

**TOWN OF HUMBER ARM SOUTH  
MUNICIPAL PLAN 2011**

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**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF HUMBER ARM SOUTH MUNICIPAL PLAN 2011**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of Humber Arm South adopts the Town of Humber Arm South Municipal Plan 2011.

Adopted by the Town Council of Town of Humber Arm South on the 10<sup>th</sup> day of January, 2012.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 2012.

Mayor: \_\_\_\_\_  
Archibald Mitchell

Clerk: \_\_\_\_\_  
Marion Evoy

**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: Arvo McMillan

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF HUMBER ARM SOUTH  
MUNICIPAL PLAN 2011**

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

- a) adopted the Town of Humber Arm South Municipal Plan 2011 on the 10<sup>th</sup> day of January, 2012.
- b) gave notice of the adoption of the Town of Humber Arm South Municipal Plan 2011 by advertisement inserted on the 14<sup>th</sup> day of January, 2012 and the 21<sup>st</sup> day of January, 2012 in the Western Star Newspaper.
- c) set the 2<sup>nd</sup> day of February, 2012 at 7:30 p.m. at the Town Hall, Town of Humber Arm South for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Humber Arm South approves the Town of Humber Arm South Municipal Plan 2011 on the 14<sup>th</sup> day of February, 2012.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 2012

Mayor: \_\_\_\_\_  
Archibald Mitchell

Clerk: \_\_\_\_\_  
Marion Evoy

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MAPS – Future Land Use Maps 1 (Sheets 1 to 5) and 2

**TOWN OF  
HUMBER ARM SOUTH  
MUNICIPAL PLAN 2011**

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## **1 INTRODUCTION**

### **1.1 *The Plan***

This Humber Arm South Municipal Plan 2011, replaces the Community of Halfway Point, Benoit's Cove, John's Beach Municipal Plan 1989 – 1999.

Prepared pursuant to the Urban and Rural Planning Act 2000, the Humber Arm South Municipal Plan contains policy statements and maps approved by Council and registered by the Minister of Municipal Affairs to guide community growth and development for the next 10 years within the Humber Arm South Municipal Planning Area ('Planning Area'), the area set out under the Urban and Rural Planning Act 2000 for planning and regulatory purposes. The Municipal Plan is binding upon the Town and upon all other persons, corporations and organizations within the Planning Area. The Plan must be reviewed by the Town every five years and, if necessary, revised to take account of development that cannot be foreseen during the next ten year period.

When a Municipal Plan comes into effect, Council is required to develop regulations for the control of the use of land, in strict conformity with the Municipal Plan, in the form of Land Use Zoning, Subdivision and Advertisement Regulations. These are also known as the Development Regulations. These are prepared at the same time as the Municipal Plan, and like the Plan, may be amended at any time to include new land uses and specific regulations. The Development Regulations shall deal with matters relating to development and buildings as set out under Section 35 of the Urban and Rural Planning Act 2000.

Development Regulations must comply with the requirements of the Urban and Rural Planning Act 2000, regulations under the Urban and Rural Planning Act 2000 and any other pertinent rules and regulations enacted by the Province, including, the Municipalities Act, and as well, legislation relating to environment, health and safety, agriculture, mines and mineral workings, highways, and forestry.

Development schemes (amendment to the Municipal Plan), design concepts, comprehensive plans, subdivision agreements and concept plans, further implement the Municipal Plan and Development Regulations with more

detailed designs, design strategies and policies for roads and other facilities and development.

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

Sections 2, 3 and 4 of the municipal plan set out the Vision, Goals. General Policies and Designations Policies which determine how development is to take place in accordance with the provisions of the Urban and Rural Planning Act 2000.

## **1.2 Humber Arm South and the Municipal Planning Area**

The town and municipal planning area boundaries of Humber Arm South are the same and take in about 65 square kilometres. The town extends roughly 15 kilometres northwest along Humber Arm from Mount Moriah towards York Harbour, bounded by a stream which emerges from Mad Dog Lake. It reaches inland about 4 to 5 kilometres to take in part of Blow Me Down Mountain. The Town lies about 10 kilometres west of Corner Brook, the major service and employment centre for the west coast of the Island.

