

Town of Winterland, NL

Town of Winterland Municipal Plan 2014-2024

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Project Number:
FRE-00205223-A0



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RESOLUTION TO ADOPT
TOWN OF WINTERLAND
MUNICIPAL PLAN 2014–2024

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Winterland adopts the Town of Winterland Municipal Plan 2014–2024.

Made and adopted by the Council of the Town of Winterland, on the 5th day of May, 2015.

Signed and sealed this 5th day of May, 2015.

Chas Kenney
Mayor

Marlyse Simard
Clerk

(Council seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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



MCIP seal

W. Frank Flanagan

W. Frank Flanagan, P.Eng., FCIP, RPP

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF WINTERLAND MUNICIPAL PLAN**

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

- a) adopted the Town of Winterland Municipal Plan on the 2nd day of June, 2015.
- b) gave notice of the adoption of the Town of Winterland Municipal Plan by advertisement inserted on the 12th day and the 19th day of May, 2015 in the Southern Gazette newspaper.
- c) set the 3rd day of June at 7 p.m. at the Town Hall, Winterland, 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 Winterland approves the Town of Winterland Municipal Plan as adopted (or as amended as follows).

SIGNED AND SEALED this 2nd day of June , 2015

Mayor: Chris Kenney

Clerk: Marlyse Somers

(Council Seal)

Municipal Plan/Amendment	
REGISTERED	
Number	<u>5310-2015-001</u>
Date	<u>November 4, 2015</u>
Signature	<u>[Signature]</u>

Legal Notification

This report was prepared by **exp** Services Inc. for the account of the **Town of Winterland, NL**.

Any use which a third party makes of this report, or any reliance on or decisions to be made based on it, are the responsibility of such third parties. **Exp** Services Inc. accepts no responsibility for damages, if any, suffered by any third party as a result of decisions made or actions based on this report.

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Reviewed By: Richard Smith	

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1 Introduction

1.1 Foreword

The Town of Winterland Municipal Plan 2014-2024 establishes guidelines for the sustainable management of development on lands contained within the Winterland Planning Area Boundary (PAB) by setting out a ten-year land use strategy. This Plan provides a policy framework for the land use zoning and subdivision regulations, to be administered by Council through development and subdivision permits.

The Plan, in guiding the physical improvement and sustainable growth of the community, indicates the location and timing of residential development and the general layout and scheduling of capital works to support development. It also identifies plans to address the environmental, social, cultural, economic, and governance needs of the community. As required under the Urban and Rural Planning Act, 2000, hereby referred to as “the Act,” all relevant planning issues have been reviewed in the preparation of the Plan and are presented in the Background Report to the Town of Winterland Municipal Plan 2013-2023.

1.2 Plan Contents

The Town of Winterland Municipal Plan 2014-2024, consisting of this report and the associated Generalized Future Land Use Map (Figure 3), constitutes a legal document once approved in accordance with the Act. It proposes the allocation of land for various uses, and includes Council’s aims (goals, objectives, and policies); the plan for the sustainable development of the community; and the timing and costs of recommended capital works over the next decade.

Three separate but related documents were used to provide input to the Municipal Plan as follows:

1. The Town of Winterland Municipal Plan Background Report (prepared by **exp** in 2012) was prepared to provide an accurate and up-to-date examination of current conditions and an analysis of key development trends. The Report also provides the basis for some of the rationale used for policies proposed in the Municipal Plan. It does not form part of the legal document.
2. The Town of Winterland Integrated Community Sustainability Plan (ICSP) was developed in 2010 and provides the sustainable framework through which the Municipal Plan should be understood. The ICSP does not form part of the legal document.
3. The Habitat Conservation Plan for the Town of Winterland was developed in collaboration with the Eastern Habitat Joint Venture in 2009 to conserve wetlands located within designated Management Units, to maintain wildlife habitats and to increase public awareness of the importance of wetland habitats. The Habitat Conservation Plan does not form part of the legal document.

1.3 Plan Preparation and Consultation

This Plan was prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000. The Plan documents are based on a review of land uses, available mapping and other studies of the community and on Council's perception of the land use problems facing the community, the

opportunities for improvements to its physical environment, and the direction future growth should take. Community and stakeholder consultation has also played a role in the planning process.

In March of 2012, a letter was sent to the Department of Municipal Affairs initiating an internal provincial consultation process to solicit feedback from various departments and agencies that may have an interest in the municipal planning process. Due to unavoidable delays there was a follow-up letter to the various departments in November 2013. The feedback from various departments was incorporated in the Plan.

On Monday, April 23, 2012, members of Town Council took part in a visioning session with the planning consulting team to discuss their vision for the Town. Town Council engaged in a brainstorming exercise and an interactive mapping exercise to discuss strategic directions and community priorities. Council was presented with a first draft plan for review in December 2013. Changes were made and a second draft plan was presented at a council meeting on August 11, 2014. Council changes were incorporated and the third draft was presented at public open house meetings and presentations on September 24, 2014.

The Plan and Regulations were available for further public review for a month. Following this process Council requested a few minor additions which were incorporated in the Draft Final Report. These final changes were reviewed and approved by Council at their meeting on November 12, 2014. The approved Final Draft Plan and Development Regulations were then forwarded to the Department of Municipal Affairs for review and approval in accordance with Section 15 of the Urban and Rural Planning Act, 2000.

1.4 Bringing into Effect

The Act sets out the process for bringing a municipal plan into effect. When Council is satisfied with a draft of the Plan, Council adopts it and notifies the Minister of Municipal and Intergovernmental Affairs. A public hearing is arranged as per Section 16(1) of the Act and notices are published announcing the time and place of the hearing. The Commissioner appointed to conduct the hearing submits a written report on the public hearing to the Council together with two copies of evidence taken at the public hearing. After considering the report and making any necessary changes, Council shall consider and approve the Plan. The Plan and Development Regulations are submitted to the Minister for approval, along with the Commissioner's report, objections and representations. Notice of the Minister's approval is published in the Newfoundland Gazette and the local press and the Plan comes into effect on this date.

1.5 Plan Administration

After the Town of Winterland Municipal Plan has received the Minister's approval, it is legally binding upon Council and all other persons, corporations and organizations.

Council will administer the Winterland Municipal Plan by carrying out the Plan's policies. There are several ways in which this is done:

