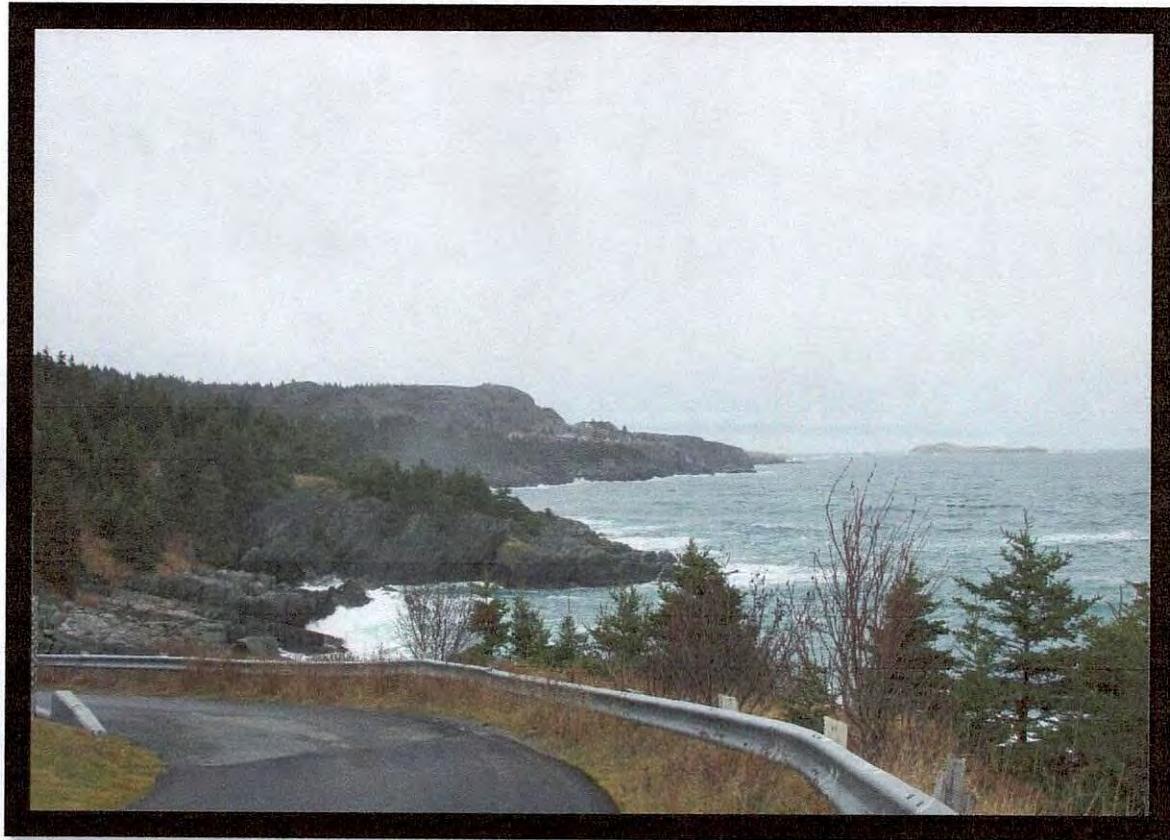


TOWN OF BRYANT'S COVE

MUNICIPAL PLAN 2021-2031



PLAN-TECH

ENVIRONMENT

October 2021

PROBLEMAS DE MIGRACIÓN

LOS MIGRANTES MEXICANOS

ESTRUCTURA

INTRODUCCIÓN

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URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
TOWN OF BRYANT'S COVE MUNICIPAL PLAN 2021-2031

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Bryant's Cove.

- a) Adopted the Bryant's Cove Municipal Plan 2021-2031 on the 18th day of October, 2021.
- b) Gave notice of the adoption of the Town of Bryant's Cove Municipal Plan 2021-2031 by advertisement inserted on the 28th day of October and the 4th day of November, 2021, in *The Shoreline* newspaper.
- c) Set the 17th day of November, 2021, at 7:30 p.m. at St. Andrews Church Hall, Bryant's Cove 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 Bryant's Cove approved the Town of Bryant's Cove Municipal Plan 2021-2031 as adopted.

SIGNED AND SEALED this 13 day of December, 2021

Mayor: Glenis Bush (Council Seal)

Clerk: Melissa Duthie

Municipal Plan/Amendment	
REGISTERED	
Number	<u>680-2020-000</u>
Date	<u>16 MAY 2022</u>
Signature	<u>H Blanchard</u>

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URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF BRYANT'S COVE MUNICIPAL PLAN 2021-2031

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Bryant's Cove adopts the Bryant's Cove Municipal Plan 2021-2031.

Adopted by the Town Council of Bryant's Cove on the 18th day of October, 2021.

Signed and sealed this 13 day of December, 2021.

Mayor: Gloria Bost (Council Seal)

Clerk: Maura D'ent

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Bryant's Cove Municipal Plan 2021-2031 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