With some minor exceptions, in particular, Benoit's Cove, urban settlement occurs close to the shoreline and along Highway 450. This settlement pattern is broken where there are steep cliffs.

The three major settlements within Humber Arm South are Halfway Point, Benoit's Cove and Frenchman's Cove. In addition this community includes the smaller settlements of John's Beach and Voy's Beach.

The Town's Community Centre in Benoit's Cove includes the Town Office, Volunteer Fire Department and the Humber Arm South Fitness Centre, which also includes an outdoor recreational facility.

### Development and Population

There are at least three major groupings of seasonal residences (cottages, cabins) – one next to Frenchman's Cove and two others which are located further north west along Humber Arm. These areas were zoned for seasonal residences under the previous municipal plan. There are approximately \_\_\_\_ seasonal residences in the community.

Major community facilities, including the fish plant, major grocery and drygoods store, post office, a church, school, town office, fire station, recreational facilities and the cemetery are located in Benoit's Cove. Other commercial services, including convenience stores and a service station and garage are situated along Highway 450.

From 2005 to 2009 inclusive, 25 permits have been issued for new houses. The number of new dwelling permits per year has ranged from 3 to 7. In addition, Allen's Fisheries has carried out major improvements to its operations in Benoit's Cove during this period.

According to Statistics Canada, the Town's population in 2006 was 1,854, a slight increase above its 2001 population of 1,800. In 1986, the population of the community was 2,182 according to the 1989 Municipal Background Report. Statistics Canada estimated that the number of private dwellings in 2006 was 782, 704 of which were occupied by usual residents.

#### Municipal Water and Sewer Services

The bulk of the town is served with municipal water and sewer services. The town intends to complete the servicing process over the next few years. Water is supplied from Dormody's Brook Protected Public Water Supply and the John Franks Brook Unprotected Public Water Supply. The Town is applying to have John Franks Brook designated as a protected public water supply under the Water Resources Act. Although only one of them is gazetted, both are protected under this municipal plan.

Untreated sewage enters the Humber Arm at several locations. There are no plans to provide sewage treatment.

#### Appalachian Trail

Humber Arm South is part of the Appalachian Trail system that now extends into the west coast of Newfoundland. The town is also developing a local trail system.

#### Geophysical

The town is part of a geologic unit sandwiched between a carbon age sequence in the east (Corner Brook Area) and an igneous sequence in the west (west of Blow Me Down Brook). The area is underlaid by dark Cambrian Shale usually embedded with quartzites and siltstone of the Meadows Formation and the platy limestone of the Cook Formation. East of Blow Me Down Brook, the landscape is marked by igneous rock outcrops, mainly ultra-basic intermediate volcanic, rising to a height of 570 metres above sea level.

There has been some history of landslides in the steeper areas where Highway 450 has cut through the sides of the hills (Martin Batterson, Department of Natural Resources, letter December 22, 2010). There have been three recorded events.

There are numerous instances where development has cut into steeply sloping land.

Cammie's Brook and Clark's Brook flow into Benoit's Cove. The other major stream is Blow Me Down Brook which is also a park and trail.

Low lying land in Benoit's Cove next to the Arm is occasionally flooded when during the confluence of a very high tide and a storm surge on top of the tide which will briefly flood the highway and the adjacent wharves. There does not appear to have been a history of serious flooding from the three streams.

### Climate Change

The Town of Humber Arm South, like almost any other community in Newfoundland and Labrador is having to come to terms with the issue of climate change and the management of development and infrastructure to cope with this.

Over the years this community has experienced landslides and the occasional flooding event and overtopping of Highway 450. Forecast changes in climate – greater precipitation and higher winds and storm surges are likely to increase pre-existing hazards and require that:

- Water and sewer lines and roads in flood-vulnerable areas be designed to withstand flooding events and to achieve quick recovery when flooding does occur – Highway 450 is the sole access along the south side of the Humber Arm, main water and sewer lines follow much of Highway 450.
- Development be directed away from hazardous areas, and that development in areas of steep slopes be prohibited because it reduces the cover which helps to maintain the integrity of the slopes and because it leads to the construction of roads and services in areas which could be affected by landslides and flooding – private and public vulnerabilities.
- Where there are established businesses and facilities located at or near sea level as in Benoit's Cove and Frenchman's Cove then the risk of flooding should be determined and flood-proofing measures undertaken for existing and new structures.



