improve the quality of the drinking water, by conducting a water quality study.

6.1.4. Wastewater Policies

Policy MS-6 **Wastewater System**

Council shall ensure that the Town's wastewater system operates in accordance with Provincial Department of Environment and Conservation standards.

Policy MS-7 **Sewage Collection System Study**

The current sewage collection system is reaching capacity. Due to the pressure for increased development in the Town, Council will work with professional engineers to complete a sewage collection system study to determine where improvements are needed.



6.1.5. *Solid Waste Policies*

Policy MS-8 Waste Reduction Measures

The Town will continue to participate in provincial waste management strategies. To minimize costs of transporting and disposing garbage at the Robin Hood Bay landfill, Council will consider initiatives to reduce household garbage by encouraging residents and businesses to compost and recycle.



7. Implementation

The Town of Petty Harbour-Maddox Cove Municipal Plan serves as the blueprint for the community's future development. It is critical that the plan is put into action through a strategic implementation program.

Successful implementation of the Plan involves:

- Effective administration of the Plan;
- The adoption of annual municipal capital works budgets;
- Adoption of land use zoning, subdivision and advertisement regulations;
- Preparation and adoption of development schemes;
- Preparation and implementation of recommended studies; and
- A consistent procedure for considering amendments to the Plan.

7.1. Administration of the Municipal Plan

Where possible, land use designations coincide with roads, fences or property lines or other prominent physical features, or as a specified offset from physical features. It is intended that no amendment of this Plan will be required to permit minor adjustments to these boundaries where it is reasonable to do so in response to a proposal for development.

All proposed development within the Planning Area must conform to the policies of the Plan and Development Regulations, and be approved by Council. Council will ensure that development proposals are given a

comprehensive review, including circulation to appropriate public departments and agencies.

Council may refuse or approve applications, with or without conditions. Decisions of Council made according to the provisions of this Plan and the accompanying Development Regulations may be appealed to the appropriate Appeal Board established under Part VI of the *Urban and Rural Planning Act, 2000*.

7.2. Development Regulations

To implement the goals, objectives and policies of the Municipal Plan, Council will prepare and adopt Development Regulations pursuant to Section 35 of the *Urban and Rural Planning Act*.

All land within the municipal planning area will be covered by land use zones which provide detailed requirements such as lot size, frontage, building setbacks, and parking standards.

In order for consideration of any proposals for an amendment to the Development Regulations (i.e., a rezoning), Council shall require a clear proposal to be submitted. Such a proposal must clearly show:

- The location of the subject property, to scale, showing lot dimensions, area, street frontages;
- The means by which the site is/will be serviced;
- The proposed location of all driveways and parking areas;
- Areas which are to be landscaped and/or buffered; and
- The proposed location of all buildings on the site.



In its review of proposals for amendments to the Development Regulations, Council shall consider the appropriate policies set out in this Plan and have regard for the following:

- The financial ability of the Town to absorb any costs relating to the development;
- The adequacy of municipal water and sewer services, or where on-site services are proposed, the adequacy of the physical site conditions to accommodate it;
- The adequacy of the road network in, adjacent to, or leading to the development;
- The potential for the contamination or sedimentation of watercourses or for erosion;
- Environmental impacts such as air, water and soil pollution and noise impacts;
- Previous uses of the site which may have caused soil or groundwater contamination;
- Suitability of the site in terms of grades, soil and bedrock conditions, location of watercourses, marshes, swamps, or bogs;
- Compatibility of the development in terms of height, scale, lot coverage and bulk with adjacent properties; and
- That the proposal is in conformance with the intent of this Plan and with the requirements of all other Town by-laws and regulations.

7.3. Public Consultation

Council is committed to consultation with citizens and will seek input from the public on planning and development matters that:

- Require an exercise of Council discretion in arriving at a decision on a development application;
- Involve significant development proposals that are of interest to the community at large;
- Would require a change of Town policy, amendment to the Plan or Development Regulations; and
- Would result in significant expenditures of Town resources for implementation.

7.4. Amending and Reviewing the Municipal Plan

Since conditions in the Town may change during the planning period, amendments to the Municipal Plan may be adopted by Council from time to time. Council may consider amendments to the Municipal Plan when:

- There is an apparent need to change policy due to changing circumstances;
- Studies have been undertaken which contain recommendations or policies which should be incorporated into the Municipal Plan;
- A Provincial Land Use Policy has been released that requires a change in policy by the Town; and
- There is a development proposal which provides sufficient information and rationale to support a change in the Municipal Plan.

After five years from the date on which this Plan comes into effect, Council shall review the Plan and revise it if necessary. Revisions will take account of development which can be foreseen during the following 10 years. Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.



7.5. Professional Advice

Council may obtain its own professional advice in regard to any proposed amendment to the Municipal Plan or Development Regulations. Council may also seek professional advice in regards to the evaluation of development proposals where additional expertise is necessary.

7.6. Municipal Budget and Capital Works Program

Council shall continue to invest wisely in municipal water and sewer services including upgrading and maintaining the watersupply, treatment and distribution system and sewer services through an annual program of capital works.

Municipal Capital Works projects to be pursued over the planning period are listed in the following table:

Project/Action	Priority	Cost (estimated)	Possible Funding Sources
Capital Works			
Sewage Collection System Study	1	TBD	Municipal Capital Works
Cribbies Road Upgrade	2	TBD	Municipal Capital Works
Water Quality Study	3	TBD	Municipal Capital Works
Town Centre Improvement Plan	4	\$5,000	Municipal Capital Works; ACOA; INTRD
Town Hall and Community Center Improvements	5	TBD	Municipal Capital Works
Cribbies Road Park Plan	6	\$5,000	Municipal Capital Works; Department of Tourism, Recreation and Culture
Pancake Road Trail	7	TBD	East Coast Trail Association
Petty Harbour Boardwalk	8	TBD	ACOA
Waste Reduction Measures	9	TBD	MMSD; Eastern Waste Management Committee
Other			
Parking Study	1	\$2,500	Town of Petty Harbour-Maddox Cove
Identification and Protection of Historic Resources	2	TBD	Heritage Foundation of Newfoundland and Labrador
Public Transportation	3	TBD	
Map Community Trails	4	TBD	Town of Petty Harbour-Maddox Cove
Improve Pedestrian Safety Through Traffic Calming Measures	5	TBD	Department of Transportation and Works



Appendix A

Slope Analysis Map

Appendix B

Flood Risk Map

Source: AMEC Environment and Infrastructure. 2013. Flood Risk Mapping Project: Goulds and Petty Harbour Area.

[http://www.env.gov.nl.ca/env/water/res/flooding/petty_harbour_goulds/Goulds PettyHarbour Report.pdf](http://www.env.gov.nl.ca/env/water/res/flooding/petty_harbour_goulds/Goulds_PettyHarbour_Report.pdf)

Appendix C

Future Land Use Map