

TOWN OF WABANA MUNICIPAL PLAN

IMPORTANT: To see if there were any changes to this plan since it came into effect, please refer to:

List of Municipal Plan Amendments

URBAN AND RURAL PLANNING ACT

COUNCIL RESOLUTIONS TO ADOPT A MUNICIPAL PLAN

Resolved pursuant to Section 16 of the Urban and Rural Planning Act, that the Council of the Town of Wabana adopt the Municipal Plan which is attached hereto and is impressed with the Seal of the Council, signed by the Mayor, and certified by the Clerk.

Resolved further pursuant to Section 18 of the Urban and Rural Planning Act, that the Council apply to the Minister of Municipal and Provincial Affairs for the setting of the time and place of a Public Hearing to consider objections or representations to the Municipal Plan.

PROPOSED BY: Councillor Gosine
SECONDED BY: Councillor Ash

Certified as a correct copy of a Resolution passed at a meeting of Council held at the Town of Wabana on the 24th day of October, 1991.

Charles H. Baum
Deputy - MAYOR

Diane B. Butler
CLERK

THE URBAN AND RURAL PLANNING ACT

NOTICE OF APPROVAL

WABANA MUNICIPAL PLAN 1990-2000

I, Eric A. Gullage, Minister of Municipal and Provincial Affairs, under and by virtue of the powers conferred by The Urban and Rural Planning Act, Chapter 387 of the Revised Statutes of Newfoundland, 1970, hereby approve the Wabana Municipal Plan 1990-2000, adopted by the Town Council of Wabana on the 24th day of October, 1991.

Dated at St. John's this *11th* day of *February*, 1992.


ERIC A. GULLAGE, C.L.U., M.H.A.,
Minister of Municipal & Provincial Affairs

SEAL AND SIGNATURE

Signed and sealed pursuant to Section 16(3) of the Urban and Rural
Planning Act this 24th day of October 1991.

(SEAL)

Charles H. Brown
Deputy - MAYOR

CLERK'S CERTIFICATE

Certified that the attached Municipal Plan is a correct copy of the
Municipal Plan adopted by the Council of the Town of Wabana on
the 24th day of October, 1991.

Marie L. Butler
CLERK

WABANA MUNICIPAL PLAN 1990-2000

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1. INTRODUCTION

1.1 PLANNING IN NEWFOUNDLAND

The Municipal Plan

This Municipal Plan has been prepared in accordance with the requirements of Section 15 of the Urban and Rural Planning Act, following surveys and studies of land use, population growth, the local economy, present and future transportation and communication needs, public services and other relevant factors.

The Plan outlines the goals, objectives and policies of Council regarding the development of the Municipal Planning Area over the next ten years. This Municipal Plan, consisting of a written text in which the goals, objectives and policies are set out, also includes Land Use Maps indicating the proposed allocation of land into various Land Use categories.

Ministerial Approval

When the Municipal Plan is formally adopted by resolution of the council under Section 16(1) of the Act, two copies must be impressed with the Seal of the Council and signed by the Mayor. The council must then give notice of its intention to seek the approval of the Minister of Municipal and Provincial Affairs by publishing a notice in the Newfoundland Gazette and in a newspaper published, or circulating, in the town. The notice must state where and when the Municipal Plan may be inspected by any interested person and the time and place set by the Minister for the hearing of any objections or representations. At the Public Hearing, a Commissioner appointed by the Minister will hear the objections and representations, and

subsequently forward his recommendations to the Minister in a written report, together with copies of all the evidence taken at the Public Hearing.

After the Public Hearing is concluded and the Commissioner's report has been submitted, the Council must apply to the Minister for approval of the Municipal Plan. The Minister requires two copies of the Municipal Plan certified correct by the Clerk of the Council, a copy of the adopting resolution and of all written objections and representations considered at the Public Hearing. On receipt of this material, the Minister may approve the Municipal Plan, with or without modification, or may disapprove it and order that a new Municipal Plan be prepared. Upon approval, the Minister will endorse a copy of the Plan and return it to the Council. Within ten days of receipt of the final approval by the Minister, the Council must publish a notice of approval in the Newfoundland Gazette and in a local newspaper.

The Effect and Variation of the Municipal Plan

When the Municipal Plan comes into effect, it is binding upon the Council and upon all other persons, corporations and organizations. The Plan has to be reviewed by the Council at the end of every five years from the date on which it comes into effect and at that time revised as necessary to take account of developments which can be foreseen during the next ten-year period.

The Municipal Plan may be amended at any time in whole or in part for just cause by repeating the process by which it was adopted and approved initially.

Development Schemes

At any time after the adoption of the Municipal Plan, the Council can prepare and adopt Development Schemes under Sections 31-33 of the Act for the purpose of carrying out specific proposals of the Municipal Plan. A development Scheme may provide for the acquisition, assembly, consolidation, subdivision and sale or lease by the municipality of land and buildings which are necessary to carry out provisions of the Municipal Plan. The Scheme may reserve land for future acquisition as the site of any public roadway, service or building, or for a school, park or other open space and may make such agreements with the owners of the land as will permit its acquisition and use for those purposes. The Development Scheme may also specify the manner in which any particular area of land is to be used, subdivided or developed, and may regulate the construction of buildings which would interfere with the carrying out of the Development Scheme.

Development Schemes are prepared and approved in exactly the same way as the Municipal Plan, and, when approved, form part of that Plan.

Municipal Plan Administration

When a Municipal Plan comes into effect, the Council is required to develop a scheme for the control of the use of land in strict conformity with the Municipal Plan in the form of land use zoning, subdivision, and any other regulations necessary. After adoption by the Council, these regulations must be submitted to the Minister for approval.

Regulations must comply with the requirements of the Urban and Rural Planning Act, and Standard Provincial Regulations have been developed to form the basis of these regulations. Councils are also advised, if they have not already done so, to adopt the National Building Code of Canada as its building regulations.

The day-to-day administration of the Municipal Plan, and subsequent regulations, is in the hands of the staff members authorized by the Council. Council staff have the duty of issuing all necessary permits approved by Council and making recommendations to the Council in accordance with the Municipal Plan policies and implementing regulations regarding all development in the Municipal Planning Area.

1.2 Summary of Background Report

(a) Origin and Regional Context

- The Town of Wabana occupies the eastern half of Bell Island, the largest of the three dominant islands in Conception Bay. It is 14 kilometres from St. John's and is serviced by a scheduled ferry service between Portugal Cove and The Beach.

- Bell Island is within the St. John's Urban Region and Wabana is designated by the Regional Plan as a sub-regional centre. It does not avail of hard regional services, but is part of the economic unit just as much as Holyrood, Bay Bulls, etc.