- Emergency services and facilities containing vulnerable populations, such as seniors' homes and care facilities are to be located away from flood and other hazard areas.

It is anticipated (Martin Batterson, Letter December 22, 2010) that the changing climate will lead to sea level rise and increased storm events in this area and other vulnerable areas along Humber Arm. More frequent and higher rainfalls could affect slope stability and increase the likelihood of landslides. In this same letter it is recommended "that any development in the coastal areas should be restricted below 2 m above present mean sea level (1 m sea level rise plus 1 m storm surge). Restrictions in the 2 to 4 m elevation range should be considered depending on the setting and history of flooding."

### **The Municipal Plan**

The Humber Arm South Municipal Plan is designed to give the Town control over land use and to ensure that development occurs in an orderly and transparent fashion in a manner that reflects the wishes of the Town and its residents. However, the plan and regulations must also comply with provincial and federal policies and not conflict with matters of provincial interest.

## **2 GENERAL GOALS AND DEVELOPMENT POLICIES**

### GOAL

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

### DEVELOPMENT POLICIES

All development within the Town of Humber Arm South Planning Area shall be managed in accordance with the general land use policies and designations set out in the ensuing sections. These designations are shown on the Future Land Use Maps.

### **2.1 *Future Land Use Designations and Policies***

Future Land Use Maps designations are:

Residential  
Seasonal Residential  
Town  
Rural  
Environmental Protection  
Protected Public Water Supply  
Public Water Supply (Overlay).

Use Classes and Groups referred to in the designations of Section 3 are the use classes and use groups set out in Schedule B of the Development Regulations.

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

## **2.2 General Development Policies**

- (1) In addition to any other considerations under this Municipal Plan, the Town may refuse permission for a development where in its opinion services are inadequate or it is uneconomical to provide and maintain these services.
- (2) In order to ensure that development occurs in an orderly manner and that appropriate development opportunities are maximized, subdivisions and other major developments shall be co-ordinated with other existing and proposed developments and the Planning Area's road system and services. These developments may be required to provide for public access to adjacent undeveloped lands. Furthermore, the Town may require that a comprehensive plan of development be prepared and adopted before any development is permitted in a given area.
- (3) When reviewing a development proposal, the Town shall consider the suitability of a site in terms of steepness of grades, soils and geology, location of waterways and wetlands and shall, when considering approval, ensure that the development has minimal or no negative effects on other properties and bodies of water.
- (4) If in its opinion the development of the site having certain characteristics, such as steep or unstable slopes, poor drainage, high water table and so forth, could create problems for the development of the site or nearby properties, the Town can require the submission of a review of the development proposal by a certified engineer, landscape architect or similar professional.

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

## **2.3 Conditions – All Development**

- (1) Services and Access

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

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

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

(2) Uses Allowed In All Designations

Accessory buildings and uses, conservation, public services and public utilities, recreational open space, roads and trails can be allowed in all designations subject to the other provisions of this municipal plan.

(3) Compatibility of Uses, Buffers and Screening, Property Upkeep

The Town shall ensure as much as possible that existing and new development will not negatively affect existing and proposed land uses by creating a hazard or nuisance such as noise, dust, odour or unsightly appearance. The Town may require a developer to provide appropriate screening and to undertake other measures to minimize negative effects and to ensure a clean and tidy town.

## **2.4 Agriculture**

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

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

## **2.5 Archaeological and Heritage Resources**

Archaeological sites and discoveries are protected under the *Historic Resources Act, 1985*. If such a site is discovered, development shall stop and the Provincial Archaeology Office of the Department of Tourism, Culture and Recreation consulted. Also, if any major development is proposed, the Provincial Archaeology Office shall be advised before an approval is granted by the Town. This is to ensure that the necessary research is carried out before construction begins.

The Town may from time to time designate heritage sites and areas under the Municipalities Act.

## **2.6 Comprehensive Development**

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

- While the use classes and overall density of the comprehensive development must comply with the use zone schedule of the zone in which it is located, other standards can be modified or waived.
- The development must be compatible with adjacent development.
- The Town may require that a comprehensive development be connected to municipal water and sewer services and has direct access to a publicly owned and maintained street.