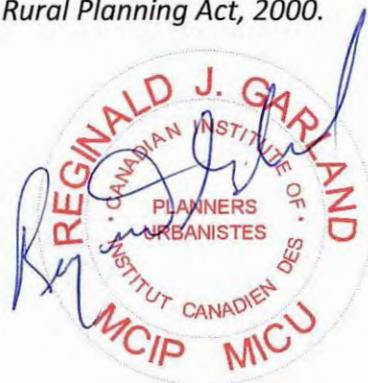


TABLE OF CONTENTS

	Page
1.0 INTRODUCTION	1
1.1 Forward	1
1.2 Plan Contents.....	1
1.3 Plan Presentation and Consultation	1
1.4 Bringing into Effect	2
1.5 Plan Administration	2
1.6 Establishing a Planning Boundary.....	3
Figure 1: Map of Town Municipal and Planning Area Boundary.....	3
2.0 PLANNING CONTEXT	4
2.1 Background	4
2.2 Background Information and Data	4
2.3 Development History and Land Use Patterns.....	4
2.4 Land Uses and Activities	4
2.4.1 Housing Types	5
2.4.2 Permits for Construction.....	5
2.4.3 Future Housing Development.....	5
2.4.4 Home Occupations.....	5
2.4.5 Municipal Buildings.....	6
2.4.6 Places of Worship.....	6
2.4.7 Schools	6
2.4.8 Recreation Uses and Services	6
2.4.9 Service Clubs and Organizations	6
2.5 Municipal Finance and Services	6
2.5.1 Municipal Infrastructure and Services.....	6
2.5.2 Transportation Infrastructure.....	7
2.5.3 Fire Protection.....	7
2.5.4 Taxation.....	7
2.6 Demographic Trends	7
2.6.1 Population Characteristics and Counts.....	8
2.6.2 Age Characteristics.....	8
2.6.3 Marital Status (Population 15 years and over).....	8
2.6.4 Census Families in Households	8
2.6.5 Household Characteristics	9
2.6.6 Education	9
2.6.7 Labour Force	9
2.6.8 Occupation	9
2.6.9 Commuting Duration	10
2.6.10 Income	10
2.7 A Strategy for Growth and Change – Municipal Plan	10

TABLE OF CONTENTS (cont'd)

3.0	VISIONS, GOALS and OBJECTIVITIES	11
3.1	Community Vision	11
3.2	Community Goals	11
	Goal A Community Structure and Character	11
	Goal B Economic Development.....	12
	Goal C Housing.....	12
	Goal D Transportation	12
	Goal E Community and Social Services.....	13
	Goal F Environment.....	13
	Goal G Municipal Finance	13
	Goal H Culture, Recreation and Open Space	14
4.0	LAND USE POLICIES	15
4.1	General Land Use Policies.....	15
4.1.1	Growth Management	15
4.1.2	Non-Conforming Use	15
4.1.3	General Environmental Policies.....	15
4.1.4	Subdivision of Land Policies	16
4.1.5	Transportation	17
4.1.6	Other General Land Use Policies.....	18
4.2	Specific Land Use Policies.....	20
4.2.1	Residential Land Use Policies.....	21
4.2.2	Recreation Land Use Policies	22
4.2.3	Conservation Land Use Policies	22
4.2.4	Rural Land Use Policies	23
5.0	IMPLEMENTATION	25
5.1	Administration of the Plan.....	25
5.2	Financial Evaluation for Municipal Capital Works Projects	26
5.3	Development Regulations.....	27
5.4	Procedures for Amending the Municipal Plan.....	27
5.5	Procedures for Considering Re-Zonings.....	27

LIST OF FIGURES

Figure 1: Map of Town Municipal and Planning Area Boundary	3
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1.0 INTRODUCTION

1.1 Foreword

The *Town of Bryant's Cove Municipal Plan 2021-2031* establishes guidelines for the sustainable management of development on lands contained within the Bryant's Cove 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.

In guiding the physical improvement and sustainable growth of the community, the Plan indicates the location and timing of residential development and the general layout and scheduling of capital works to support development such as: maintenance related to municipal servicing, road works, and pursuing economic development especially tourism opportunities.

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 this Plan and are presented in this document.

The Plan additionally serves as the basis for preparation of the companion regulatory planning document, the Development Regulations. The Regulations address land use zones, development standards and terms and conditions, advertisement and subdivision requirements in support of the Plan's policies. A Land Use Zoning Map also accompanies the Regulations. Once registered, Town Council administers the Municipal Plan and Development Regulations through its review of development permits and subdivision applications, and all other proposed land development inquiries.

1.2 Plan Contents

The Town of Bryant's Cove Municipal Plan, 2021-2031, consisting of this document and the associated Generalized Future Land Use Map, constitutes a legal document once approved in accordance with the Act. It proposes the allocation of land for various uses, and includes Council's *vision* (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.

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 current land uses, available mapping and other studies of the community and on Council's perception of the land use problems facing the community, opportunities for improvements to its physical environment, and the direction of future growth. Community and stakeholder consultation has also been sought in the planning process.

Early in 2018, Town Council sent its resolution to hire Plan-Tech Environment Ltd. to prepare a Municipal Plan and Development Regulations to the Department of Municipal and Provincial Affairs. A follow up letter contained the request to initiate an internal provincial consultation process to solicit feedback from various departments and agencies that may have an interest in the municipal planning process.

Various meetings were held with Town staff, Council and residents to determine the most appropriate planning area boundary for the community's resources and capabilities. Upon careful deliberation, Council decided to implement a planning area that is within the Town's means and capabilities and that follows the Town's Municipal Boundary.

Meetings with Council uncovered challenges and opportunities, council priorities and rationale for preparing a Municipal Plan and Development Regulations for the community. As part of its background research Plan-Tech Environment personnel conducted a site visit of the community.

1.4 Bringing Into Effect

Sections 14 to 24 of the Act set out the process for bringing a Municipal Plan and Development Regulations into effect. Upon holding public consultations, and when Council is satisfied with the draft Municipal Plan and Development Regulations, it may submit these documents to the Department of Municipal and Provincial Affairs for Ministerial review and release as per Section 15. Upon successful review, the Minister releases the documents, enabling Council to adopt the proposed Municipal Plan and Development Regulations. Council then gives notice of adoption of the documents, where and when they may be viewed, as well as the date, time, and location of the Public Hearing of Objections, as per section 18 of the Act. Council appoints a commissioner to conduct the Public Hearing and to prepare a written report on any representations made. By resolution, Council approves the Municipal Plan and Development Regulations, then submits them to the Department of Municipal and Provincial Affairs for registration. When notified that the documents are registered, Council gives notice of the registration in the Newfoundland and Labrador Gazette and a local newspaper. The date of publication of the notice in the Gazette is the date the Municipal Plan and Development Regulations come into effect.