- Land use permitted under the Regional Plan are those necessitated by the Town's detached role in relation to the rest of the Region.
- The Wabana population has remained fairly stable as a percentage of the total Bell Island population during the past ten years, but is declining as a percentage of the Urban Region population.
- Initial settlement occurred in the mid-18th century with fishing, farming and some ship-building as the means of livelihood.
- Mining of the iron ore deposits (red haematite) was begun in 1893 and continued to 1966 at which time there were extensive underground workings extending northwards from the Island beneath Conception Bay.
- Loss of mining as the main source of industry and employment has resulted in high unemployment and welfare rates, reliance on community employment elsewhere in the Region, and continuous out-migration.
- The Wabana Municipal Planning Area includes the entire area of Bell Island. Development in the rural portion extends along Lance Cove Road where the main areas of settlement are at Lance Cove, Bickfordville and Freshwater.

(b) Physical Environment

- Bell Island rises sharply from the sea having a perimeter of vertical cliffs 40-90 metres in height.

- There are only three sites, all on the south side of the island, where the shoreline is accessible by road.
- The island bed-rock consists of Lower Ordovician shale and sandstone interbedded with oolitic haematite ore.
- There are substantial areas of soil cover capable of farm crop production and additional areas capable of supporting forage crops or animal grazing.
- The island's surface drainage consists of 13 drainage areas of which 8 are within the Wabana Municipal Area.
- Very little tree growth remains within the Wabana Municipal Area. Productive tree stands surrounding Lance Cove are being reduced by development.
- The average frost-free season is 131 days from June 1 to October 11.
- The highest probability of sea-ice conditions adversely affecting the ferry service occurs during March, with low probability during January and May.
- Bell Pond, Lance Cove Pond and West Dam Reservoir are the only significant sites of surface water containment on the island.
- Potential use of the underground mine excavations for renewed mining activity or for bulk oil storage

necessitates restricted use of surface areas above these underground sites and in the vicinity of entry points to the old underground workings.

(c) Transportation and Communications

- The Provincial Department of Works, Services and Transportation operates a scheduled ferry service between Portugal Cove and The Beach. A new ferry, the "Flanders", designed specifically for this service, commenced operation in September 1990.
- An airstrip is located on the northwest side of the island but is seldom used.
- Telephone service is supplied by submarine cables extending from Portugal Cove to The Beach. Bell Island subscribers are within the St. John's calling area.
- Electrical power is supplied by submarine cables extending from St. Phillips. Portable generators located at Wabana protect against power outage.

(d) Growth

- The Wabana population has declined from a peak of 8026 in 1961 to 4057 in 1986, representing an average rate of decline of 2.8 percent per year during the 25-year period. However, the rate of population decline has reduced to less than one percent per year during the 1981-86 period.

- Population of the rural area of Bell Island declined at an average rate of 1.8 percent per year during the 1981-86 period and was recorded at 552 people in 1986.
- Almost half of the school-leaving age group leave Wabana and rural Bell Island for employment or post-secondary education and do not return.
- Net out-migration has occurred within all age groups of the Wabana population during 1981-86, but has not been similarly reflected in the rural age group population.
- Recent new dwelling construction in the rural area of Bell Island indicates a prospect for future population growth.
- The Wabana population is expected to decline to 3450 by 2001 and the rural population is expected to increase to 750 by 2001.
- Dwelling occupancy rates are expected to continue the recent trend of decline, resulting in an average Wabana occupancy rate of 2.7 persons per dwelling by the year 2001, and a rural occupancy rate of 2.5 persons per dwelling.
- It is estimated that approximately 200 new dwelling units will be required to meet the housing demand during the planning period. Of these, 60-80 will be required for single-person occupancy (mainly in the form of dwelling units for the elderly) with the

balance provided by new single-detached and double dwelling house construction.

(e) Commerce and Industry

- Commercial development is mainly of a local convenience nature, catering to needs of the various residential neighbourhoods. Town Square is the centre of commercial activity, but several commercial buildings in this location are presently vacant.
- Industrial land use, mainly associated with the fishery and bulk oil storage, are located near wharfage sites on the south side of Bell Island. Some warehousing, the municipal depot and provincial transport depot are more centrally located on the Island.

(f) Public Buildings

- Most public and institutional type buildings are located in the vicinity of Town Square and include the hospital, town hall, fire hall, schools, churches, social organizations and government offices. Other such uses, including a stadium, community college, other schools and churches are located elsewhere.
- Developed recreational open space, representing 2.25 hectares (5.5 acres) per 1 000 population, is mainly located central to the main concentration of population. However, there is a lack of smaller scale

recreational space to serve the immediate needs of local neighbourhoods.

- There are two elementary schools and two high schools, all in good condition and most of recent design and construction. Elementary school enrolment is generally declining at a rate of 4.5% per year. High school enrolment is declining at 2.5% per year and may soon be expected to experience the same rate of decline as the elementary schools.
- The Bell Island Community College has sufficient space to accommodate its enrolment needs.

(g) Municipal Services

- The municipal water supply is obtained from 15 wells separately located throughout the town. Most residential properties are connected to it and there is no report of water shortage under normal conditions.
- Fire hydrant service is provided throughout most of the areas supplied by the municipal water system but has low operating pressures, mainly due to the widespread use of small diameter pipes for the water distribution system.
- None of the well water supplies are chlorinated, but are regularly monitored by the Department of Health.
- The West Dam Reservoir is not now in use as a water source, being periodically subject to contamination.

- Lance Cove and Bickfordville operate community well and pumping systems.
- Only about one-third of the Wabana population is served by a municipal sewer system. The remainder is dependent on private septic disposal methods.
- Additional sewer extension and water system improvement should be undertaken only in accordance with an engineering feasibility study.
- Major streets servicing Wabana and Bell Island are maintained by the Provincial Department of Works, Services and Transportation. All of these are paved and most have an adequate roadway reservation.
- Garbage is collected weekly with disposal by incineration.

1.3 Basic Assumptions

In evaluating the probable course of future growth and its effect on the timing and relative importance of work to be undertaken to accommodate it, a number of assumptions have been made as follows:

- (i) Net out-migration will continue at the age group percentage levels determined for the 1981-86 period, affecting mainly young adults, especially those of school-leaving age. This pattern of out-migration will act to further diminish the birth rate and hence the number of the child population. The total population is accordingly expected to continue to decline but the older adult

population will increase numerically and as a percentage of population.

- (ii) New residential construction will be required to meet the needs of new family formations, the special needs of the increasing number of elderly persons, and replacement of some of the existing housing stock. It is estimated that approximately 200 new dwelling units or 20 units per year on average will be required during the planning period.
- (iii) Existing mineral deposits and mining works are assets having future industrial potential for renewed mineral extraction, bulk storage, tourism development or other beneficial use.
- (iv) It is assumed that a feasible method of up-grading the municipal water supply system can be designed to provide an acceptable level of fire-fighting capacity in all presently serviced areas within the planning period, and that municipal sewer service will also be extended to The Green, Scotia No. 1 and West Mines residential areas during this period.
- (v) The method and phasing of municipal water and sewer works to be undertaken during the planning period is dependent on the result of engineering studies still to be carried out and availability of capital financing for these works. It is assumed that these studies will be undertaken and completed within the first two years of the planning period. At that time a program of public works for the remaining period 1993-2000 should be outlined and adopted as an addition to Section 3 - "Municipal Services" of the Municipal Plan and be reflected in successive 5-year capital budgets.