## **2.7 Coastline and Harbour Areas, Streams**

In order to protect lives and property and the natural environment, the Town shall review development proposals for sites adjacent or near streams and the marine coast line and harbours shall be reviewed to ensure that unless it is a use requiring direct access to the body of water:

- a) it is not likely to be damaged by a storm;
- b) it is not a vulnerable or critical use, that is, a multi-unit residential use, a use catering to persons with disabilities or other special needs, and/or a use related to emergency services (example – a fire station or emergency command centre, emergency shelter or other facility) – uses which if damaged or destroyed, could cause injury or loss of life and/or make it more difficult to respond to an emergency

With the exclusions noted above, along the marine coastline except for marine related activities and temporary or minor structures, new development may not be permitted at or below the 4 metre elevation, unless it can be demonstrated to the satisfaction of the Town and other relevant authorities that the risk is low and/or that the development can withstand the damage that could be incurred by a flood or storm event. However existing conforming uses can be allowed to expand.

The Town in its discretion may refuse to issue a permit for a development that could be affected by a storm event based upon previous events, local knowledge and/or research carried out in respect of climate change.

## **2.8 Environment**

In reviewing an application for a permit, the impact of a development on the land, marine and air environment of the Planning Area shall be considered and Provincial policies on the environment adhered to.

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

## **2.9 Forestry**

Forestry activities are regulated by the Department of Natural Resources and the Town. In order to protect the forest resources of the area, including the pine plantations, development the rural portions of the planning area shall be referred to the Forestry Division of the Department of Natural Resources.

## **2.10 Mineral Exploration**

- (1) Subject to the other provisions of this Municipal Plan, mineral exploration which is not classed as development by virtue of drilling, appreciable ground disturbance, construction of access roads, noise, odour and appearance can be permitted anywhere in the Planning Area, provided that adequate notification is provided to the Town.
- (2) Mineral exploration which is classed as development shall be permitted in the Rural designation provided that adequate provision is made for buffering/and or other mitigations of impacts of existing or future urban residential, commercial, industrial, institutional and recreational areas and provided that all necessary approvals are obtained.
  - (a) Buffering may take the form of a buffer between such mineral exploration and areas set aside for urban purposes within which higher impact mineral exploration is either prohibited outright, or is treated as a discretionary use.
  - (b) Higher impact mineral exploration shall be subject to conditions that control noise, appearance, duration of the drilling or excavating program and the control of other impacts that may arise. The precise nature of these controls will depend upon the location of the mineral exploration in respect to built-up areas and uses sensitive to noise and ground disturbance.
  - (c) Where there is ground disturbance, the developer shall provide a site restoration surety and/or other satisfactory guarantees of site landscaping to the Town.

## **2.11 Mineral Workings**

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

## **2.12 Recreational Trails and Walkways**

The Town may require that any development within a specified distance of a significant well-established and clearly demarcated trail be reviewed to ensure that development does not negatively impact such trail. Where deemed necessary, the Town may require that a buffer be provided by the developer.

- (1) As a condition of an Approval in Principle and/or a Development Permit the Town may require that a trail corridor be deeded to the Town or a non-profit group approved by the Town, and where applicable, this may be considered part of the open space requirement set out in Regulation.
- (2) Wherever space and terrain characteristics allow, the appearance and use of well known trails and/or mapped trails shall be protected by natural vegetation buffers that separate the trail and other forms of development and from hazard areas and areas subject to erosion, such as the coastline or riverbanks.
- (3) The vegetation buffer shall be deep enough to prevent shallowly rooted trees being blown over.
- (4) The buffer is included within the trail corridor that includes the trail and the buffer.
- (5) For a trail to be eligible for protection it must be shown on a plan (including the Future Land Use Maps and Land Use Zoning Maps) of trails, accepted by the Town.
- (6) Within the trail corridor, only accessory recreational uses, public utilities and roads can be allowed. No other development is permitted on or near the trail.