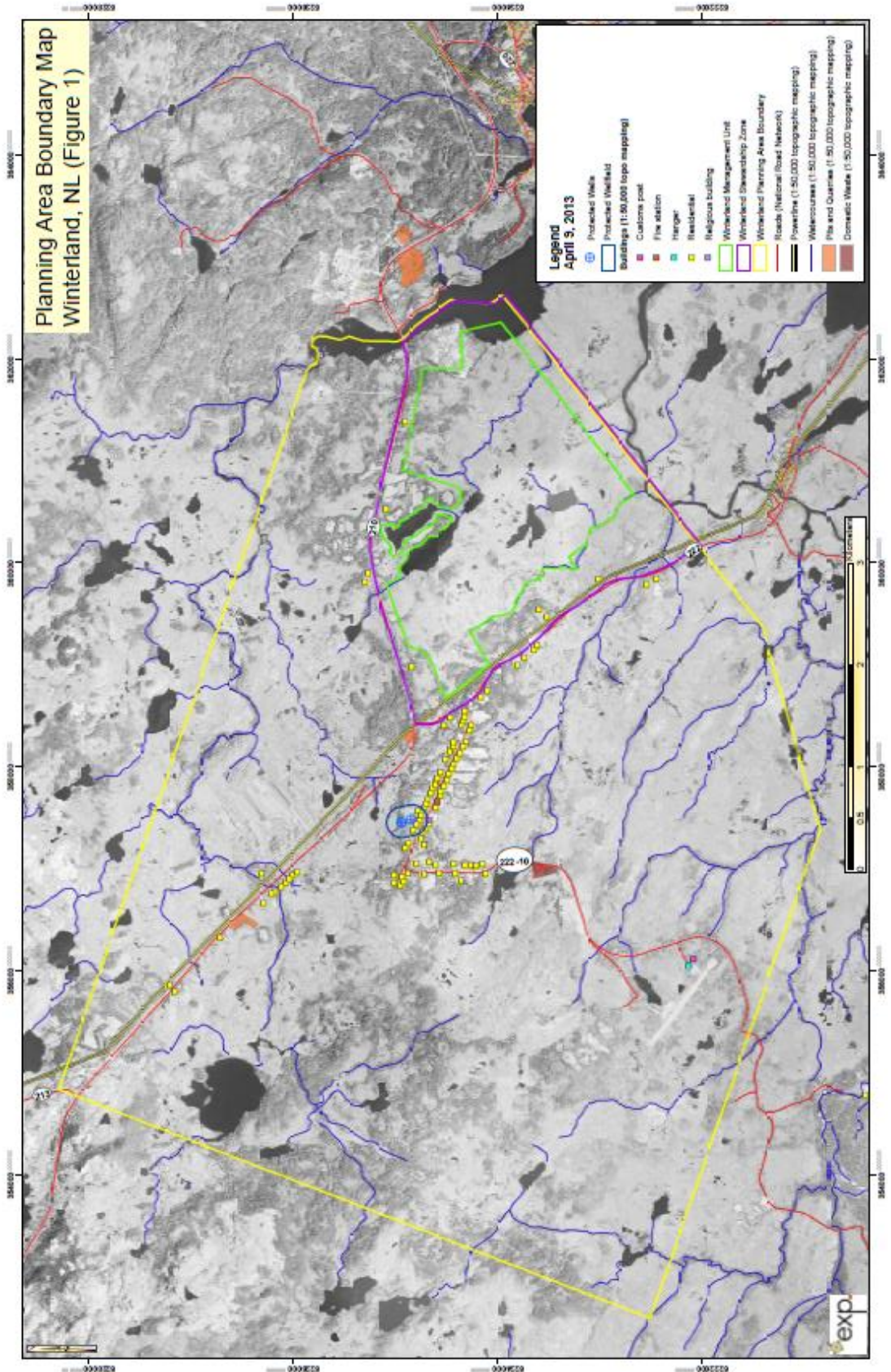
- By preparing land use zoning and subdivision regulations (prepared and approved at the same time as the Municipal Plan);
- By issuing development permits to people wishing to build or change the use of a building or to subdivide in accordance with regulations; and

- By undertaking the capital works and development schemes outlined in the Plan when the financial resources are available.

In five years' time, Council will review this Plan and revise it to provide for the next 10-year period in accordance with Section 28(1) of the Act. Amendments may be made at any time prior to the five-year review in response to new development proposals or changed community priorities. These amendments must follow the process outlined in Sections 14 to 24 of the Act.

1.6 Planning Area Boundary

The Planning Area Boundary matches the Municipal Boundary for the Town of Winterland and covers approximately 4680.5 hectares. The Planning Area (as shown in **Figure 1**) is governed by Town Council, which exercises control over all development, watersheds and amenities of the Municipality.



2 Planning Context

This section summarizes the findings of the research and consultation carried out by the project planning team in preparing the Town of Winterland Municipal Plan. The results are presented in full in the Municipal Plan Background Report, the Winterland Integrated Community Sustainability Plan and the Habitat Conservation Plan for the Town of Winterland. Major issues and anticipated opportunities that Winterland will face over the next ten years are discussed within a sustainable planning framework.

2.1 General Overview of Background Study

The Town of Winterland is located on the Southeastern Barrens, land which is typified by exposed bedrock and barrens, large expanses of treeless terrain adapted to exposed conditions and low-nutrient soils. Much of the area of the Town is covered by dwarf shrubs and low growing plant species, due in part to the use of indiscriminate fires to clear land for development.

The Town is crisscrossed with watercourses, connecting a variety of environmentally sensitive wetlands and water bodies. A 643 hectare wetland conservation area, protected by a Municipal Wetland Stewardship Agreement signed by the Town in 1997 is located to the east, bounded by Routes 222, 210 and the municipal boundary.

As the only inland community on the Burin Peninsula, the Town of Winterland has experienced different growth patterns than neighbouring communities. While other towns on the Burin Peninsula have lost residents in recent years, the population of Winterland has shown a slow but consistent rate of growth. Winterland's population grew by more than 38% between 1986 (260) and 2011 (360).

The Town's population, like the rest of the Province, is aging. While the Town's median age of 39.2 years is below provincial and regional averages, more than 40% of the Town's population falls within the 40-65 year age range. With continued migration of youth to larger communities for education and employment opportunities, the population of the Town is expected to continue aging at an increasing rate. The decline of population aged 24 and younger, along with the gradual aging of the working population, will be an influential demographic trend impacting Winterland in the foreseeable future. With such a significant increase in the number of residents nearing retirement age, the Town will need an appropriate variety of housing types to ensure that residents can retire and age in place in the community.

While Winterland's economy was initially agriculturally based, today it is predominantly a residential community. Most residents of the Town work in Marystown and Burin where the majority of regional service industries, industrial parks and educational institutions are located. Home occupations are a significant contributor to jobs located in Winterland. Roughly 13% of the working community work from home, indicating the importance of home occupations to the Town's economy.

2.2 Present Development Pattern

In recent years Winterland has continued to experience a slow but steady development pattern. In 2000, total taxable assessment stood at \$8.5 million (with 255 owners and 9 tenants). In 2011, the total taxable assessment had risen to \$13 million (with 270 owners and 19 tenants), an increase of 35%.

Development in the Town of Winterland has largely been driven by residential developments, typically in the form of families subdividing their property to allow their children to construct new housing either next to or behind the original dwelling structure. The majority of development has occurred within the Town Core in serviced areas along Pioneer Drive (Route 222-10), Branch Road (Route 222-10) and Kimberly Farm Drive (Route 222). The Town commenced the provision of water services following a 1992 agreement with the Province which defined the areas of the Town that were eligible for government cost-shared funding under the Department of Municipal Affairs Capital Works Program. **Figure 2** shows the extent of the Limit of Servicing Agreement (as amended in 2011) between the Town of Winterland and the Province.

There are four main roads in the Town of Winterland: Route 210 which serves East-West travel and connects the Town to the nearby community of Marystown; Kimberly Farm Drive (Route 222) which connects the Town Core to Route 210 and the nearby community of Burin; Pioneer Drive and Branch Road (Route 222-10), where the majority of past development has occurred. All roads in the Town of Winterland are currently owned, maintained and plowed by the Province. It should be noted that Route 210 is a Class I Protected Road, as per the Protected Road Zoning Regulations (PRZR).

While predominantly residential, the Town Core does include a handful of non-residential uses including Grace United Church, the Municipal Building, the Agricultural Society Building (formerly Blue Boy Foods Ltd.), a variety of recreational uses and hobby farms.

Additional unserviced development has occurred outside of the Town Core along Route 210 in the form of seasonal cottages and an increasing number of unserviced, year round residential homes. Other developments outside the main settlement area include two large sod farms, the Rod and Gun Club, two communications towers, the Winterland Airport and the Winterland Ecomuseum.