1.5 Plan Administration

Upon being registered by the Minister, the Town of Bryant's Cove Municipal Plan is legally binding upon Council and all other persons, corporations and organizations.

Council will administer the Town of Bryant's Cove 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.

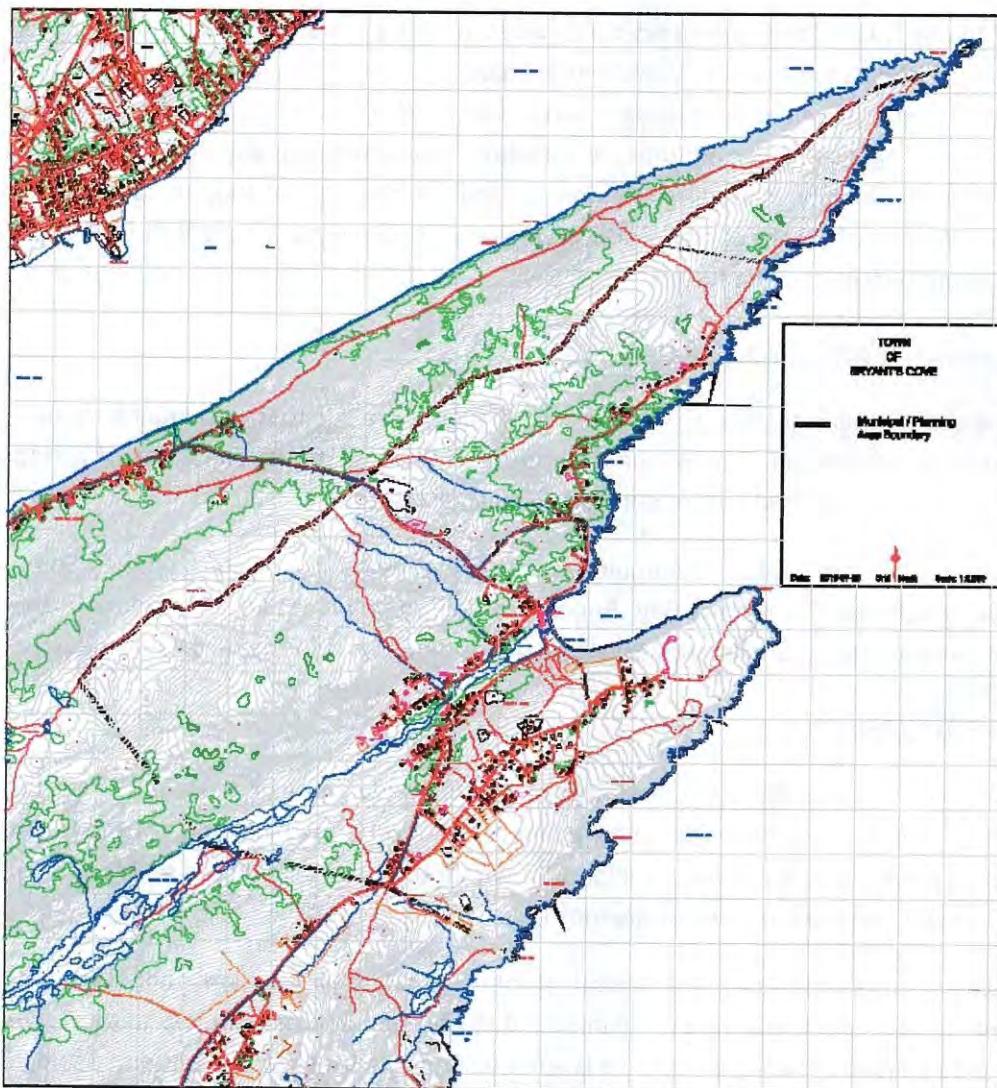
In five years' time, Council will review this Plan and revise it to provide for the next 10-year period in accordance with Section 28(1) of the Act. Amendments may be made at any time prior to the five-year review in response to new development proposals or changed community priorities. These amendments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

1.6 Establishing a Planning Area Boundary

The Town of Bryant's Cove has a defined municipal boundary. Application was made to the Department of Municipal and Provincial Affairs requesting Ministerial approval to establish a Planning Area Boundary for the Town's first Municipal Plan corresponding to its municipal boundary. The request was approved by the Minister of Municipal and Provincial Affairs and gazetted September 27, 2019.

The Planning Area Boundary is governed by Town Council, which exercises control over all development, environmentally sensitive areas, and amenities within the planning area, as illustrated in *Figure 1*.

Figure 1: Map of Town Municipal and Planning Area Boundary



2.0 PLANNING CONTEXT

2.1 Background

The picturesque Town of Bryant's Cove is located on the western side of Conception Bay. Its boundary borders Upper Island Cove to the southeast. By road, it is 20 kilometres north of Bay Roberts and 100 kilometres from St. John's. Its municipal boundary encompasses an area of 4.2 square kilometres. Bryant's Cove was incorporated as a Town in 1977.

2.2 Background Information and Data

Background information was compiled from a number of sources including the Statistics Canada website, the Provincial Department of Finance website, Community Accounts, archival sources, and information supplied by Council and Town staff, and provincial environment staff. Various statistical data as analyzed and prepared by government agencies (such as Statistics Canada) is rounded or approximated for matters of privacy and to protect anonymity in small communities, and for this reason may at times seem anomalous or inconsistent with the community. Conducted site visits provided insight into land uses, activities, and development potential in the future.

2.3 Development History and Land Use Patterns

Research indicates that the original residents of Bryant's Cove settled there due to the abundance of fish, and the fishery became their livelihood. Today, the in-shore fishery is less robust consisting of a crab fishery and the summer recreational food fishery pursued by local residents.