1.4 Future Development Strategy

It is clear from the Background Report that residential development has continued to locate indiscriminantly along rural main road frontages both within Wabana and in the Municipal Planning Area. It is also clear that if this trend continues the eventual demand for municipal piped services, and, indeed, the necessity of these services for public health reasons, will far outstrip any reasonable financial ability to install and maintain them, if it has not already done so. Several of Wabana's urban residential neighbourhoods still lack sewer service; fire flow from the municipal water system is inadequate; much of the water supply is highly mineralized and of marginal quality. The prime directive of the Plan is therefor aimed at concentrating municipal effort in providing an acceptable level of services to existing urban areas of the town while preventing the further progress of sprawl development in unserviceable locations.

Accordingly, the form and direction of future development is related directly to the capacity and quality of existing piped water and sewer services and to the necessity for and prospect of future extension of these services. The fact that the municipal water supply is presently entirely dependent on groundwater sources and that these sources must be protected from contamination, means that development at urban densities and intensity of land use must be restricted to locations where it is connectable to a municipale sewer system. It also means that where piped water but no sewer service is available, development must be restricted in type and density reasonably protective of groundwater quality.

In setting forth the basic pattern of future growth a distinction is made between:

- (i) Existing fully serviced land areas and those which may be expected to be fully serviced during the period of the Plan. These are prospective locations for urban growth, the latter being restricted to low-density development until such time as full services are made available.
- (ii) Areas containing a concentration of partially serviced development, reasonably capable of being fully serviced eventually but not within the planning period. These areas will be restricted to use classes and development density characteristic of rural residential communities.
- (iii) The remaining land area is reserved for natural resource uses and associated development, except where otherwise specifically designated for industry, recreation, transportation, conservation or restricted building, due to strategic location or environmental necessity.

The Plan therefore provides for urban density and intensity of development only in the fully serviced areas of The Ridge, Town Square, East No. 1, and limited portions of The Front. Whereas The Green, The Valley, Scotia No. 1 and West Mines are restricted to development consistent with existing residential density until sewer service is extended to these areas, now serviced by a piped water system only. East No. 1 contains substantial tracts of serviceable raw land and is the best locational prospect for new residential subdivisions; whereas the portions of The Front are capable of development only to the extent of available surplus capacity of the Davidson Avenue sewage pumping station and the packaged treatment plant.

Furthermore, it is of prime importance to the achievement of community betterment through coordination of public works and

conservation of financial resources that an engineering study of municipal water supply and sewage disposal systems be undertaken and completed before extending piped services beyond their present limits. In doing so the method of water supply must be rationalized in a manner designed to provide potable water and adequate fire-fighting capability to all serviced areas and include priorities and cost estimates for system improvement. The condition and available capacity of existing sewer systems must be evaluated, particularly that of the trunk sewer along the valley extending to the outfall near Gull Island South Head, in order to determine the most feasible method of extending the sewerage system to areas proposed for full services during the planning period, namely: The Green, Scotia No. 1, and West Mines. A phased program of existing system improvement and new system extension should then be adopted, based on the findings of the study.

Town Square and its immediate vicinity has historically been considered as Wabana's central business district and now combines this with institutional uses of a regional and sub-regional service nature. The Plan therefore anticipates that it will continue to be the primary focus of commercial, public and institutional land use. Accordingly, provision is made to accommodate the prospect of developing tourism services, civic, cultural and institutional uses on presently vacant land lying between Town Square and The Green. The Plan also recommends particular attention to street realignment facilitating ease and safety of traffic movement through the central area and increased provision of clearly designated, limited access off-street parking sites.

Other land uses, as referenced in (iii) preceding, are predicated on the following:

- Preservation for industrial or transportation uses of lands directly accessible by road from a wharfage site and provision for continuation or expansion of such uses in appropriate existing locations.
- Designation of a site for development of a provincial park at the eastern extremity of West Dam Reservoir. This park to be made readily and directly accessible by construction of 1.8 kilometres of new highway connecting the Lance Cove Road - Davidson Avenue Junction with West Mines Road - Middleton Avenue at the community college site, thereby also improving the Island's overall highway traffic circulation system.
- Recognition of the need for minor park and recreational facilities within residential neighbourhoods and of the need to counter the presently bleak appearance of the main urban areas by means of a long-term beautification program.
- Ponds having potential as future sources of public water supply and their water catchment areas are designated for conservation until such time as it may be clearly demonstrated that they are either not required or are not suited to development for this purpose. Cemetery sites, specified river courses, and steep slopes in highly visible locations are also designated for conservation to ensure their being maintained in a safe, healthy and attractive manner.
- Designation of restricted development areas surrounding mineral showings, mine entry points, and lands which may be affected by renewed use of the underground mines.

2. LAND USE OBJECTIVES AND POLICIES

The Urban and Rural Planning Act, Section 13(2), specifies that the Municipal Plan "...shall be designed to coordinate the public purposes of the Authorized Council that bear upon development so as to achieve the common well-being of the community and to conserve the financial and material resources of the Municipal Planning Area...".

Objectives and policies implementing the overall planning strategy as set forth in Section 1.4 as they pertain to the various types of land use referenced in the Plan are stated as follows:

2.1 Residential

There is ample land area available for fully serviced residential infilling and subdivision development in East No. 1, The Ridge, and in the vicinity of Armoury Road to accommodate all of the 200 new housing units anticipated for Bell Island in the Background Report. However, it is clear from present trends that new residential growth cannot reasonably be constrained to proceed only in these fully serviced locations. It is therefore Council's intention to designate and distinguish between land areas having different levels of service and serviceability potential, and to implement development controls and standards consistent with the level of services available and the prospect of future service improvement.

In so doing, Council will encourage new residential development to locate within areas where full municipal services are available. This encouragement will take the form of enabling types of residential development, embodying cost saving and convenience features consistent with fully serviced locations such as: use of smaller size building lots; conversions and

extensions for subsidiary apartment units; apartment buildings; and residential subdivision.

Conversely, Council will discourage continuation of residential sprawl along highway and main road frontages and will be observant of the need to prevent increased housing density and intensity of land use in unserviced and partially serviced locations. Such converse action is deemed necessary in order to: avoid the future requirement of municipal service extension in an unplanned and uneconomic manner; preserve existing and potential groundwater supplies from contamination; and to ensure that the future cost of maintaining and operating municipal services (including street lights, snow clearing, road maintenance, etc.) is kept within reasonable limits.

Objectives and policies pertaining to residential land use are stated as follows:

- Objectives:
- (i) To ensure a safe, healthy and satisfying residential environment by controlling the classes of land use and characteristics of development permitted within residential areas.
 - (ii) To designate land for residential use and promote its further development in a manner designed to make efficient use of municipal services and conserve municipal financial resources.
 - (iii) To ensure that residential development proceeds in a manner that does not prejudice access to and appropriate future development of neighbouring land.

Policies: Areas designated for residential use are as shown on Map No. 1 (E & W), distinguishing between those intended for full municipal services during the planning period and those to which full services may eventually be extended beyond the period of the plan. Development standards for these areas will be prescribed by regulation in accordance with the following policy directions, including interim policies in Sub-section C for existing partially serviced areas until full services are provided.