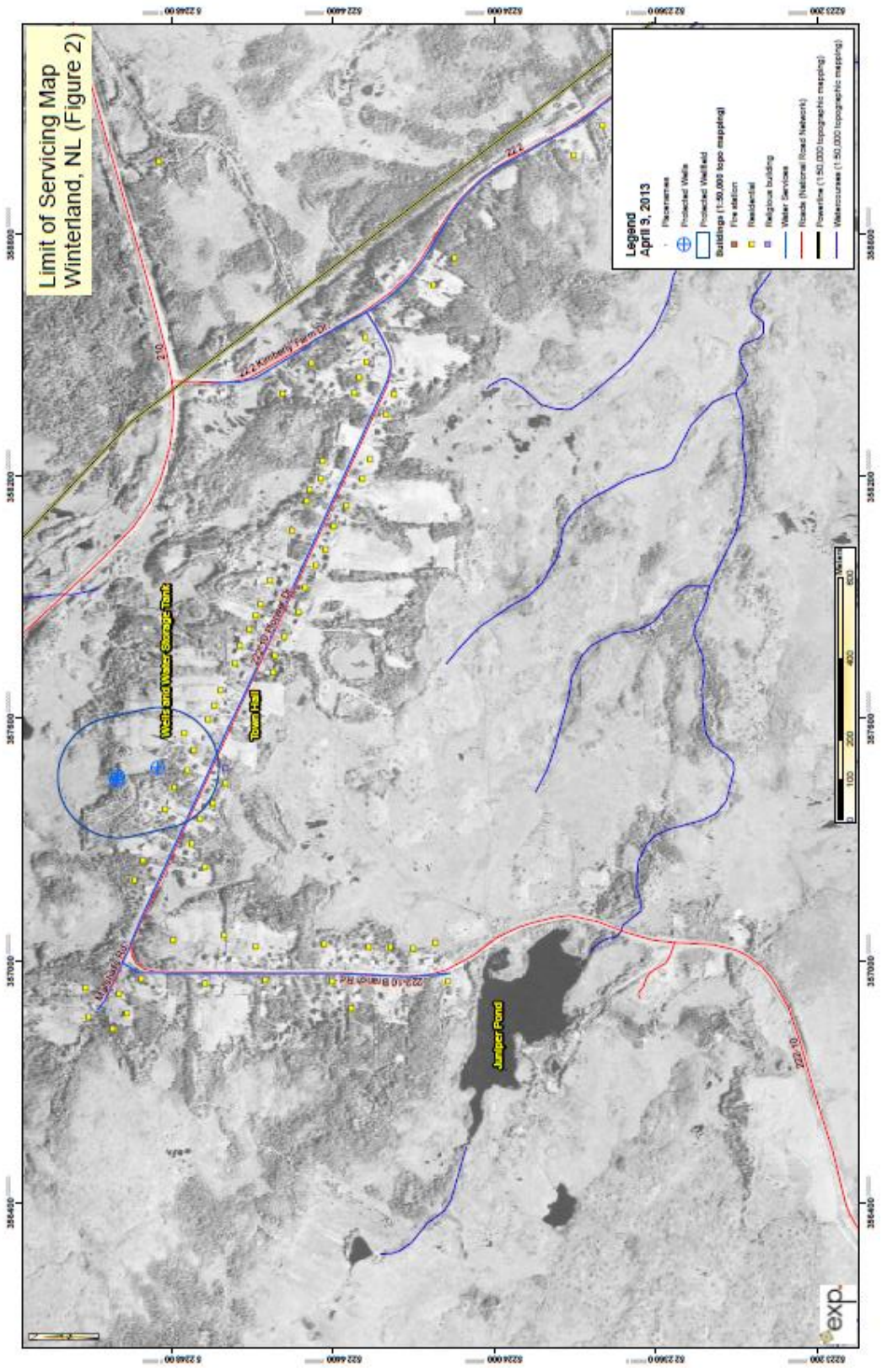
2.3 Conceptual Basis for the Municipal Plan

Leading to the more specific objectives and policies, the development concept for the Town of Winterland Municipal Plan 2014-2024 is to continue with and reinforce the patterns of development that have occurred over the years, with an emphasis on the development of residential uses in the serviced areas of the Town Core. Comprehensive Development Areas adjacent to existing pressurized water services are designated along Pioneer Drive and Branch Road to accommodate future residential development. While continuing to allow back lot development in the Town Core, key rights-of-way and access points will be protected to facilitate the orderly development of Comprehensive Development Areas.

Land along Branch Road will be set aside to support the facilities and operations of the Winterland Airport and to protect glide paths for incoming and outgoing aircraft.

Areas designated as part of the Municipal Wetland Stewardship Agreement will be designated for environmental protection and will be subject to the policies of the Habitat Conservation Plan for the Town of Winterland.

The Generalized Future Land Use Map designates land to accommodate future development, while simultaneously protecting Winterland's environmental assets and stewardship areas and directing growth to areas that help the Town provide affordable and efficient municipal services.



Vision, Goals, and Objectives

This section outlines the Town's planning vision, goals and objectives which will be pursued for the period 2014-2024. The vision statement establishes a broad picture of the community's future that Council attempts to achieve through the implementation of the policies outlined in the Plan. A goal is a desired state which reflects the long range desires of Council and is related to a major area of concern. An objective is a short-range step towards achieving the goal. It is concrete, realistic, action-oriented and attainable within a period of three to five years. The achievement of an objective should move the goal closer to reality. The community vision, goals, and associated objectives were determined through consultation with Council, stakeholders, and the public.

2.1 Community Vision

Consultation with Council revealed a desire to integrate the vision statement of the Town of Winterland Integrated Community Sustainability Plan, 2010 with the Municipal Plan. By integrating elements of the ICSP into the Municipal Plan, the Town will have two complementary documents to help guide the future growth of the Town. Council's vision is that:

Winterland will be a vibrant, family-oriented community, providing a strong support base for citizens and encouraging an active, healthy lifestyle for all residents. Winterland residents will strive to be strong stewards of the environment through the protection of natural areas and by being proactive in their clean-up and recycling efforts. The Town will see planned developments that respect current land use while simultaneously promoting economic growth and respect for the environment. Meanwhile, Council will create a central hub for community gatherings that will be accessible to all residents, while also maintaining collaborative ties with neighbouring communities.

2.2 Community Goals

The following five community-wide goals will guide the growth of Winterland from 2014-2024. The five goals are based on the key values identified in the Town's ICSP and will guide the decisions and actions of Council over the course of the next ten years.

- Goal A** **Community Structure & Character** – To encourage a growth structure for the Town of Winterland that ensures orderly development, efficient provision of municipal services, respect for the natural environment, and compatibility between land uses. Infill development on land available in existing serviced areas should occur before additional development in unserviced areas. Access points to land adjacent to serviced areas should be promoted and provided through coordinated development plans.
- Goal B** **Housing** – To encourage an adequate quality, quantity and mix of housing to serve the needs of the local population, particularly families and aging residents.
- Goal C** **Environment** – To encourage a community philosophy that values and protects its natural environment and applies the principles of environmental stewardship to the use of land and human activity.

Goal D **Culture, Recreation & Open Space** – To support the provision of cultural and recreational services and facilities that are accessible to all residents of Winterland regardless of age, ability or economic position.

Goal E **Efficient Municipal Services** – To manage municipal expenditures and revenues so as to provide municipal services with long-term financial stability in mind.