Local employment opportunities are limited and require a commute to neighbouring communities. Some female residents work at fish plants in Witless Bay, Brigus and Coley's Point, while others work in the service occupations in Bay Roberts. Approximately 90% of male residents work in the Alberta oil industry.

2.4 Land Uses and Activities

The current population of the Town of Bryant's Cove is 395 residents or a decrease of -0.3% for the census period from 2011 – 2016. This is not a significant change compared to other municipalities of the North East Avalon. Population density is 80.9 per square kilometre within the town's land area of 148 Km sq. Residential land uses predominate in the Town of Bryant's Cove.

Land uses in the Town of Bryant's Cove are typical of other small Newfoundland and Labrador communities where residential uses predominate. Municipal buildings and lands are limited to the Town Hall and a small park with playground and gazebo. The town is responsible for several roads and a bridge on James Road with imposed weight restrictions.

The town wharf has no harbour authority; however, the Fisherman's Association has expressed an interest in taking over the wharf which is used by locals in the crab fishery and during the cod and caplin fishing season. Over the years, strong wave action and erosion have impacted the wharf and it requires repairs that are currently beyond the means of the Fisherman's Association.

The Harbour Grace – Bryant's Cove Pasture is located at the end of Cove Road and is operated by a joint Harbour Grace and Bryant's Cove committee and is regulated by the Province.

No provincial flood risk mapping has been completed by the Province however, there is also no incidence of recent flooding.

2.4.1 Housing Type

There are a total of 145 private homes that are owner occupied while. The single detached house is the predominant structural type in Bryant's Cove. The majority of private dwellings (125) were constructed between 1961 and 2000, illustrated below.

- 1960 or before = 0
- 1961 to 1980 = 65
- 1982 to 1990 = 30
- 1991 to 2000 = 30
- 2001 to 2005 = 10
- 2006 to 2010 = 0
- 2011 to 2016 = 10

Some dead-end roads off of Point Road in addition to shared driveways in the vicinity of Hawk's Nest Road, create circulation problems and difficulties for winter snow clearing.

There are 2 older mobile homes on Cove Road with no septic systems and no town water supply. There are also 2 or 3 seasonal residents. No buildings in Bryant's Cove are considered to have heritage value.

2.4.2 Permits for Construction

The Town issues building/development permits for new development and renovations or modifications to buildings on private property; but it does not offer construction inspection services. There has been a moderate level of construction in the community over the last few years. The staff reports that the town averages 2-3 new houses per year and no permits were issued in 2019.

2.4.3 Future Housing Development

For residential uses, the minimum land areas is 1,393 m² or 15,000 sq. ft. but most lots are 1,858 m² or 20,000 sq. ft. Each is built with private water and septic systems according to the provincial Department of Health standards which also dictate lot frontage. There is a surplus of vacant land in the community especially on Point Road which is sufficient to accommodate future housing development. Incorporating a land reserve at King's Road will allow access to back-land development.

2.4.4 Home Occupations

In total 3 home occupations are established in Bryant's Cove providing services to local and neighbouring residents. These include a photographer and two music DJ's. There are no other commercial businesses.

2.4.5 Municipal Buildings

Bryant's Cove has one municipal building – the Town Hall. The Recreation Centre was sold a few years ago and was converted into a take-out and restaurant (called Valley Takeout). That use is discontinued and the building is for sale. Community meetings are held in the church hall.

2.4.6 Places of Worship

There is one church in Bryant's Cove, St. Andrews Anglican Church, which has a separate church hall used by the community.

2.4.7 Schools

There are no schools in Bryant's Cove and students are bussed to Upper Island Cove for K-9 at St. Peter's School, and to Ascension Collegiate in Bay Roberts for grades 10 -12.

2.4.8 Recreation Uses and Services

A new playground built 6 years ago beside the Recreation Centre (Valley Takeout) is still used by residents and maintained by the Town. The town sponsors various activities throughout the year including: Canada Day celebrations with a family barbecue at the Bryant's Cove Playground and gazebo, and Santa Claus Parade in November. In summer Jack Lear's Gully and Boy's Pond are used by local kids for swimming.

2.4.9 Service Clubs and Organizations

The lone service club in Bryant's Cove is the Anglican Church Women (ACW). There is also an active Fisherman's Association.

2.5 Municipal Finance and Services

Council and Services

Town Council is comprised of the Mayor, and 5 councillors including a Deputy Mayor. A full time Town Clerk manages the Town's administrative functions. Municipal services are tendered and contracted out.

2.5.1 Municipal Infrastructure and Services

Municipal water is available in approximately $\frac{1}{2}$ of the town in the vicinity of Point Road and Bryant's Cove Road (locally known as Main Road). This water supply is from two artesian wells, located on Snowy Road, and in close proximity to each other. The Department of Environment and Climate Change requires a referral on any development within a 30 metre buffer of these wells.

Upper Island Cove is the source of back-up water and there is no charge to the community. In cases where municipal water is not available, artesian wells are used and so far, no arsenic has been reported in these wells. Testing of municipal water is carried out by the Town of Bryant's Cove.

2.5.2 Transportation Infrastructure

Route 70, the Conception Bay North Highway is an arterial route that provides access to the town via Bryant's Cove Road route 70-20, locally referred to as Main Road. Although it is a Class II Road, Route 70-20 is not a protected roadway under the Province's Protected Road Zoning Regulations. The maintenance and upkeep of Route 70-20 is a provincial responsibility.

In the Town of Bryant's Cove, 3 roads are considered collector roads: Bryant's Cove Road (Main Road), Point Road and Cove Road as they provide major access through the local road network. Other roads are considered local and include:

- Noseworthy's Road	- King's Road
- James Road	- Hawk's Nest Road
- Snowy Road	- Whalen's Road
- Blueberry Road	- Cemetery Road
- Yetman's Road	- Church Road
- Stones Road	- Parsons Road

Other than Bryant's Cove Road, route 70-20, all roads within the Town boundary are maintained by the municipality.