A. GENERAL

- (i) Development may be permitted only on lots having sufficient frontage on a public street.
- (ii) Development is required to connect with piped municipal services when and where available.
- (iii) In the event of occurrence of an archaeological find during the course of development, development shall cease temporarily and council shall contact the Historic Resources Division, Department of Municipal and Provincial Affairs.

B. FULL SERVICE AREAS

- (i) Residential land use areas to which policies of this part apply are those within which development is directly connectible to piped municipal water and sewer systems. This consists of the areas commonly known as The

Ridge, Town Square, East No. 1; the fully serviced areas of The Front along Davidson Avenue, Renown Street and Downing Street; and the Lance Cove Road frontage serviced by the package sewage treatment plant.

- (ii) Single and double dwellings and recreational open space are permitted uses within these areas. Residential uses of higher density, such as row dwellings, apartment buildings, mobile home parks or subdivisions, may be permitted where council is satisfied that water supply and sewer capacities are adequate to accommodate the service demand and that the type and character of development is compatible with the established residential quality of the neighbourhood.
- (iii) Conversion or extension of single dwellings to provide a subsidiary apartment may be permitted subject to regulatory requirements for a single dwelling continuing to be met.
- (iv) Churches, schools, local convenience stores, service station, and other such uses determined by Council to be supportive of and compatible with the local neighbourhood may be permitted where Council is satisfied that residential safety and amenity will not be impaired.
- (v) Professional or business offices clearly subsidiary to a main residential use may be permitted where Council is satisfied that

activity generated will not adversely affect neighbouring residential amenity.

C. LOW DENSITY AREAS

- (i) Residential land use areas to which policies of this part apply are those substantially developed areas where a municipal piped water supply system is available and to which a municipal piped sewage disposal system may be extended during the period of the Plan. This consists of the residential neighbourhoods commonly known as The Green, Scotia No.1, and West Mines.
- (ii) Residential development is restricted to single and double dwellings on lots no smaller than 900 m² (normal existing lot area). A larger area may be required by Council on consultation with the Department of Health where necessary to preserve a healthy residential environment. Mobile homes may be permitted as single dwellings where determined to be compatible with the residential neighbourhood.
- (iii) Sufficient land will be reserved within each residential neighbourhood to enable eventual development of minor parks and recreational facilities. (See Sect.2.5, particularly Policy (ii).)
- (iv) Minor supplementary uses, such as a child care service, convenience store, professional

or business office, may be permitted if clearly subsidiary to a main residential use and if requiring no private sewage disposal capacity additional to that available to accommodate the main residential use.

- (v) When land areas become connectible to municipal piped water and sewer systems, the policies of "B. FULL SERVICE AREAS" will apply.

D. RURAL RESIDENTIAL AREAS

- (i) Residential land use areas to which policies of this part apply are partially serviced or unserviced areas where full municipal services may eventually be available beyond the period of the Plan. These areas consist of the following:
 - The Valley
 - West side of Main Street, south of the Armoury Road junction.
 - Mercer's Street and Railroad Street near the Mercer's Street junction.
 - The vicinity of Courthouse Hill and the Old Lance Cove Road.
 - Designated areas at Lance Cove, Bickfordville and Freshwater.
- (ii) Residential development is restricted to single dwellings on building lots no smaller than 0.5 h or as may otherwise be determined by Council in consultation with the Department of Health to be consistent with preservation of a healthy residential environment.

Mobile homes may be permitted as single dwellings where deemed compatible with the residential neighbourhood.

(iii) Recreational open space is a permitted use within these areas.

(iv) Other uses of minor convenience nature, such as a confectionary store or child care service, may be permitted if clearly subsidiary to a main residential use and if requiring no private sewage disposal capacity additional to that available to accommodate the main residential use.

2.2 Commercial

Council recognizes that investment for commercial development responds to demand for goods and services in locations which are readily visible and convenient to the prospective customer population. In Wabana the customer population is the Bell Island population, limited in number but constrained in ability and propensity to travel elsewhere for required goods and services by its island location. The general practice appears to be that goods and services required on a regular daily or weekly basis are provided by local commercial establishments; while consumer requirements of a less frequent, larger or more expensive nature are purchased through contact with or travel to establishments, elsewhere in the St. John's Urban Region.

Most commercial development has historically been located at Town Square, being central to the main body of population. It is council's intention to promote continued concentration

of commercial uses within this area in close association with financial, governmental, institutional and recreational services and higher density residential uses, all of which are considered to be mutually supportive land use activities.

Several other relatively minor locations along Davidson Avenue and on Main Street are also designated for commercial use. These provide for the continuation of existing commercial uses as well as some warehousing, service station, and other light industrial uses. Municipal sewer service is not presently available to several of these sites. Council will therefore be particularly vigilant in these instances to ensure that further development of these sites is compatible with maintaining a safe and healthy environment.

Other sites at The Beach, Freshwater and along Middleton Avenue recognize existing highway commercial sites and enable further expansion in these locations for additional highway commercial and local commercial services.

Council's objectives and policies pertaining to commercial land use are stated as follows:

- Objectives:
- (i) To promote continued development of Town Square as an attractive and active central commercial area catering to commercial service needs of Bell Island residents.
 - (ii) To secure ease and safety of traffic movement to and within commercial areas.
 - (iii) To enable commercial development in locations convenient to local residents and the travelling public.

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

A. GENERAL

- (j) Development may be permitted only on sites having sufficient frontage on a public street.
- (ii) Council will require provision of traffic access and parking arrangements sufficient to ensure the safe and unimpeded movement of traffic along public streets.
- (iii) Development is required to connect with piped municipal services when and where available.
- (iv) Where commercial uses abut residential property, council will ensure that the type of development and manner of operation is compatible with maintaining the safety, comfort and general amenity of abutting residential property and, in addition, may require fencing, planting, distance separation or any other form or combination of forms of buffering as may be deemed necessary to preserve residential amenity.

- (v) In the event of occurrence of an archaeological find during the course of development, development shall cease temporarily and council shall contact the Historic Resources Division, Department of Municipal and Provincial Affairs.

B. GENERAL COMMERCIAL

- (i) The large block of commercial land use centred on Town Square, extending eastwards to Quiggley's Line, southwards to Church Road and westwards to the rear of residential properties fronting on Petrie's Hill; together with several smaller blocks at The Ridge, are intended for a wide variety of commercial uses, including retail commercial, business and governmental offices, and financial institutions, together with other mutually supportive land uses commonly associated with a central commercial area.
- (ii) Light industrial uses and automotive services may be permitted at council discretion where it is supplementary to a permitted use or has been determined to be compatible with and complimentary to neighbouring uses.
- (iii) Supplementary dwelling units at the second floor level and apartment buildings may be permitted at council discretion.

- (iv) Public assembly uses of a cultural, civic or recreational nature may be permitted at council discretion in locations where such development may efficiently and effectively contribute to and utilize off-street parking accommodation in the area.
- (v) Council will encourage architectural treatment of building arrangement and building facades, tree-planting and other measures designed to improve the urban attractiveness of the commercial centre.