3.3 Community Objectives

The general objectives which flow from the Community Goals are stated here. It is intended that these objectives apply to and form the basis for the policies which are expressed in this Plan. The Town of Winterland Municipal Plan has the following policy objectives:

Objective A To limit development in sections of the municipality that cannot be economically serviced.

Objective B To encourage new development in areas of the Town where water services already exist (infill development), or where such services can easily and efficiently be provided.

Objective C To ensure that the Town Core remains predominantly residential, defined by a mix of original single-storey dwellings associated with the Town's founding as an agricultural settlement while still allowing for newer, larger more modern dwellings.

Objective D To ensure that access points and rights-of-way are created to connect existing serviced areas to Comprehensive Development Areas (CDAs).

Objective E To continue with the conventional single family detached dwelling as the dominant housing form that satisfies the majority of Winterland residents, while allowing for other housing forms as the need arises, including multi-unit dwellings that serve aging residents.

Objective F To concentrate residential development in areas with existing municipal water services, where municipal services can be most economically extended and within the designated Comprehensive Development Areas (CDAs).

Objective G To foster economic growth through home occupations.

Objective H To protect and properly manage lands identified in the Municipal Wetland Stewardship Agreement.

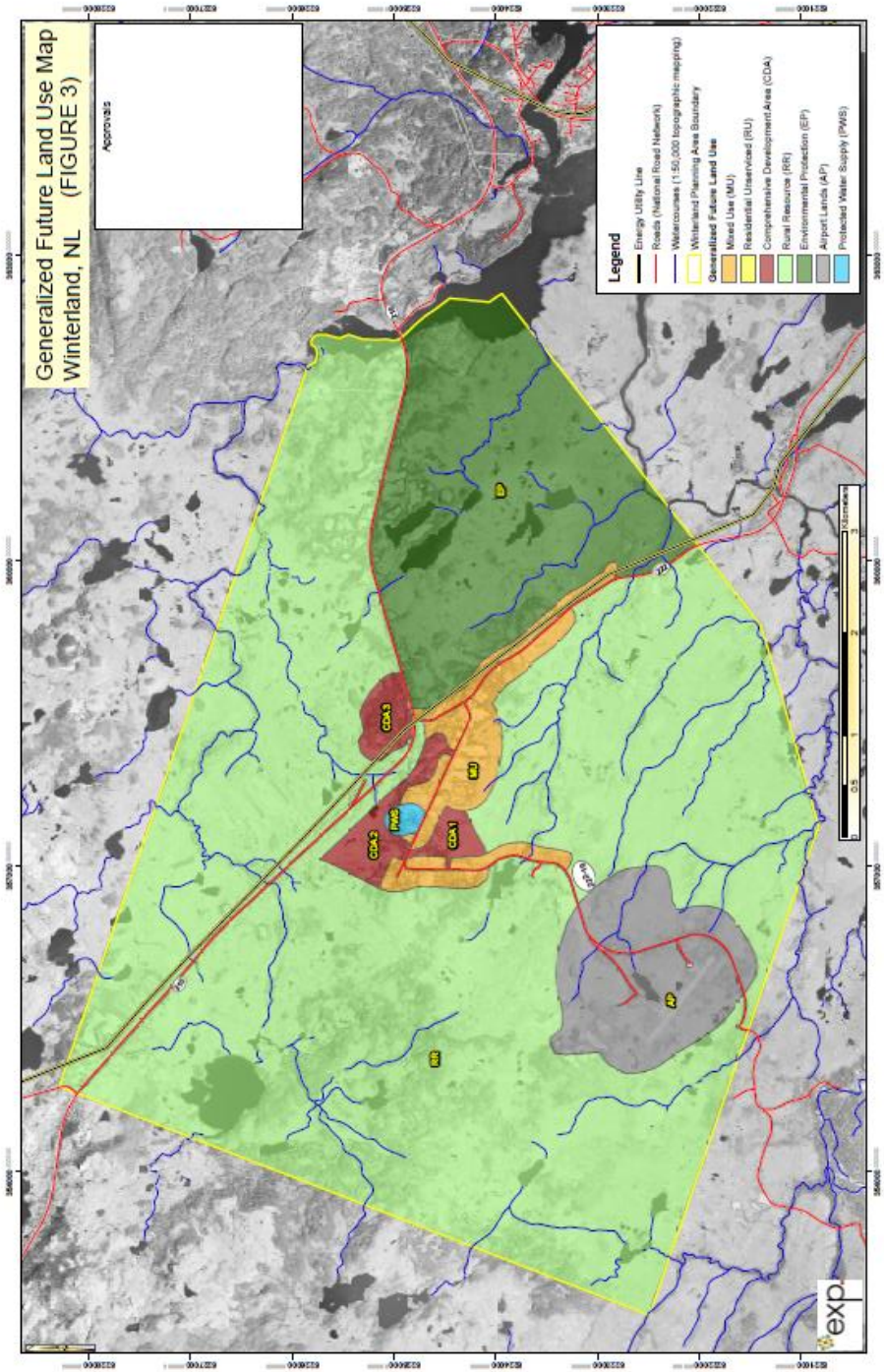
Objective I To identify and protect areas of significant scenic, environmental and wildlife habitat value through the development and adherence to environmental protection policies.

Objective J To ensure environmental protection through participation in recycling programs.

Objective K To ensure that sufficient space, facilities and programs are provided by creating a *central hub* which builds on existing facilities such as the Town Hall and multipurpose field to meet the year round recreational and leisure needs of the Town of Winterland.

- Objective L** To foster healthy living and active lifestyles among local residents by building upon existing recreational assets; preserving the ecological integrity of the area; and improving connections between the natural and built environments.
- Objective M** To support the development of a safe system of pedestrian walkways and trails which provide efficient connections throughout the community.
- Objective N** To manage municipal expenditures with restraint, aiming for maximum return on investment.
- Objective O** To ensure that new land development takes place with no additional capital costs for municipal services to the Town's account; to prevent development in protected water supply areas and on rural and resource lands.

3



4

Land Use Plan

The following policies, in concert with the Generalized Future Land Use Map (Figure 3), constitute the land use component of the Winterland Municipal Plan 2014-2024. This land use component designates land within the Winterland PAB for uses that are deemed most appropriate for future development. Included are policies which are deemed as necessary by Council to ensure that the physical development of the town is undertaken in an efficient, economic, and sustainable manner during the next ten years. The Land Use Plan is meant to complement the Goals and Objectives outlined in the previous section.

4.1 General Land Use Policies

The following policies can be categorized as general in scope and may apply to more than one land use designation and to different areas of the Winterland Planning Area.

4.1.1 Community Structure

Policy G-1 It shall be a policy of Council to direct new development in accordance with the Generalized Future Land Use Map (Figure 3), as amended from time to time, and in accordance with the policies of this Plan.

Policy G-2 It shall be a policy of Council to consider the aesthetic character of site and building design in the approval of site plans within all land use designations. When reviewing applications for development, Council will consider whether the proposed development is complementary to surrounding buildings in terms of size, scale, style, and form.

4.1.2 Accessory Uses

Policy G-3 It shall be a policy of Council to permit incidental or accessory uses, buildings or structures whenever a use is permitted in a land use classification. This may include accessory residential uses to non-residential main uses.

4.1.3 Non-Conforming Uses

Policy G-4 It shall be a policy of Council, in accordance with Section 108 of the Urban and Rural Planning Act, 2000, to 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 and the designated use, it shall not be allowed to substantially expand. Minor extensions may be approved provided there will be no adverse effects on surrounding properties or the environment and a change from one non-conforming use to another more acceptable use may be permitted.