2.5.3 Fire Protection

The Town pays Upper Island Cove for fire protection services as it has no local municipal fire department. There have not been many fires in the last few years and response time seems to be good.

2.5.4 Taxation

The Provincial Municipal Assessment Office is responsible for the assessment of all properties in the community. The Town's municipal tax revenue is derived from residential uses and commercial uses. The current property tax is \$7.00 per thousand dollars of assessed value with a minimum property tax of \$375.00 per year. The business tax is \$200.00 per year and water tax equals \$250.00 per year.

In its 2019 budget prepared for the Department of Environment and Climate Change, Council predicts revenues from all sources at **\$266,940** leading to a balanced budget in 2019. Council endeavours to provide its residents with a good level of service for the amount of revenue it generates.

The approval and adoption of a Municipal Plan and Development Regulations, will enable Council to direct development to appropriate locations on the land, issue development permits and collect fees, and mitigate the potential adverse effects of development through sound management practices.

2.6 Demographic Trends

The following demographic data is based upon information available on the Statistics Canada website and is based on census data collected in 2016 and compared to 2011 data. The Provincial Department of

Finance website, Community Accounts was also reviewed. This data is organized according to Local Areas and is based on postal codes. Thus Bryant's Cove falls into Local Area 7 Harbour Grace Area Profile and condenses information for Bay Roberts, Bristol's Hope, Bryant's Cove, Harbour Grace, Upper Island Cove and surrounding unincorporated areas. Therefore, only the Statistics Canada census information was used in the following analysis. Selected demographic indicators are compared for provincial trends and the municipality.

2.6.1 Population Characteristics and Counts

A review of the Statistics Canada 2016 census data offers the following analysis of the socio-economic conditions for Bryant's Cove.

The 2016 population of Bryant's Cove was 395 residents, a decrease of only 1 resulting in a population change of -0.3% for the census period. This is not a significant change compared to other municipalities of the North East Avalon, for instance Salmon Cove experienced a -2.2% drop in population, -4.9% decrease in Hant's Harbour, -9.3% in Heart's Content, -2.1% in South River, and -2.1% for Upper Island Cove. The province experienced a 1.0% increase in population for the same time period.

2.6.2 Age Characteristics

The total population of 395 residents represents 195 males and 200 females. According to total age groups, the largest population group is 15-64 years with 270 individuals or 64.8% of the total population with an even number of men and women. The age group 0-14 years has 60 individuals with a distribution of 15.2% and an even number of males and females. However, the age group 65+ years includes 65 individuals or 16.5% of the total population. There are 35 females in this group and 30 males. There are no residents over the age of 85. Thus the seniors and elderly population is larger than population of children and young teens, which is common for the province. Like the province as a whole, Bryant's Cove has an aging population. The average age of population is 42.5% for Bryant's Cove and slightly higher for the province at 43.7%.

2.6.3 Marital Status (Population 15 year and over)

There are 335 individuals aged 15 years and over in Bryant's Cove. 230 of those are married or in a common-law relationship. While 110 report they are not married or living common-law and of those 70 have never married, 5 are separated, 10 are divorced and 25 are widowed.

2.6.4 Census Families in Households

According to the 2016 Census, there were a total of 162 private dwellings in Bryant's Cove.

Of those private dwellings, 148 were occupied by the usual residents. There are a total of 155 private households, and 145 are owner occupied while 15 are occupied by renters.

In Bryant's Cove, there are a total of 130 families living in private households. While there 115 are couples living in private households, 15 lone parent families, and 30 singles of whom 20 are women and 10 are men.

2.6.5 Household Characteristics

The average household size is 2.7 (3) persons in Bryant's Cove and 2.3 (2) for the province. The 3-bedroom home is the most prevalent in the community with 70 of them. In terms of housing affordability, 140 households spend less than 30% of income on shelter costs which is the Canada Mortgage and Housing Corporation (CMHC) benchmark for housing affordability. Meanwhile 15 households spend 30% or more of income on shelter costs, and 10 households spend between 30% and 100% on shelter costs. There is a high rate of home ownership as only 31% of households have a mortgage.

The median value of dwellings in Bryant's Cove is \$150,195 while for the province it is \$219,288. The average value of dwelling in Bryant's Cove is \$189,166 while for the province it is \$243,157. Thus value of housing in the community is affordable compared to the province as a whole.

2.6.6 Education

Information gathered by Stats Canada regarding education levels achieved by residents of Bryant's Cove reveals that approximately 31% of the population aged 15 years and older has no high school certificate or equivalent, 23% of this group has completed high school or the equivalent, and 55.2% have completed postsecondary training including trades, college or university.

The major fields of study are architecture, engineering and related technical with 26.9% of the population aged 15 years and over, and 16.3% for both construction trades and health and related. Meanwhile 6% pursued training in education and 6% pursued math, computer sciences and tech support.

2.6.7 Labour Force

For the population 15 years and older, 65.7% of male residents compared to 30.7% of female residents indicated that they are in the labour force. Of those, 90 men and 60 women are employed while 25 men and 10 women are not employed. The employment rate for Bryant's Cove is 40.5% while it is higher for the province as a whole at 49.5%, and the unemployment rate for Bryant's Cove is 16.7% which is higher than the 15.6% rate for the province.

2.6.8 Occupation

Looking at the North American Industry Classification data for those aged 15 years and older, the most prevalent occupation is construction (55 residents) followed by health care and social assistance (25 residents) and manufacturing (20 residents). Construction and manufacturing are predominantly male occupations, while health care is predominantly a female occupation. Fifteen residents identified accommodation and food services as their primary occupation and 10 residents identified agriculture, forestry, fishing and hunting as their primary occupation.

2.6.9 Commuting Duration

Approximately 35.7% of Bryant's Cove residents commute to work for a duration of 15 to 29 minutes and 39.3% have a commute that takes over an hour. And only 10 residents reported that they work from home.