C. HIGHWAY COMMERCIAL

- (i) Commercial land use located at The Beach, Freshwater, and along Middleton Avenue are intended to recognize existing commercial sites and promote their further expansion to provide additional commercial services to the travelling public. Permitted uses may include a restaurant, service station, and convenience store.
- (ii) Other uses of a supplementary nature or of environmental concern, such as a recreational area, motel, or food take-out service, may be permitted at council discretion.
- (iii) Where municipal piped water and/or sewer services are not available, development will be subject to recommendations of the Department of Health.

D. COMMERCIAL USES IN OTHER LAND USE AREAS

- (i) Minor commercial uses of a residential convenience nature may be permitted in residential land use areas in accordance with Policies 2.1 B.(v), C.(iv), D.(iv).
- (ii) Offices and retail commercial uses subsidiary to a main industrial or transportation land use may be permitted in industrial and transportation land use areas in accordance with Policies 2.3 A.(vi) and 2.7 (i).

2.3 Industrial

Council recognizes that land adjoining roadway accessible wharfage is a scarce characteristic on Bell Island. Such land area, particularly in instances where the land is not steeply sloping, is to be preserved from development which may inhibit its use for industrial purposes.

Land having these characteristics is located at The Beach; to the east and west of the road to Dominion Pier; and at Lance Cove. The largest area is that at Dominion Pier containing about 16 hectares (40 acres) equally divided to the east and west of the gravel surface roadway. This roadway is deeply entrenched along most of its route, but the land on both sides is accessible for development in depth along 100 m of the roadway's northern section. The main power corridor from the submarine cable traverses the eastern extremity of this area and a bulk oil storage facility is also located in the eastern area.

Land designated for industrial use at Lance Cove and a portion of the industrial area at The Beach is to be reserved specifically for uses associated with the fishing industry.

A small industrial area located at Freshwater recognizes an existing automotive maintenance and repair depot and enables further expansion or additional development of similar industrial uses.

Minor industrial uses, such as warehousing, automotive repair and small workshops of various kinds may be permitted in commercial land use areas. A site or sites specifically designated for larger scale industrial development is deemed to be neither necessary nor desirable in close proximity to main residential areas of Wabana. However, existing industrial uses within residential or public building land use areas may continue in operation until such time as the operator ceases the industrial activity or finds it advantageous to relocate to a more appropriate site.

Objectives and policies pertaining to industrial land use are stated as follows:

- Objectives:
- (i) To reserve for industrial use land having recognized industrial potential.
 - (ii) To control and direct the location of industrial development in a manner designed to protect other land uses and the natural environment from adverse effects of industrial operation.

Policies: Areas designated for industrial use are as shown on Map No. 1 (E & W). Development stand-

ards for these areas will be prescribed by regulation in accordance with the following policy directions.

A. GENERAL TO ALL INDUSTRIAL LAND USE

- (i) Development may be permitted only on sites which are directly accessible from a public roadway and where adequate provision is made for safe vehicular access and off-street loading and parking accommodations.
- (ii) Storage and use of hazardous substances may be approved only in conformity with requirements of the Department of Environment and Lands.
- (iii) Where industrial development is not connectible to piped municipal services, development will be restricted to uses which incorporate private water supply and/or sewage disposal systems of adequate quality and quantity of supply and/or effluent treatment in a manner satisfactory to council and the Department of Health.
- (iv) Where industrial land use abuts residential property, council will ensure that the type of development and manner of operation is compatible with maintaining comfort, safety and general residential amenity of the abutting property and may

require fencing, planting, distance separation, or any other form or combination of forms of buffering to preserve residential amenity.

- (v) Where industrial development is proposed within the Restricted Building Area Boundary, the application will be referred for comment and recommendation to the Department of Mines and Energy.
- (vi) Business office and retail sale and display uses which are clearly subsidiary to a permitted non-hazardous industrial use may be permitted at council discretion.
- (vii) In the event of occurrence of an archaeological find during the course of development, development shall cease temporarily and council shall contact the Historic Resources Division, Department of Municipal and Provincial Affairs.

B. THE BEACH INDUSTRIAL AREA

- (i) The portion of this area lying south of the highway and south of the local road extending eastwards from the highway is intended for industrial uses requiring marine frontage as a necessary part of their operation and for storage and processing associated with the fishing in-

dustry, including the storage of boats and fishing equipment.

- (ii) The portion of this area lying north of the local road is intended for general industrial use, but excluding the bulk storage or extensive use of hazardous substances.
- (iii) The portion of this area lying west of the highway (Beach Hill) is intended for continued and expanded use as a site for the bulk storage of hazardous substances. To the extent that public access to the area is neither required nor desirable. Policy A.(i), pertaining to direct accessibility from a public roadway, does not apply to this area. However, council will require provision and maintenance of emergency vehicular access to development in this location.

C. DOMINION PIER INDUSTRIAL AREA

- (i) The portion of this area lying west of the roadway to Dominion Pier, and to the east of the roadway extending no nearer than 100 m from residential property, is intended for general industrial use, excluding the bulk storage or extensive use of hazardous substances.

- (ii) The remainder of the area is intended for continued and expanded use as a site for the bulk storage of hazardous substances.

D. OTHER INDUSTRIAL AREAS

- (i) Industrial land use at the Lance Cove waterfront is intended for storage, processing and transportational needs associated with the fishing industry.
- (ii) Industrial land use at Freshwater is intended for automotive repair, warehousing, or small workshop industries.

E. INDUSTRIAL USES IN OTHER LAND USE AREAS

- (i) Light industry and automotive services may be permitted as discretionary uses within commercial land use areas where council determines such use to be compatible with and complementary to neighbouring uses in accordance with Policy 2.2 B.(ii).
- (ii) Industrial uses existing as legal non-conformities within other land use areas may be continued subject to regulatory requirements pertaining to alteration, replacement, enlargement or change of use.

2.4 Public and Institutional Uses

This land use classification is intended to recognize the location and extent of land occupied by buildings of a public service nature, including educational, religious, cultural and medical institutions, government services and benevolent organizations. The land area designated for these is considered to be sufficient to accommodate expansion needs of existing uses during the period of the Plan.

In addition to the foregoing, an area containing approximately 10 h (25 acres) lying between the hospital-senior citizens complex and the Theatre Road residential frontage at The Green, is reserved for development of such new public and institutional uses as may be required during the planning period. Although this lies within a restricted building area [See Policy 2.8(v)], it is centrally located, readily serviceable, and contains a site which Council anticipates for tourism development and associated tourist services.

Objectives and policies pertaining to public and institutional land use are stated as follows:

- Objectives:
- (i) Provide for development of public buildings and institutional facilities and promote tourism in fully serviced, conveniently central locations having ease and safety of access and adequate parking accommodations.
 - (ii) Enable continued operation of existing public buildings and institutions in a manner compatible with adjoining land uses.

- (iii) To promote landscaping, planting and recreational use of open space surrounding public and institutional buildings in a manner designed to complement and benefit the main use.