4.1.4 Subdivision Policies

Policy G-5 It shall be a policy of Council that all proposed subdivision of lands shall be submitted to comprehensive evaluation. The content of this evaluation will be detailed in the Development Regulations and will include:

- (a) An investigation of all physical features of the site and the opportunities and constraints to development that they represent. Where possible, the layout of proposed lots and roads should conform to the topography of the site.
- (b) A demonstration of how the proposed subdivision will coordinate with existing development and roads on adjacent lands and provide for future access to undeveloped lands in the area.
- (c) An investigation to ensure compatibility between the subdivision and surrounding land uses, both existing and future.
- (d) A review of proposed municipal services and the public costs of providing and maintaining these services in the long-term.

Policy G-6 It shall be a policy of Council, as a condition of approval, to require the developer to enter into a subdivision agreement with the municipality. Such agreement will be negotiated between the developer and the municipality for financing and development of services provided to the site, constructed to municipal standards, and consistent with the policies of this Plan and the Development Regulations.

4.1.5 Easements and Emergency Access

Policy G-7 It shall be a policy of Council that, where land is required for utility easements or emergency access, such land may be obtained for the appropriate agency (e.g., Newfoundland Power) in the course of approving subdivision or other development applications.

4.1.6 Appropriate Siting of Development

Policy G-8 It shall be a policy of Council that building setbacks from roads be provided in accordance with the zoning and subdivision regulations to preserve the right-of-way widths, as specified in the Development Regulations. Such setbacks should be sufficient to allow appropriate landscaping and to permit the parking and movement of vehicles clear of any road allowance.

Policy G-9 It shall be a policy of Council that all development must front on a publicly-maintained street, unless otherwise specified in this Plan or unless otherwise approved by Council. Except where specifically provided for in the Use Zone Tables in Schedule C of the Development Regulations, no residential or commercial building shall be erected unless the lot on which it is situated fronts directly onto a street or forms part of a Comprehensive Development Scheme.

4.1.7 Improved Pedestrian Environment

- Policy G-10** It shall be a policy of Council to encourage, where feasible, the development of new pedestrian accesses and trails where deemed appropriate to encourage active living and improve pedestrian safety. These could be provided by the municipality or by the owner or developer as development applications are approved.
- Policy G-11** It shall be a policy of Council to encourage, where feasible, the development of trail heads along the Town's main roads, to better connect the trail system throughout the Town.

4.1.8 Archaeological Sites

- Policy G-12** It shall be a policy of Council to consult with the Provincial Archaeology Office, Historic Resources Division, Department of Tourism, Culture, & Recreation before undertaking any municipal works or considering applications for development that are proposed to occur on known archaeological sites within the Winterland Planning Area.
- Policy G-13** It shall be a policy of Council to report any new archaeological discoveries to the Provincial Archaeology Office.

4.1.9 Home Occupations

- Policy G-14** It shall be a policy of Council that businesses in the form of home occupations may be permitted as a discretionary use in a residential dwelling in Mixed Use, Residential and Rural Resource land use designations within the Town of Winterland Planning Area, where such businesses will not have an adverse or detrimental effect on adjacent properties in terms of traffic, noise, lighting, odour or signage.
- Policy G-15** It shall be a policy of Council that businesses in the form of home occupations must be operated by a resident of the dwelling unit.
- Policy G-16** It shall be a policy of Council that businesses in the form of home occupations will not employ any more than one person at the dwelling unit who does not reside in the dwelling unit in which the occupation is located.
- Policy G-17** All business activities must be conducted entirely indoors, and not occupy more than 25% of the gross floor area of the dwelling, including the area of the basement, up to a maximum of 45 square metres.

4.1.10 Environmental Integrity

- Policy G-18** It shall be a policy of Council to encourage the preservation of natural features such as wetlands, mature forested areas, and natural shorelines, among other features, in order to preserve natural areas for future generations. New development shall be required to minimize impacts on the environment.

Policy G-19 It shall be a policy of Council that any development or land use activity will be separated from any lake, river, or tributary by a 15 metre buffer. Council shall prohibit development in areas exposed to flooding, or other significant natural dangers. Proposed development activity in the water, or within the required buffer area, will be referred to the Department of Environment and Conservation for consideration under Section 48 of the Water Resources Act.

Policy G-20 It shall be a policy of Council that development shall be permitted only on lands having soil and drainage conditions which are suitable to permit the proper siting and development of the proposed uses.

4.1.11 Mining & Quarrying

Policy G-21 It shall be a policy of Council, if any mining or quarrying activities are permitted, to ensure that they are carried out in accordance with provincial regulations and to establish appropriate conditions in the Development Regulations, if required, to control the location and manner in which mineral working activities may be carried out, if at all, and the degree and manner of the restoration required after removal or permanent termination of such operations.

4.1.12 Remediation of Contaminated Sites

Policy G-22 It shall be a policy of Council to encourage the remediation of contaminated lands in accordance with provincial regulations where feasible.

4.1.13 Municipal Services

Policy G-23 It shall be a policy of Council that the cost of providing services which open new land for development shall be borne by the developer, and that the cost of extending services by the Town, such as water mains, to partially serviced areas shall be charged against the land which benefits.

4.2 Specific Land Use Policies

The land resources of the Winterland Planning Area shall be managed in accordance with the proposed land uses shown on the Generalized Future Land Use Map (Figure 3) and the land use policies of this Municipal Plan. Land use designations include:

- Comprehensive Development Area
- Mixed Use
- Protected Water Supply
- Rural Resource
- Environmental Protection
- Airport Lands

The specific policies that apply to each of these land use designations are described in the sections that follow. Additional subcategories of land use designations are discussed in greater detail as warranted with respect to approval considerations.

4.2.1 Residential Land Use Policies

General Intent

Provision has been made to permit residential development in several zones throughout the Town to provide for a mix of housing types that respond to the needs of all residents. Within these lands, the principle housing type will continue to be the single-detached dwelling, but a range of housing types, densities, sizes, and affordability may also be considered. Criteria for the location and establishment of residential uses are outlined in the policies of this Plan and in the Development Regulations.

Within the areas designated on the Generalized Future Land Use Map (Figure 3), residential uses will be permitted and further categorized in the zone designations on the Land Use Zoning Map. The policies to apply to these various zones are described in the sections which follow.

4.2.1.1 Residential – General (R-G)

The General Residential designation is intended for future single family residential development in Comprehensive Development Areas 1, 2 and 3. These areas would be rezoned to General Residential when development applications are received. It is anticipated that a majority of single-detached dwelling units will be constructed in areas allocated for future residential uses adjacent to Pioneer Drive and Branch Road.

Policy RG-1 It shall be a policy of Council to permit single-family residential units in General Residential areas. Such development should occur in these areas through infilling of land adjacent to existing municipal water services.

Policy RG-2 It shall be a policy of Council to allow development only on lots which have standard frontage on publicly maintained roads. In specific circumstances, back lot development may be considered on a discretionary basis. In such cases, Council must be satisfied that:

- (a) Water services can be provided to the back lot development;
- (b) Adequate access is provided to the lot; and
- (c) Development will not prejudice the future use of adjacent lands.

Policy RG-3 It shall be a policy of Council to permit other uses which are compatible to residential uses. Other uses may include recreational uses, educational uses, places of worship, civic uses and public utilities where they are compatible with residential areas.

Policy RG-4 It shall be a policy of Council to require screening, buffering, or other forms of impact mitigation where a non-residential use is permitted adjacent to a residential use.