2.6.10 Income

In Bryant's Cove the average employment income reported in 2015 for full-year, full-time work was \$70,494. When aged by gender, the average yearly income for male residents was \$111,592 and \$34,225 for female residents. Provincially, the average income was \$67,716 for full time work in 2015, and \$80,565 for men and \$54,077 for women. Although the average employment income for the municipality is greater than for the province as a whole, women employed elsewhere in the province earn more.

For Bryant's Cove in 2015 the median total income per household was \$97,024 while for the province it was \$67,272. The average total income per household in 2015 for Bryant's Cove was \$108,255 and \$87,392 for the province. Approximately 20 households have an income of \$30,000 (or less) per year.

And in 2015, the average total income of economic families for Bryant's Cove was \$122,472 and \$102,559 provincially. Thus both households and economic families in Bryant's Cove achieve higher average income levels than for the province as a whole.

Summary

The community has experienced a slight loss of population since the 2016 census and much less than many other small communities in Newfoundland and Labrador. The community is dominated by residential uses and three exiting home occupations uses. There are no commercial uses or personal service businesses in the community. The Valley Take-out restaurant ceased operating and is currently for sale. Municipal buildings are limited to the Town Hall and there are no municipally owned leisure or recreation buildings, however, the town created the popular Bryant's Cove Playground and gazebo which is used for community functions. The church hall is used for community meetings, gatherings and socials. Quality of life indicators show that as a whole, residents enjoy household incomes that are relatively higher than in other municipalities, good jobs backed by post-secondary education, good quality and affordable housing in a picturesque and serene environmental setting.

2.7 A Strategy for Growth and Change - Municipal Plan

The development strategy for the Town of Bryant's Cove, Municipal Plan 2021-2031 is to continue to reinforce the patterns of development that have evolved over the last number of decades. The emphasis will be on retaining and strengthening current land use patterns to minimize the inefficient use of land and services. Provision of community services, the enhancement of recreation and open space opportunities and the protection of significant environmental features and lands will be the focus of this plan.

3.0 VISION, GOALS AND OBJECTIVES

This section outlines the Town's planning vision, goals, and objectives that will be pursued for the period. The vision statement establishes a broad picture of the community's future – which Council will try to achieve by following the policies and proposals outlined in the Municipal Plan. A goal is defined as a desired outcome that reflects Council's long term interests for the community related to specific topics or areas of concern. While objectives are concrete and realistic actions that help achieve a goal and make it a reality.

3.1 Community Vision

Bryant's Cove Town Council has prepared a Vision Statement to govern the Municipal Plan throughout the planning period and into the future. The Vision Statement is crafted upon the Town's Integrated Community Sustainability Plan 2010 (ICSP), discussions with Town Council, staff and input from residents.

Vision Statement

Council has adopted the following Vision Statement to provide planning rationale for the community until 2030:

- *To protect the environment through municipal policies and public education ensuring that Bryant's Cove is an environmentally-friendly community;*
- *To develop or facilitate recreational and social programs that promote physical and mental fitness for residents of all ages;*
- *To celebrate the Town's culture through events that involve and attract residents and visitors;*
- *To achieve community goals and strengthen community relationships through ongoing public engagement; and*
- *To operate strategically respecting financial goals based upon public input.*

To achieve this Vision, the following goals and objectives are proposed that form foundation for land use policies that will guide planning in Bryant's Cove over the next decade.

3.2 Community Goals

The goals and objectives are based upon a comprehensive background study of the Bryant's Cove Planning Area and are also consistent with the intent of the ICSP.

Goal A: Community Structure and Character

To encourage community growth that ensures orderly development, efficient provision of municipal services, respect for the natural environment, and compatibility between land uses. To control future growth of the town in a manner that results in an attractive community. And to protect the natural environment and natural resources throughout the Planning Area.

Objectives:

- To allocate land for future development based on its best use considering its physical characteristics and location.
- To preserve the rural character of the town allowing residents to maintain activities such as small-scale traditional uses without creating problems for neighbouring residents.
- To encourage growth in Bryant's Cove that will ensure orderly development, economic use of municipal services, compatibility between land uses, and retention of the attractive features of the town's setting.

Goal B: Economic Development

To promote Bryant's Cove as an attractive place to live drawing on its pleasing residential environment, natural and scenic character, municipal services, and reasonable cost of living.

Objectives:

- To promote the continued operation of existing home occupations.
- To encourage the creation of additional home occupations, where feasible new commercial enterprises.

Goal C: Housing

To promote the provision of adequate quality, quantity and mix of housing that serves the needs of the present and future populations.

Objectives:

- To maintain the present high standard of housing in the community through residential site design and a good standard of municipal servicing.
- To provide an adequate amount of land to accommodate new residential development within the municipality.
- To encourage a mix of housing types within the municipality including housing for seniors.

Goal D: Transportation

To provide a safe and efficient network of local roads that adequately serves the residents of Bryant's Cove.

Objectives:

- To maintain existing municipal roads through a regular maintenance and improvement program.
- To improve the road network by connecting streets which require a second access.
- To reserve land for future access to back-lands.

Goal E: Community and Social Services

To provide a range of community services to Bryant's Cove residents.

Objectives:

- To ensure that land is reserved throughout the town for recreation, open space, and cultural uses.
- To facilitate the multi-functional use of existing community buildings (churches, community halls, etc.).

Goal F: Environment

To encourage community values that protect and conserve the natural environment and enhance important and sensitive environmental resources.

Objectives:

- To discourage development in areas with slopes greater than 15 percent, recognizing that development in such areas can result in environmental damage and higher costs for servicing and maintenance.
- To maintain a minimum 15 metre buffer of land from the highwater mark of ponds, lakes, streams and shorelines to be kept generally free from development, that allows public access to these important natural features of the planning area.
- To ensure that natural areas such as drainage courses, rocky outcrops, rugged shorelines, and steep slopes are protected from development to preserve the environment and mitigate effects of climate change.