Policies: Areas designated for public and institutional use are located as shown on Map No. 1 (E & W). Development standards for these areas will be prescribed by regulation in accordance with the following policy directions.

- (i) Land use of an island-wide sub-regional or regional service nature, such as a corrective or special care institution, together with associated group-home and collective residential uses; and cultural, civic, and tourism uses, may be expected to be located on land of this land use designation in the vicinity of Town Square, and preferably in the newly designated area adjoining the hospital-senior citizens complex to the north.
- (ii) Instances of this land use designation elsewhere in the Planning Area are intended merely to recognize specific existing uses, such as schools, churches and other general assembly and indoor assembly uses, which fall within this land use classification, thereby establishing appropriate development standards for reference in respect of these sites.

- (iii) Traffic generated by this type of land use requires particular attention being given to the adequacy of provision for drop-off and pick-up of vehicle passengers and for off-street parking accommodation.
- (iv) Public assembly uses of a residential convenience nature, such as churches and junior schools, may be permitted in fully serviced residential land use areas in accordance with Policy 2.1 B.(iv).
- (v) Land between buildings not required for access and parking needs shall be landscaped, planted and maintained in a manner satisfactory to council consistent with the overall municipal effort towards community beautification and provision of recreational open spaces.
- (vi) Public assembly uses of a cultural, civic or recreational nature may be permitted in commercial land use areas in accordance with Policy 2.2 B.(iv).

2.5 Recreational Open Space

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

development of minor parks and recreational facilities within residential neighbourhoods.

It is also council's intention to develop a community park at the southwest corner of the junction of Railroad Street and West Mines Road and to promote the establishment of a provincial park on a site immediately east of the West Dam Reservoir and its catchment area.

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

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

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

the visual appearance and natural quality of the community environment.

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

- (i) Recreational open space land use areas are reserved for active and passive outdoor recreational use and such outdoor assembly and subsidiary service buildings as council may deem to be consistent with and supportive of the main outdoor recreational use.
- (ii) In addition to areas designated by the preceding, council will acquire and reserve a minimum of 0.5 h (1.25 acres) for neighbourhood recreational open space within or adjoining each of the following residential neighbourhoods:
 - East No. 1
 - The Green
 - Scotia No. 1 - West Mines
 - The Front

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

of recreational development in each instance shall be determined in consultation with residents of the neighbourhood.

- (iii) The land area on the south side of West Mines Road, opposite the hospital, will be developed as a community park emphasizing beautification as a central feature of Town Square, providing an attractive and relaxing environment for residents of the community with particular consideration given to the recreational needs of the senior citizens home and the patients and staff of the hospital.
- (iv) Land area adjoining the east end of West Dam Reservoir, containing approximately 55 h (135 acres), will be promoted for development as a provincial park providing camping and trailering facilities for tourists and other visitors to the Island and may include a tree and shrub-nursery and demonstration project for use in relation to Objective (iii).
- (v) Council will encourage and assist in coordinating the broader public use of educational and religious facilities such as meeting rooms, auditoriums and gymnasiums, and the use of school sites for community and neighbourhood recreational purposes.

- (vi) Recreational open space use of a residential convenience nature such as tot-lots, parkettes and buffer separations between conflicting land uses, are permissible in residential land use areas in accordance with Policies 2.1 B.(ii), C.(iii) and D.(iii).
- (vii) Recreational open space may be permitted in commercial land use areas in accordance with Policies 2.2 A.(iv) and B.(iv) and (v); in public and institutional land use areas in accordance with Policies 2.4(v) and (vi); in conservation land use areas in accordance with Policy 2.6(i); and in resource development areas in accordance with Policy 2.8(iv).
- (viii) Council will encourage landscaping, planting and maintenance of land between buildings in public and institutional use areas in accordance with Objective 2.4(iii) and Policy 2.4(v).

2.6 Conservation

There are substantial land areas on the island wherein protective rather than developmental measures must take priority. These include potential water supply catchment areas, natural drainage routes near urban development, and cemeteries.

Lance Cove Pond, Bell Pond and West Dam Reservoir, together with the natural water catchment areas surrounding them, are to be preserved from development until such time as it is

clearly demonstrated that they are either unsuitable sources of potable water supply or that there is no future potential need of their use for this purpose. Development within these areas will be restricted to recreational uses which will not adversely affect environmental quality.

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

Cemetery sites are historically and culturally significant and are to be preserved and maintained in an appropriately attractive manner.

Council intends to protect and preserve from development all the foregoing areas in the interest of public enjoyment, safety and well-being of the community; to encourage tourism and to enable continued access to ponds and watercourses. Council's objectives and policies in this regard are stated as follows:

Objectives: (i) Protect and preserve surface and ground-water supplies of an adequate volume to serve future municipal needs.

- (ii) Preserve access to and protect the environmental quality of ponds, watercourses and accessible shoreline frontage for public benefit and enjoyment.
- (ii) Protect the public from adverse effects of flood conditions.
- (iv) Ensure that cemeteries and archaeological finds are preserved and maintained in a suitable condition as historic references to previous inhabitants.

Policies:

Areas designated for conservation are located as shown on Map No. 1 (E & W). Development restrictions for these areas will be prescribed by regulation in accordance with the following policies:

- (i) Development will not be permitted within areas designated for conservation other than works of a conservational or municipal service nature. However, cemetery use is permissible in locations specifically designated for this purpose. Open space recreational uses may be permitted in locations and in such manner as council determines to be compatible with its stated objectives.
- (ii) Council will promote maintenance of conservation areas in a clean and healthy condition and encourage existing conflict-

ing uses to relocate in more appropriate areas of land use.

- (iii) Council will require an engineering, chemical and biological evaluation of a potential water supply catchment area prior to considering any plan amendment affecting the catchment area.
- (iv) Council will encourage religious denominations responsible for maintaining the various cemetery sites to appropriately delineate, mark and maintain these sites.
- (v) In the event of an archaeological find occurring during development in this, or any other land use area, development will be required to cease temporarily and council will contact the Historic Resources Division, Department of Municipal and Provincial Affairs.

2.7 Transportation

An area of about 23 h (57 acres) containing the landing strip on the north side of the island is reserved for improvement as an air transport facility and development of maintenance, storage, warehousing and passenger services as may be required in association with such a facility.

Wharf frontage at The Beach and at Dominion Pier to a depth of 45-60 m (150-200 ft.) from the shoreline is reserved for development and activities associated with the transport of people and goods to and from the island by ship. The Beach

area is primarily intended for operation of passenger ferry service from Portugal Cove. The Dominion Pier area is primarily intended as a freight handling facility associated with the adjoining industrial area.

The site of the lighthouse near Eastern Head is also designated for transportation land use in recognition of its continuing use for this purpose.

Objectives and policies for these transportation land uses are stated as follows:

- Objectives:
- (i) To identify sites strategically vital to the interface of transportation services to the island and to promote their development for this purpose in an efficient and effective manner.
 - (ii) To emphasize the dependence of the island's economy on external transportation service and to promote improved quality and reliability of these services.