Policy RG-5 It shall be a policy of Council to ensure that housing not be permitted which would block street extensions, interconnections, or adequate turnarounds.

4.2.2 Comprehensive Development Area (CDA) Land Use Policies

General Intent

Comprehensive Development Areas have been set aside to ensure the availability of land for specific land uses that will enable future growth and expansion of the town in a coherent and efficient manner. Significant blocks of land, which are indicated on the Generalized Future Land Use Map, have been designated for the future growth and expansion of the town.

- Policy CDA-1** It shall be a policy of Council to designate Comprehensive Development Areas as shown on the Generalized Future Land Use Map.
- Policy CDA-2** It shall be a policy of Council to permit maintenance and operation of existing uses on these lands.
- Policy CDA-3** It shall be a policy of Council to designate Comprehensive Development Areas for future residential uses.
- Policy CDA-4** It shall be a policy of Council to direct future residential uses in Comprehensive Development Areas where it is possible to extend existing water services.
- Policy CDA-5** It shall be a policy of Council to reserve road access points to Comprehensive Development Areas. Some of these potential accesses are shown on the Generalized Future Land Use Map where there are vacant lands along Pioneer Drive and Branch Road. It shall be Council's intention to obtain these accesses through dedication from the landowners as specific development plans or subdivision plans are submitted. If Council needs an access before the landowners are prepared to develop, it could purchase the right-of-way for the access and charge it back to the owner later when the land is developed.
- Policy CDA-6** It shall be a policy of Council that the boundaries of all developments within Comprehensive Development Areas be set out more precisely when a Development Plan is to be prepared.
- Policy CDA-7** It shall be a policy of Council to require the preparation of a Comprehensive Development Scheme (in accordance with Section 29 of the Urban and Rural Planning Act) before any development is permitted in these areas. The Comprehensive Development Scheme requires that a detailed plan is submitted showing the longer term intent for development in the area.
- Policy CDA-8** It shall be a policy of Council to require that any Comprehensive Development Area be rezoned to the appropriate land use designation before it is developed for any subdivision or other development beyond that permitted under this section of the Plan.

4.2.2.1 Comprehensive Development Area 1 (CDA 1)

Comprehensive Development Area 1 is located on land South of Pioneer Drive and East of Branch Road. This land is reserved for future residential development.

Policy CDA-9 It shall be a policy of Council that Comprehensive Development Area 1 be designated for the residential growth of Winterland.

4.2.2.2 Comprehensive Development Area 2 (CDA 2)

Comprehensive Development Area 2 is located on land South of Route 210 and North of the built-up areas along Pioneer Drive. This land is reserved for future residential development.

Policy CDA-10 It shall be a policy of Council that Comprehensive Development Area 2 be designated for the residential growth of the Town of Winterland.

4.2.2.3 Comprehensive Development Area 3 (CDA 3)

Comprehensive Development Area 3 is located on land North of where Route 210 intersects with Route 222. This land is reserved for long term future residential development. Land uses such as forestry uses, agricultural uses, recreational uses and conservation uses may be permitted on an interim basis provided that they do not prejudice the future residential development of the area.

Policy CDA-11 It shall be a policy of Council that Comprehensive Development Area 3 be designated for the long-term residential growth of the Town of Winterland.

Policy CDA-12 It shall be a policy of Council to permit, on a discretionary basis, forestry uses, agricultural uses, recreational uses and conservation uses, providing that permanent facilities that will prejudice future residential development shall not be permitted.

4.2.3 Mixed Use Land Use Policies

General Intent

The Mixed Use designation is intended to allow for the continued development of the Town Core as a residential community which maintains its traditional character as an agricultural settlement. Town Council envisions these areas as a place where existing residents can age in place, a place that provides an attractive residential alternative to Marystown and Burin, and a predominantly residential area with allowances for home occupations, agricultural uses, institutional uses and some limited commercial uses.

Policy MU-1 It shall be a policy of Council to designate lands Mixed Use as identified on the Generalized Future Land Use Map (Figure 3) in order to permit the traditional mix of land uses associated with the Town Core of Winterland. Permitted uses shall include single family and two-family residential uses in these areas.

Policy MU-2 It shall be a policy of Council to permit, on a discretionary basis, the following uses: institutional uses, recreational uses, agricultural uses (such as hobby farms, sod farms, root vegetable farms) and commercial uses. Discretionary uses may be subject to terms and conditions.

Policy MU-3 It shall be a policy of Council that permitted and discretionary uses must be compatible and in keeping with the general character of the area.

Policy MU-4 It shall be a policy of Council to allow back lot development on a discretionary basis. In such cases, Council must be satisfied that:

- (a) Water services can be provided to the back lot development;
- (b) Adequate access is provided to the lot; and
- (c) Development will not prejudice the future use of adjacent lands.

Policy MU-5 It shall be a policy of Council that non-residential uses in the Mixed Use areas shall not create a nuisance or hazard to adjoining properties and, if necessary, must be adequately separated and buffered from surrounding residential development. Adequate off street parking space must be provided for these uses. Pedestrian and vehicular access must be well-designed to ensure safety and efficient flow of traffic.

Policy MU-6 Notwithstanding the foregoing policies, it shall be a policy of Council to not issue a permit where it is of the opinion that the proposal will have an adverse or detrimental effect on adjacent properties.

4.2.4 Protected Water Supply Land Use Policies

The purpose of the Protected Water Supply designation is that land be excluded from any form of development in order to preserve the water quality of the municipal water supply. The Town of Winterland is serviced by the Wellhead Protected Water Supply Area of Winterland Wellfield, WS-G-0786. All development activities in this area require approval under Section 39 of the Water Resources Act. Section 39 of the Water Resources Act details activities that are prohibited from protected water supply areas.

Policy PWS-1 It shall be a policy of Council that all development or land use activity in a protected water supply area will be referred to the Department of Environment and Conservation for consideration and approval under Section 39 of the Water Resources Act. Owners and operators of land within a designated Protected Water Supply Area shall be responsible for protecting the water supply by posting Protected Water Supply signs and maintaining them as is required under the Act.

4.2.5 Rural Resource Land Use Policies

General Intent

Lands located outside of the built-up areas of the Town are designated Rural Resource. The intent of this designation is that the lands affected remain undeveloped or used for traditional rural based purposes such as forestry, wood harvesting, agricultural uses, recreational uses, conservation, mineral exploration and aggregate extraction. Lands designated as Rural Resource are shown on the Generalized Future Land Use Map (Figure 3).

Policy RR-1 It shall be a policy of Council that, within the area designated Rural Resource on the General Future Land Use Map (Figure 3), permitted uses shall include forestry, wood harvesting, agricultural uses, recreational open space, and conservation, provided that, where necessary, adequate separation is maintained between these uses and built-up areas, in particular, residential areas. Transmission lines, other public utilities and road construction and maintenance may also be permitted if they conform to the objective of retaining the quality of the rural environment.