### **2.13 Subdivisions – Groundwater Supply Assessment**

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

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

### **2.14 Unserved Development**

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

### **2.15 Waterways and Wetlands**

Sound environmental and engineering practice and protection of the Town’s amenities make it the general policy of the Town to protect all waterways and wetlands of the Town of Humber Arm South Municipal Planning Area.

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

- (1) Development within waterways and wetlands is subject to this Regulation and all relevant provincial and federal policies and statutes, including Department of Environment and Conservation Policy Directives W.R. 97-1, Development in Shorewater Zones and 97-2, Development in Wetlands which are set out in Schedule E. Where there is a conflict between the Policy Directives and this Municipal Plan, the more restrictive standards shall apply.



- (2) The minimum width of a buffer along a waterway or wetland shall be 15 metres from the highwater mark, or 1 in 100 year flood zone, of the stream, river, pond or other body of water or wetland. This 15 metre buffer shall be expanded to 30 metres along the marine coast line and estuaries.
- (3) If the toe of an embankment with an average slope of 30% or more lies within 15 metres of the highwater mark, or 1 in 100 year flood zone of the waterway, then the buffer shall be measured from the top of the embankment.
- (4) Where a water body buffer is designated Environmental Protection, then the water body buffer shall be the Environmental Protection Designation.
- (5) Subject to the approval of the Department of Environment and Conservation and the Town, the only uses that can be permitted in the buffer area of a waterway are roads, driveways, public services and utilities, recreational open space and trails and uses requiring direct access to a body of water, such as wharves and docks and other marine related uses.
- (6) Development, and this includes placing fill or other materials, within a waterway and the buffer area of a waterway is subject to the approval of the Town, the Provincial Government, and where necessary, the Government of Canada.
- (7) Any development within a body of water or involving the alteration of a body of water must be approved by or exempted by the Department of Environment and Conservation for Crown Lands and referrals, of the Department of Transportation Canada - Navigable Waters Act, Fish Habitat Division of the Department of Fisheries and Oceans and/or, the Water Resources Management Division of the Department of Environment and Conservation before a permit is issued by the Town.
- (8) The Town or the Provincial Government may subject development within the buffer area of a watercourse to an environmental review, and may approve, approve subject to conditions, or refuse such development. The matter of adequate and usable legal public access to the waterway shall be a consideration in the review of an application for a structure within a buffer and/or waterway.
- (9) Any activity that has the potential to affect fish habitat shall be forwarded to Fisheries and Oceans Canada for review.

- (10) Wetlands can only be developed in such a way as to minimize damage and impacts on the hydrology and environment of the area.
- (11) Any development within a wetland or the buffer of a wetland shall require the approval of the Minister of Environment and Conservation as well as the Town whether or not that wetland is designated Environmental Protection under the Municipal Plan.
- (12) If a waterway or wetland is deemed to be minor, wherever possible such waterways and wetlands shall remain undeveloped and protected by a buffer. If a site is to be developed, alternatives to covering over or eliminating such waterways and wetlands shall be explored, including relocation of the waterway or wetland and/or redesign of the development.

### **2.16 *Windmills, Wind Turbines and Other Alternative Energy Sources - Utilities***

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

### **3 DESIGNATIONS**

#### **3.1 Residential**

The Residential Designation is applied to areas which are almost exclusively residential in character and where the residential uses are single dwellings. Properties in this designation shall be served with municipal water and/or sewer services wherever feasible.

Permitted Uses and Use Classes in this designation are:

- Uses under Section 2.3(2) of this Municipal Plan;
- Boarding House and Bed and Breakfast;
- Mini-Homes;
- Single Dwellings
- Uses accessory to single dwellings, including home businesses.

Discretionary Uses and Use Classes in this designation are:

- Antenna;
- Transportation (only wharves and docks, etc. related to a residential use).

#### **3.2 Seasonal Residential**

The Seasonal Residential Designation is applied to areas set aside exclusively for seasonal residential, that is areas set aside cabins and similar uses.

No municipal services shall be provided in this designation.

All development in this designation shall be approved by the Department of Government Services, and other departments as required, before a permit is issued by the Town.

Permitted Uses and Use Classes in this designation are:

- Uses under Section 2.3(2) of this Municipal Plan;
- Seasonal Residential.

Discretionary Uses and Use Classes in this designation are:

- Antenna;

- Transportation (only wharves and docks, etc. related to a seasonal residential use).