Policies: Areas designated for transportation land use are located as shown on Map No. 1 (E & W). Development standards will be prescribed by regulation in accordance with the following policies:

- (i) Air or marine landing docking and guidance facilities are permitted uses. The development of related freight handling and storage facilities, passenger assembly and commercial support services are permis-

sible where council is satisfied that traffic movement will not be impeded and public safety will not be impaired.

- (ii) The transportation land use area at The Beach is reserved exclusively for development associated with the scheduled ferry service to Portugal Cove.
- (iii) The transportation land use area at Dominion Pier is intended primarily as a freight handling facility, but may also be developed to provide a small boat mooring and anchorage facility catering to the recreational sailing trade in Conception Bay.
- (iv) Council will promote improvement of the landing strip to an all-weather capability as an alternate freight and passenger transportation facility enabling both fixed-wing and helicopter services.
- (v) Council will promote maintenance of the lighthouse near Eastern Head in a good state of appearance as a focus of tourist interest.

2.8 Resource Management

The remaining areas of the island not designated by previous sections for specified use or conservation are designated for resource management. Within resource management areas development is to be restricted to on-site natural resource uses

and such recreational and rural uses as may be consistent with the use preservation and maintenance of the Island's natural resources and the rural environment.

Mineral showings and points of entry to the underground mines are to be protected from development which may impair future exploitation of mineral resources or use of underground spaces.

A surface area which may be affected by possible future use of the underground workings for bulk oil storage or for renewed iron ore mining activity has been defined on plan. Development proposals within this area are to be referred to the Department of Mines and Energy for comment.

Objectives and policies pertaining to resource management land use are stated as follows:

- Objectives:
- (i) Protect the island's natural resource and industrial potential from encroachment and depletion by conflicting land uses.
 - (ii) Ensure that renewable resource development is carried out in a manner capable of sustaining the long term productive capacity of the resource.
 - (iii) Enable development associated with the use of naturally occurring resources in locations and in a manner acceptable to council.
 - (iv) Preserve public access to ponds and water-courses on the island.

Policies: Areas designated for resource management, buffer protection around mine entry points and mineral showings, and restricted building are shown on Map No. 1 (E & W). Development standards for these areas will be prescribed by regulation in accordance with the following policy directions:

- (i) Agriculture and forestry are permitted uses. Subsidiary buildings, such as a dwelling or barn, may be permitted outside of mine entry and mineral showing buffer areas and the restricted building area where determined by council to be necessary to the successful operation of a permitted use. Subsidiary buildings may also be permitted within the buffer and restricted building areas where acceptable to council on consultation with the Department of Mines and Energy.
- (ii) Animal husbandry may be permitted subject to compliance with regulatory standards for buffer areas surrounding animal confinement operations as prescribed by the Department of Forestry and Agriculture.
- (iii) Extractive resource use, such as mining and quarrying, may be permitted where council is assured that the work will be carried out in a safe, orderly and environmentally acceptable manner with the

site being suitably restored on completion of the work.

- (iv) Resource industry, outdoor recreation, cemetery and minor subsidiary buildings associated with these uses may be permitted at council discretion.
- (v) The Department of Mines and Energy will be consulted in respect of all development proposals within mine entry and mineral showing buffer areas and within the restricted building area boundary.
- (vi) Council may require buffer distance separation between permitted or discretionary uses and ponds, watercourses and neighbouring uses as deemed necessary to preserve public safety, amenity of adjoining land use, water quality, natural habitat and public access.
- (vii) Council will be observant of resource development and related activity as may act to unduly diminish environmental quality, and will report such occurrences to appropriate provincial authorities for remedial action.

3. MUNICIPAL SERVICES

The Town's major direction of effort during the planning period is to rationalize the municipal source of water supply in terms of the most economic means of supplying an adequate quality and quantity of water to meet municipal needs; to determine the most feasible and economic program for extending sewer service to the more intensively developed areas; and to coordinate the implementation of these works so that they may be carried out in an efficient and cost effective manner.

In exercising development control in rural areas outside the municipal boundary, residential development policies, as expressed in Section 2.1 D., are to be based on a practical assessment of the condition and capacity of existing public water supply systems in the outlying communities and the prospect for eventual additional services capable of accommodating development expectations. An engineering evaluation of these existing systems, together with a consideration of supply alternatives, fire fighting capacity and the prospect for sewage disposal should also be undertaken at the same time as an engineering evaluation of municipal systems.

The roadway network serving the Town and the Island is divided into three functional classes, being:-

Secondary Highway - Intended primarily to expedite the rapid movement of vehicular traffic between Wabana, the outlying settlements and the ferry terminal, while incidentally providing access to the natural resources of the land through which it passes.

Collector Road - Serving the dual purpose of channelling vehicular traffic movement between local roads and the highway, and providing access to development along its frontage.

Local Road - Providing access to land for development along its frontage.

Highways and collector roads are delineated on plan. Other roads are deemed to be local roads. Council is responsible for collector and local roads within the municipal area and will define and maintain these roadways to a standard commensurate with their intended purpose. In this regard Council particularly intends to avail of the opportunity afforded by the loss of buildings due to fire east of the junction of Main Street and West Mines Road, to improve the ease and safety of traffic movement at this location by way of roadway realignment within a revised roadway reservation widened to the east. Also, construction of the highway route providing access to the site of the proposed provincial park will require roadway realignment of the Memorial Street - Davidson Avenue road junction necessitating a resiting of the War Memorial in relation to the junction.

3.1 Water Supply

- Objectives:
- (i) Provide a safe and reliable water supply to all main areas of development.
 - (ii) Ensure the availability of an adequate supply of water capable of maintaining an acceptable level of fire protection to developed properties.
 - (iii) Ensure that the water supply system is improved and extended with sufficient capacity to accommodate future growth.

- Policies:
- (i) Council will initiate an engineering cost-benefit study to determine the most appropriate sources and methods of providing a safe and reliable water supply to areas designated for service.
 - (ii) Council will initiate an efficiency study of its water storage and distribution systems and will adopt a program of water-main improvement and replacement based on the findings of the study.
 - (iii) Potential water supply catchment areas will be protected in accordance with the provisions of Section 2.6 - Conservation.
 - (iv) An engineering evaluation of existing and prospective water supply sources and systems for the designated rural residential areas at Lance Cove, Bickfordville and Freshwater will be undertaken in conjunction with the engineering studies referenced in Policies (i) and (ii).
 - (v) Council will ensure that regulations are up-dated or instituted with respect to control and management of municipal water supply systems authorized by Section 161 of The Municipalities Act.

3.2 Sewage Disposal

- Objectives:
- (i) Provide municipal sanitary sewer service to all development connected to a municipal water supply system.
 - (ii) Provide for sanitary and environmentally safe disposal of sewage effluent.

- Policies:
- (i) Council will initiate an engineering evaluation of the Gull Island South Head trunk sewer and its sewer drainage area, both existing and proposed, to establish:
 - (a) A schedule of trunk sewer improvement consistent with phased extension of the sewer system to designated service areas.
 - (b) An appropriate method and order of priorities for extending sewer service to designated service areas within the trunk sewer drainage area and to The Valley.
 - (ii) Concurrent with the engineering evaluation of Policy (i) council will initiate an engineering evaluation of the adequacy of the existing package sewage treatment plant and sewer system at The Front and the feasibility of providing a municipal sewer system to designated service areas draining towards Dominion Pier, and at Lance Cove, Bickfordville and Freshwater.