Goal G: Municipal Finance

To manage municipal expenditures and revenues so as to provide necessary municipal services within a framework of long-term financial stability.

Objectives:

- To manage municipal expenditures with diligence, aiming for maximum return on investment.

- To provide municipal administration and services effectively, efficiently and equitably to all residents within the financial capacity of the Town Council.

Goal H: Culture, Recreation and Open Space

To provide or facilitate leisure and recreation opportunities that address the needs of all residents of Bryant's Cove and that are within the Town's financial capabilities.

Objectives:

- To facilitate the provision of cultural and recreation programs by community-based groups, that are accessible and affordable to residents.
- To develop and maintain facilities and natural areas that promote both active and passive recreation opportunities.

4.0 LAND USE POLICIES

This chapter provides the policy framework necessary to define planning for the Town of Bryant's Cove by translating the Goals and Objectives into specific planning policies. The policies are viewed by Council as necessary to ensure the physical development of the Town is carried out in an efficient and economic manner during the Planning Period (2021-2031). A Generalized Future Land Use Map illustrates specific designations for the use of land in the municipality. These policies are also reflected through regulations set out in the Town's Development Regulations.

4.1 General Land Use Policies

The following policies are general in scope and apply to all areas within the Bryant's Cove Planning Area.

4.1.1 Growth Management

Policy G-1: It is Council's policy to direct new development in accordance with the Generalized Future Land Use Map (as amended from time to time) and in accordance with the policies of this Plan. Generally speaking, new residential development will be located in areas of town that can be easily and economically be serviced with municipal water.

Policy G-2: It is Council's policy to require that site plans for infill and land development meet the approval of Council. Developments must be compatible with the existing character of surrounding buildings and comply with Council's objectives and development standards for the area with respect to lot size, frontage, road width, alignment, installation of municipal water and on-site services, and other matters concerning current or future public works.

4.1.2 Non-Conforming Uses

Policy G-3: It is Council's policy, 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 designation 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.

4.1.3 General Environmental Policies

Conservation values are inherent in this Municipal Plan. Priority is given to protecting sensitive areas from potential negative impacts of development and climate change. This Municipal Plan pays particular attention to protecting sensitive and scenic areas, including watercourses (rivers, streams, etc.), water bodies (lakes, ponds, etc.), coastlines, flood risk areas, and wetlands from the potentially adverse impacts of development.

Policy G-4: It is Council's policy to encourage the preservation of natural features such as natural shorelines, wetlands, and view planes, among others, in order to preserve natural areas for future generations. New development shall be required to minimize impacts on the environment.

Policy G-5: It is Council's policy that any development or land use activity will be separated from any water body, watercourse, tributary, wetland and coastline by a buffer, the requirements for which shall be set out in the Development Regulations. Council shall prohibit development in areas exposed to ocean surges, flooding or other significant natural dangers. Proposed development activity in the water, or within a required buffer area, will be referred to the Department of Environment and Climate Change for consideration under Section 48 of the Water Resources Act, 2002.

4.1.4 Subdivision of Land Policies

The process and result of dividing a parcel of land into smaller buildable sites, streets, open space and public areas is known as the "subdivision of land."

Policy G-6: It is Council's policy that all proposed subdivisions of lands for residential, recreation, rural and conservation uses will be subject to a comprehensive evaluation. The extent of the evaluation will depend upon the scale of the proposed development, the environmental sensitivity of the area, and the nature of any public concerns identified. 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;
- (b) The layout of proposed lots and roads with respect to the topography and natural features of the land;
- (c) The integration of the proposed subdivision development with existing developments, roads and municipal services and the provision of future access to undeveloped back-land areas;
- (d) Potential effects on environmentally sensitive resources;
- (e) Potential compatibility or conflict with surrounding land uses, both existing and future;
- (f) The proponent's proposal for water and on-site services and appropriate provincial permits; and
- (g) The estimated long-term costs to the Town to maintain the proposed roads and water services infrastructure.

Policy G-7: Development Agreements

It is Council's policy to require an applicant to enter into a development agreement with the Town as a condition of approval. An agreement shall 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.

Policy G-8: Council Decision

It is Council's policy to review each subdivision and development application on a case-by-case basis. Upon review, Council may:

- (a) Approve the development as proposed;
- (b) Approve the development with terms and conditions;
- (c) Defer a decision subject to more detailed information; or
- (d) Not approve the development if Council concludes that the development is unsuitable for the location, will be prohibitively expensive to service, or will create environmental or other problems that cannot be sufficiently corrected or mitigated.

Policy G-9: Storm Water Drainage

It is Council's policy that all development including buildings, driveways, parking areas, grading of land and excavation of drainage ditches is carried out in a manner that does not cause an excessive increase of storm water runoff affecting adjacent properties, steep or unstable slopes, nearby watercourses, and other sensitive areas.

Policy G-10: Municipal Services and Costs

It is Council's policy that developments requiring new street extensions, and municipal water services will be constructed to standards set out in the Development Regulations and shall be the financial responsibility of the developer. Ownership of new streets and service infrastructure will be required to be transferred, at no cost to the Municipality, upon satisfactory completion.

4.1.5 Transportation

Route 70-20, Bryant's Cove Road, connects the Town with the adjoining municipalities of Upper Island Cove to the west and Harbour Grace South to the north. Route 70-20, is classed as a Provincial Highway and is maintained by the Department of Transportation and Infrastructure. All other roads in the town are owned, maintained and upgraded by the municipality.

The municipal road system is meant to facilitate the efficient movement of people and goods throughout the Planning Area. 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 future proposed roads is necessary.