Accessory Uses Limitation – No accessory uses are permitted under this designation.

### **3.3 Town**

The Town designation reflects the historic mixed land uses of the communities that make up Humber Arm South.

Permitted Uses and Use Classes in this Designation are:

- Uses under Section 2.3 (2) of this Municipal Plan;
- Boarding House Residential and Bed and Breakfast;
- Child Care;
- Double Dwelling;
- Mini Home;
- Single Dwelling.

Discretionary Uses and Use Classes in this Designation are:

- Antenna;
- Apartment Building;
- Campground;
- Catering;
- Commercial – Residential;
- Communications;
- Club and Lodge;
- Convenience Store;
- Cultural and Civic;
- Educational;
- Funeral Home;
- General Industry
- General Service;
- Indoor Assembly;
- Indoor Market;
- Light Industry;
- Medical and Professional;
- Office;
- Outdoor Assembly;
- Outdoor Market;
- Personal Service;

- Place of Worship;
- Police Station;
- Row Dwelling;
- Seniors' Housing and Personal Care Facilities;
- Service Station;
- Shop;
- Take-Out Food Service;
- Taxi Stand;
- Theatre;
- Transportation;
- Veterinary.

#### Non Residential Uses

General Industry, Light Industry, Police Station, Service Station, Shop, Take-Out Food Service and Taxi Stand may only be located along Highway 450. General Industry is limited to sites along the shores of Benoit's Cove.

#### Municipal Services

Development in this Designation shall be connected to the Town's municipal water and sewer services.

### **3.4 Rural**

Under the Rural designation the Town can allow resource based uses, utilities and appropriate compatible uses as permitted or discretionary uses.

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

Permitted Uses and Use Classes in this Designation are:

- Uses under Section 2.3 (2) of this Municipal Plan;
- Agriculture;
- Antenna;
- Forestry;
- Mineral Exploration.

Discretionary Uses and Use Classes in this Designation are

- Animal;
- Campground;
- Cemetery;

- General Industry;
- Light Industry,
- Mineral Working;
- Outdoor Assembly;
- Transportation;
- Utilities.

#### General Industry

General industrial uses shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses. Only an office may be allowed as an accessory use.

#### Light Industry

Light Industry is restricted to indoor and open storage, with the only accessory use being an office. Light industrial development may only take place on a site or sites approved by the Town and shown on a plan which is approved by the Town.

#### Municipal Services

Development in this Designation shall not be provided with municipal water and/or sewer services.

### **3.5 Environmental Protection**

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

Permitted Uses and Use Classes under this Designation are:

- Uses under Section 2.3 (2) of this Municipal Plan.

Discretionary Uses and Use Classes under this Designation are:

- Mineral exploration,
- Transportation (wharves, docks, fishing stages, marinas, boat houses);
- Utilities.

All development in this Designation is subject to the approval of the Department of Environment and Conservation along with the Town.

### **3.6 Protected Public Water Supply**

Within the Protected Public Water Supply Designation development is restricted to uses and activities that will not damage the water supply.

All development applications shall be referred to the Minister of Environment and Conservation for approval before a permit is issued by the Town.

Subject to the approval of the Minister of Environment and Conservation the Conservation Use class of the Section 2.3 (2) uses is permitted.

Subject to the approval of the Minister of Environment and Conservation, along with Antenna, Mineral Exploration and Utilities, all other Section 2.3 (2) uses, Recreational Open Space included, may be permitted at the discretion of the Town as discretionary uses.

### **3.7 Public Water Supply**

The Public Water Supply is an overlay on other designations, such as Rural and Environmental Protection.

Within the Public Water Supply Designation development is restricted to uses and activities that will not damage the water supply.

All development applications shall be referred to the Minister of Environment and Conservation for approval before a permit is issued by the Town.

Subject to the approval of the Minister of Environment and Conservation the Conservation Use class of the Section 2.3 (2) uses is permitted.

Subject to the approval of the Minister of Environment and Conservation, along with Antenna, Mineral Exploration and Utilities, all other Section 2.3 (2) uses, Recreational Open Space included, may be permitted at the discretion of the Town as discretionary uses.