- (iii) Council will adopt a program of municipal sewer service development consistent with the program of watermain improvement and replacement referenced in Policy 3.1 (ii).
- (iv) Council will ensure that regulations are up-dated or instituted with respect to control and management of municipal sewer systems as authorized by Section 161 of The Municipalities Act.
- (v) Council will ensure that roadway and other ditching required to facilitate the runoff of surface water is regularly maintained as a measure to reduce potential ground-water contamination as well as protecting roadway and other surface quality.

3.8 Street System

- Objectives:
- (i) Provide and maintain a public street system which, together with the Island's provincial highway system, enables the safe and convenient movement of traffic to all sites of development.
 - (ii) Provide streets to a standard capable of safely accommodating their intended traffic use.
 - (iii) Ensure provision of adequate off-street parking so as to maintain the unobstructed movement of traffic along public streets.

- Policies:
- (i) Council will establish a hierarchy of streets and adopt a schedule of street reservations consistent with the Municipal Plan as indicated on Map No. 1 (E & W), and will prohibit the erection or location of fences, buildings and other fixed objects within these reservations.
 - (ii) Council may acquire property contained within street reservations and arrange for removal of fences, buildings and other objects to the extent that it is convenient and financially prudent to do so.
 - (iii) Council will promote development and maintenance of a roadway to the site of the proposed provincial park as a highway linkage between Lance Cove Road and West Mines Road along the route indicated on Map No.1 (E).
 - (iv) Council will, in consultation with officials of the Department of Works, Services and Transportation, establish new street reservations , undertake roadway realignment, and erect appropriate street signage to improve the traffic circulation system at Town Square.
 - (v) Council will facillitate roadway realignment and War Memorial resiting as required to enable highway construction to the site of the proposed provincial park

4. IMPLEMENTATION

4.1 Public Works

Basic engineering studies pertaining to water and sewer works, as set forth in Policies 3.1(i), (ii) and (iv), and 3.2(i) and (ii) will be undertaken at the earliest opportunity. On completion, Council will establish a phased schedule of works to implement the findings of these studies, with time horizons for commencement and completion of the various phases consistent with the Town's fiscal capacity. Successive phases of these capital works will be incorporated into the Town's 5-year capital budget in accordance with Section 91 of The Municipalities Act.

Roadway realignment and roadway reservation clearance and widening undertaken in accordance with policies of Section 3.3 - Street System, will be implemented out of current revenue. Other less costly or relatively minor works, such as land acquisition and development for parks and playgrounds and site beautification works, will be similarly implemented out of current revenue, thereby reserving the Town's debt-carrying capacity for the more costly and vitally necessary water and sewer works.

4.2 Initiating Development

Although most development anticipated during the planning period will be in the form of infilling within and extension of piped services to areas of existing development, there are several instances where substantial tracts of vacant land are designated for development which should proceed only on the basis of approved overall development plans. These are:

- Residential subdivision north of Quigley's Line.

- Industrial subdivision east and west of Dominion Pier Road.
- Public and institutional land use south of The Green.

Prior to approving any specific development application within either of these areas, Council may require preparation of a concept design, subdivision plan, development scheme, or such other form of plan for development of a portion or all of the area to an extent as deemed necessary to ensure that remaining or neighbouring land will not be adversely affected for future use. Such plan may then be adopted by Resolution of Council (unless intended for implemented as a "Development Scheme" under Section 31 of the Urban and Rural Planning Act per Section 4.6 following). Development in that area will thenceforth be required to conform with that plan or with such revisions to it as Council may subsequently adopt.

Council may, on its own initiative, undertake to acquire property, rights-of-way and easements and proceed to develop a portion or all of an area in accordance with an adopted plan of development. The cost of such works may be assessed as a Service Levy authorized by Sections 148-153 of The Municipalities Act and developed land owned by Council may be sold at market value. Revenue recieved from the sale of such land may be applied to adjust the cost assessed as a Service Levy.

4.3 Regulatory Control

Powers and procedures for dealing with development applications in conformity with the Municipal Plan are contained in Land Use Zoning, Subdivision and Advertisement Regulations. These regulations support the Plan and will be adopted by resolution of council on or following adoption of the Municipal Plan. These regulations will combine standard parts and schedules, designed in accordance with provincial government policy, with use zone tables and maps designed to meet the

community's particular needs. Use zone tables may distinguish between permitted uses and discretionary uses, the latter being permissible at Council discretion.

Boundaries between land use designations shown in map form are approximate only, except where they follow streams and roads. These are to be interpreted in terms of their general intent and amendment of the Plan is not required to permit minor adjustments of this nature.

If a proposed development conforms with policies of the Plan and with all requirements of the regulations and conditions which Council is authorized to impose pertaining to the land use zone in which it is located, it must be permitted. However, instances where Council determines that a development proposal is premature due to the lack of adequate services (eg. roads, watermains and sewers), the development may not be allowed unless the developer is prepared to pay the cost of providing the needed services to the standard required by Council.

4.4 Discretionary Powers

Council's discretionary powers in dealing with development applications are as follows:

- Council may refuse a permit for development or attach conditions to a permit even though the application conforms with the regulations if, in the opinion of Council, the resultant effect, overall appearance, or other material aspect of a proposed development is deemed to be contrary to overall policies of the Municipal Plan.

- Council, to a limited degree with respect to regulatory standards other than those relating to land use, may, by way of a "variance", approve an application which does not comply with implementing regulations, providing, among other things, that the variance is not contrary to the general intent of the Plan and is in the public interest.

- Public notice may be given concerning any application coming before Council to enable objections or representations to be received for consideration. However, such public notification must be given with respect to any proposed variance, reconstruction or alteration of a non-conforming use or authorized discretionary land use.

4.5 Non-conforming Uses

Existing development which does not conform with the land use designated by the Plan, or with the standards and/or conditions required to be met by the Regulations, may continue in this non-conforming capacity subject to limitations as to the extent of enlargement and alteration to be prescribed in the Regulations. Subject to public notification and response, Council may permit a non-conforming use to be changed to another more compatible non-conforming use.

4.6 Development Schemes

At any time after the Municipal Plan comes into effect council may prepare and adopt a development scheme(s) for the purpose of carrying out the proposals of the Plan. In doing so, the council may specify the manner in which a particular area of land is to be used, sub-divided or developed. This is prepared and submitted for approval using the same procedure as

applies to the Municipal Plan and when approved forms part of the Municipal Plan.

Comprehensive Development Areas and such development schemes as may have been in effect prior to adoption of this Municipal Plan are rescinded and replaced by the provisions of this plan.

4.7 Appeals

When the Municipal Plan and the Regulations come into effect, council may appoint members to a Local Board of Appeal, with duties and responsibilities to be prescribed in the Regulations. In the absence of such appointment, an Appeal Board established by the Minister will act as the Local Board of Appeal.