- Policy RR-2** It shall be a policy of Council to permit, on a discretionary basis, seasonal residential uses in areas with adequate access, provided that such uses do not place additional pressure on the Town's municipal services, nor conflict with the resource-based uses permitted in this designation of the Municipal Plan.
- Policy RR-3** It shall be a policy of Council to permit hobby farms as a discretionary use.
- Policy RR-4** It shall be a policy of Council to not permit residential uses except where they are accessory to the permitted uses noted above. Such residences may be allowed at the discretion of Council.
- Policy RR-5** It shall be a policy of Council to prohibit hazards or uses which cause public nuisances, threaten public safety or violate environmental standards.
- Policy RR-6** It shall be a policy of Council that aggregate resource areas within the Planning Area shall be protected from conflicting land uses. Protective buffer areas of at least 300 metres shall be maintained around resource areas and active and abandoned quarries.
- Policy RR-7** It shall be a policy of Council that watercourses, especially ecologically sensitive waterway systems, shall be protected from environmentally hazardous rural resource uses such as forest cutting, resource road construction, aggregate extraction or agricultural operations.
- No development shall be permitted in the Rural Resource land use designation:
- (a) Within 15 metres of rivers or streams; and
 - (b) Within 30 metres of the shoreline of any lake or pond.
- Policy RR-8** It shall be a policy of Council to not permit residential uses in mineral extraction areas until extraction is completed and preliminary site restoration is carried out. Those areas may then be committed to other land uses.

4.2.6 Environmental Protection Land Use Policies

General Intent

Lands designated for Environmental Protection will be set aside for the protection of areas which are subject to the Municipal Wetland Stewardship Agreement and the Habitat Conservation Plan for the Town of Winterland.

- Policy EP-1** It shall be a policy of Council to designate lands Environmental Protection as identified on the Generalized Future Land Use Map (Figure 3).
- Policy EP-2** It shall be a policy of Council to permit, on a discretionary basis, recreational uses such as trails and picnic areas.
- Policy EP-3** It shall be a policy of Council that all lands within the Municipal Wetland Stewardship Agreement shall be managed in accordance with the terms of the agreement.

- Policy EP-4** It shall be a policy of Council to require adherence to the policies of the Habitat Conservation Plan for the Town of Winterland for all land uses within the Municipal Wetland Stewardship Area.
- Policy EP-5** Correspondence received from the Stewardship Biologist with the Wildlife Division of the Department of Environment and conservation confirmed that “within Stewardship Zones, the Town is to exercise its sole discretion as it relates to wise use of wetlands and associated uplands impacted by proposed development activities...the goal is that developers seek to minimize impacts on wildlife and habitat on which they depend”. Consequently, it shall be a policy of Council to designate a 91 metre wide strip of land along the east side of the Kimberly Farm Drive as Mixed Use (MS) as shown on the Generalized Future Land Use Map. Council shall confer with its consulting engineer and also seek advice from the Department before a building permit is issued in any part of this strip if it feels such development may pose any risk to wetlands.

4.2.7 Airport Land Use Policies

General Intent

Winterland Airport is a community airport owned by the Province and regulated by the federal government through Transport Canada. The airport lands are designated Airport to accommodate the facilities and operations of the Winterland Airport.

- Policy A-1** It shall be a policy of Council to permit a full range of Airport and related uses within this designation.
- Policy A-2** It shall be a policy of Council to protect airport glide paths at a slope of 4%, beginning 60 metres from the runway by limiting heights of any structures in the vicinity of the Airport.
- Policy A-3** It shall be a policy of Council to work with the Winterland Airport authorities to ensure that development is compatible with the quality and character of present land uses and in accordance with the general intent of this Municipal Plan and the Town’s Development Regulations.

4.2.8 Transportation Policies

General Intent

The municipal road system is meant to facilitate the efficient movement of people and goods, as well as providing land access, throughout the Planning Area. A hierarchical classification of roads enables the physical planning and layout of the community addressing the future growth and expansion of the Town.

4.2.8.1 Road Network

A hierarchical classification of roads is useful for physical planning, development control, and to establish priorities for maintenance. In this context, a division of functions among the existing and proposed roads is considered necessary.

Policy T-1 It shall be a policy of Council to adopt the street and road hierarchy as referenced in this Plan: collector roads; and local roads, for the purpose of planning fiscal expenditures and the accommodation of certain land uses.

Collector Roads

Collector roads function to link local streets with arterial roads and provide access to neighbourhood activity centres. Collector roads provide both a traffic mobility and land access function. They serve as the major traffic routes within a residential neighbourhood or industrial or commercial area and thus carry relatively high volumes of traffic. Collector roads in the Town of Winterland include Route 210 and Kimberly Farm Drive (Route 222).

It should be noted here that Route 210 is a Class I Protected Road, as per the Protected Road Zoning Regulations (PRZR).

- Section 5 of the PRZR established a building control line (BCL) within the municipal boundary of each incorporated municipality. Within the Town of Winterland, the BCL shall be 100 metres distant, measured perpendicular, from the centre line of the roadway.
- The *Burin Peninsula Highway Zoning Plan*, which was prepared for Route 210, contains two land use zones within the Town of Winterland: "Rural Conservation Zone" and "Cottage Zone". The Burin Peninsula Plan is to remain in effect until the Winterland Municipal Plan and Development Regulations come into legal effect, as per Section 10 of PRZR. Until such time, development along Route 210 shall comply with the PRZR and, a building permit is required from Service NL, the administrator of the PRZR (Section 12 of PRZR). It is further noted that there is a dual permitting system in place along protected roads, which means once the Town's planning documents become binding, any development proposal along Route 210 will continue to require approval from Service NL, as well as the Town.

Policy T-2 It shall be a policy of Council to permit collector roads to provide both traffic service and land service and full access to adjacent properties. Where possible, a collector road should link at both ends with another collector road or with an arterial road.

Policy T-3 It shall be a policy of Council to resolve potential traffic concerns along collector roads within the Planning Area.

Local Roads

Local roads have the primary function of providing access to abutting properties. The overall road system should be designed to minimize the amount of traffic on local roads resulting in maximum safety for pedestrians and allowing attractive residential development. All roads in the Planning Area, other than those mentioned above, are considered to be local roads.

Policy T-4 It shall be a policy of Council to resolve potential traffic concerns along local roads within the Planning Area.

4.2.8.2 Design Standards

The Province has developed design standards for all classes of provincially owned and designated roadways. The Development Regulations contain design standards that apply to all future subdivision streets.

Policy T-5 It shall be a policy of Council to require that roads in each of these classifications be designed and constructed in accordance with specific standards determined by the function each street will fulfill. This is especially true of the number and width of lanes and design of intersections. Decisions regarding the use of abutting land will be made with the functional classification of the road in mind. This will ensure that these land uses will cause no serious interference with the flow of traffic and the nuisance caused by traffic in turn will be kept to a minimum.

4.2.8.3 Parking and Access Control

Policy T-6 It shall be a policy of Council to require that new development applications include a site plan showing how access and parking is to be arranged and that fulfillment of these plans is to be made a condition of approval. The standards that apply to off-street parking requirements are included in the Development Regulations.

4.2.8.4 Access Management Guidelines

Access management guidelines are based on the Transportation Association of Canada's Geometric Design Guide for Canadian Roads. These guidelines assist municipalities in effectively managing the provision of access to the public road system for new development, redevelopment, or retrofitting of existing facilities.

There is a particular concern in Winterland along the existing roads where properties have developed without provision for public street access to areas that lie to the rear of or behind the existing development. A policy is required to ensure adequate access is provided to these rear or back lands to facilitate future development.

Policy T-7 It shall be a policy of Council to adopt the Access Management Guidelines provided by the Transportation Association of Canada Geometric Design Guide for Canadian Roads to effectively address future development and to rationalize existing situations.

Policy T-8 It shall be a policy of Council, when considering any future land subdivision along existing or future roadways, to ensure that adequate provision is made for public street access to undeveloped lands lying to the rear of the existing development. Street access should be provided to these rear lands at a maximum spacing of 400 metres. The minimum street access spacing should be 60 metres along the roadway.

Policy T-9 At the present time the Town of Winterland only has one access from Route 210. This would leave the Town residents in a very insecure position if that one access should ever become blocked for any reason (accident, explosion, storms). Emergency vehicles would not be able to get into or out of the community. Thus, it shall be a policy of Council to enter discussions with the Province's transportation officials to determine the possibility of having a second access from Route 210, east of the current access, to connect at or near the current intersection of Pioneer Drive and Branch Road.

Policy T-10

It shall be a policy of Council to consider the adoption of a set of Municipal Specifications to guide the future construction of subdivision streets as well as other municipal water, sanitary sewer or storm drainage services. With the assistance of its Municipal Engineering Consultant, the Town could consider the adoption or modification of the Province's "Municipal Water, Sewer and Roads Master Construction Specifications" to suit its own specific needs.

5 Implementation

The Municipal Plan will be implemented over the next ten years through decisions of Council and government agencies who have responsibility for various aspects of development that affect the Town. Of particular importance to Council are the following:

- (a) Effective administration of the Plan;
- (b) Adoption of a five year capital works program, updated annually;
- (c) Adoption of Land Use Zoning, Subdivision and Advertisement Regulations;
- (d) Adoption of development schemes;
- (e) Procedure for considering amendments to the Plan; and
- (f) Working in partnership with citizens, groups, and organizations to achieve the collective goals of the community.

5.1 Administration of the Plan

For the purposes of administering the Plan, the Generalized Future Land Use Map (Figure 3) shall be read only in conjunction with the Goals, Objectives and Policies outlined in this document. All development applications will be carefully evaluated as to their conformity to the Plan. The full conformity of all proposals to the Plan shall be required by Council.

The boundaries of land use designations shown on the Generalized Future Land Use Map (Figure 3) are meant to be general, except where they coincide with roads or other prominent physical features, where they are intended to define the exact limits. It is intended that no amendment of this Plan shall be required to permit minor adjustments to these boundaries. Other than such minor changes, no development shall be permitted that does not conform to this Plan.

Once conformity to the Plan has been established, Council will ensure that all development proposals are given a comprehensive review which shall include circulation to all affected public departments and agencies. Council's final decisions will be based on the desire to guide the development of Winterland in the best long-term interests of its citizens.

All persons wishing to develop land for any purpose within the Winterland Municipal Planning Area shall apply to Council for permission through the established procedure. Council may refuse or approve applications, with or without conditions. The appeal of all Council decisions to the appropriate Appeal Board will be permitted in accordance with Part VI of the Urban and Rural Planning Act, 2000.

Before major land developments within the Planning Area are approved, a development agreement may be required which will be signed by both the developer and Council. This agreement shall establish the conditions under which development may proceed and shall be binding to both parties. Conditions governing development may also be enforced by being attached to the development permit.

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

5.2 Capital Works Plan

At the present time there are no capital works projects planned over the next few years. In the coming planning period, a Capital Works Plan will be adopted and implemented by Council (as projects are identified) that will aim to upgrade existing infrastructure and construct new infrastructure where appropriate. The Program will include a five-year program of work to be undertaken as required by the Municipalities Act.

The following table can be used to identify priority works projects and studies as they are identified to implement the Plan over the Planning period. Any projects will be pursued with due consideration of the financial position of the Town, its revenue sources, borrowing capabilities and available funding opportunities.

Priority	Project	Total Estimated Cost	Estimated Council Portion
1			
2			
3			
4			
5			
6			
Other Projects Funded 100% by Council			

Council's ability to undertake major public works during the Planning Period will depend largely on its financial management program. Overall, the objective will be to minimize the increase in municipal debt load and to economize on project costs where possible.

The following are regarded as important components of a financial management program for the municipality:

- (a) All proposed public works which qualify for assistance from the provincial or federal governments shall be financed on this basis. This shall include cost sharing programs with the provincial government and grants.
- (b) Funds raised by the municipality to undertake public works shall be obtained from local revenues where possible. The principal source from which funds could be realized for this purpose is new development.

Minor public works in particular should be financed from current account where possible.

- (c) Mill rates and service fees shall be managed during the Planning Period to keep pace with inflation and to ensure that an acceptable level of municipal services can be achieved.
- (d) Council shall manage its debt during the Planning Period with the long range objective of reducing its ratio of debt charges to total revenues to 25%.
- (e) Annual locally generated revenue shall be applied against the municipality's long term debt. Payments shall be in keeping with the policy of the Department of Municipal Affairs and agreement between the Town and the Department.
- (f) For subdivision development, Council shall pursue a break-even policy for development which will require the developer to pay for the installation of all services to municipal standards.

5.3 Land Use Zoning, Subdivision and Advertisement Regulations

Once this Municipal Plan has been adopted, Council will proceed to adopt Comprehensive Land Use Zoning, Subdivision and Advertisement Regulations (known as Development Regulations) pursuant to Section 35 of the Urban and Rural Planning Act, 2000.

The Regulations will be drawn up so as to implement the Goals, Objectives and Land Use Policies of the Municipal Plan. The document will contain general land use and subdivision regulations designed to control all land subdivision and development within the Winterland Municipal Planning Area.

All land within the Planning Area will be covered by land use zones (residential, commercial, etc.) which will provide for such detailed requirements as lot size and coverage, building setbacks and parking regulations.

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.

5.4 Adoption of Development Schemes

Another means by which this Plan can be implemented is through the adoption of Development Schemes. They can be prepared at any time during the Planning Period in order to amplify on policies contained in the Plan or to allow for development of particular land areas.

Development Schemes are prepared under the Urban and Rural Planning Act, 2000 and therefore are subject to a Public Hearing and approval by the Minister of Municipal and Intergovernmental Affairs, the same as a Municipal Plan. The Winterland Municipal Plan does not require preparation of any Schemes at the time of Plan adoption.

5.5 Procedure for Amending the Municipal Plan

The administration and implementation of a Municipal Plan is a continuous process. During the planning period, conditions in the Town may change and, where necessary, amendments to the Municipal Plan may be adopted by Council.

In accordance with Section 27 of the Urban and Rural Planning Act, 2000, Council will charge a proportion of the cost of carrying out an amendment to the person or association of persons, who request an amendment. The proportion to be charged will be set by Council as part of its annual budget process in setting its Schedule of Rates and Fees. The costs may include, but are not limited to, research and preparation of amendments, public notices and consultation, administrative processing costs, and the costs associated with a Public Hearing.

Any such amendment will be read with and form part of this Plan. After five years from the date on which this Plan comes into effect, Council shall review the Plan and revise it if necessary. Any revision should take account of development which can be foreseen during the following ten years. Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.

5.6 Procedure for Considering Re-Zonings

Development Regulations can be changed through text amendments (the addition of a permitted use within a use zone, additions to or changes in a condition, or a change in definition) or through map amendments (a change to the zoning map). In order for consideration of any proposals to amend the Development Regulations, Council shall require a clear proposal to be submitted that shows:

- (a) Location of the subject property, to scale, showing lot dimensions, area, street frontages;
- (b) Proposed means by which the site is/will be serviced;
- (c) Proposed location of all driveways and parking areas;
- (d) Areas that are to be landscaped or left in a natural state;
- (e) Proposed location of all buildings on the site; and
- (f) Identification of adjoining land uses, natural hazards, or sensitive natural areas.

When considering proposals for developments that necessitate amendments to the Development Regulations, Council shall have regard to the Goals, Objectives, Policies and programs outlined in this Plan, and whether or not the proposal is in conformance with the intent of the Municipal Plan, Development Regulations and all other Town Policies and Regulations.