Three roads in the Town of Bryant's Cove are considered collector roads – they are Bryant's Cove Road (locally known as Main Road), Point Road and Cove Road. All other roads are considered local roads.

Policy G-11: It is Council's policy to adopt the street hierarchy: collector roads and local roads for the purpose of planning financial expenditures and the accommodation of certain land uses.

Policy G-12: It is Council's policy to adopt road design and construction standards appropriate to road function and access management guidelines prepared by the Provincial Department of Transportation and Works to effectively address future development.

Policy G-13: It is Council's policy to establish priorities for long-term road maintenance.

Policy G-14: It is Council's policy 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 a condition of approval.

Policy G-15: It is Council's policy to ensure that appropriate public road reservations are maintained to provide road connections to back-land areas with future development potential.

4.1.6 Other General Land Use Policies

Policy G-16: Easements and Emergency Access

Where land is required for utility easements or emergency access, it is Council's policy to permit such land to be acquired for the appropriate agency in the course of approving subdivision or other development applications.

Policy G-17: Appropriate Siting of Development

It is Council's policy 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-18: Frontage on a Public Street

It is Council's policy that all development must front on a publicly maintained street, unless otherwise specified in this plan.

Policy G-19: Soils and Drainage

It is Council's policy to permit development only on lands having soil and drainage conditions that are suitable for the proper siting and development of the proposed use.

Policy G-20: Public Access to Shorelines

It is Council's policy to ensure that public access for recreation use along shorelines is allowed provided that access does not contravene environmental legislation and does not unreasonably affect the use and enjoyment of adjacent private lands by property owners.

Policy G-21: Water Resources

It is the policy of Council that a proponent shall apply for and obtain a permit under the Water Resources Act, 2002, specifically Section 48 for any work in any body of water, including wetland, prior to the start of construction. Any effluent or runoff leaving the site shall be required to conform to the requirements of the Environmental Control Water and Sewage Regulations, 2003.

Policy G-22: Infilling Within 15 metres of Bodies of Water

It is the policy of Council's that no infilling work within 15 metres of a body of water shall be allowed prior to applying for permitting to the Department of Environment and Climate Change, Water Resources Management Branch, and Section 48 of the Water Resources Act, 2002. Any proposed infilling within 15 metres of a body of water shall comply with the Department's Policy for Infilling Bodies of Water.

Policy G-23: Non-Domestic Use of Water for Any Purpose

It is Council's policy that prior to the start of construction, the proponent shall apply for and obtain a water use license under the Water Resources Act, 2002, for the use of water from any source for any purpose. This applies to all nondomestic uses with an existing, new, or planned water use from any source.

Policy G-24: Development in Shore Water Zones

It is the policy of Council that no development shall be permitted in shore water zones prior to the proponent's submission for permitting with the Department of Environment and Climate Change, Water Resources Management Branch, under Section 48 of the Water Resources Act, 2002. Any proposed work in the shore water zones shall comply with the Department's Policy for Development in Shore Water Zones.

Policy G-25: Wharf/Boathouse/Slipway/Breakwater

Proponents seeking to develop these structures must follow the guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses mandated by the Water Resources Act, 2002.

Policy G-26: Survey Control Marker

It is Council's policy that development works within the Town that disturb an existing Control Survey Marker must be reported to the GIS and Mapping Division, Department of Fisheries, Forestry and Agriculture.

Policy G-27: Archaeological/Historic Sites

It is the policy of Council to follow the directive of the Provincial Archaeology Office (PAO) that has identified five archaeological sites within the Cow Head Municipal Planning Area, which are protected under the Historic Resources Act 1990 and are not to be made public. Furthermore, any major land development or public works project(s) that involves ground disturbance (on land or under water), or any accidental discoveries of historic resources shall be reported to the PAO to ensure that appropriate measures are taken to protect historic resources or recommend when archaeological work is required to identify and safeguard any sites yet to be discovered.

Policy G-28: Digital Government and Service NL

It is the policy of Council to advise proponents to seek approvals from the Regional Office of Digital Government and Service NL to acquire all relevant permits prior to starting a development.

Policy G-29: Home Occupations

It is Council's policy that businesses in the form of home occupations may be considered in any residential dwelling or in an accessory building where such businesses will have no negative impacts on traffic, noise, odour, lighting, or signage.

Policy G-30: Wellhead Protection

The Future Land Use Map identifies three wellheads around Point Road and Snowy Road which are protected under the *Water Resources Act, 2002*. It is Council's policy that any development within 300 metres of the wellheads shall be referred to the Water

Resources Management Division, Department of Environment and Climate Change for approval under the *Water Resources Act, 2002*.

4.2 Specific Land Use Policies

Lands in the Bryant's Cove Planning Area shall be managed in accordance with the proposed land uses shown on the Generalized Future Land Use Map and the land use policies of this Municipal Plan. Four land use designations have been determined for the municipality of Bryant's Cove. They are:

- Residential (RES)
- Recreation (REC)
- Conservation (CON)
- Rural (RUR)

The specific policies that apply to each of these land use designations are described in the following sections.

4.2.1 Residential Land Use Policies

General Intent

Land is designated Residential throughout the town to provide for a mix of housing types that respond to the needs of 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.

The areas designated as Residential on the *Generalized Future Land Use Map*, shall be further categorized on the *Land Use Zoning Map* as the following zone:

- Residential - RES

The detailed requirements of this zone are outlined in the Schedule C of the Development Regulations.

Policy RES-1: It is Council's policy that within the Residential designation permitted uses shall include Single Dwelling and Recreation Open Space.

Policy RES-2: It is Council's policy that discretionary uses shall include Double Dwelling, Row Dwelling, Mini Home and Modular Home, Place of Worship, Educational, Convenience Store, Child Care Facility, Home Occupation, Long Term Care Facility, Senior Housing, Restaurant/Coffee Shop, Utilities, Antenna, and Traditional Agriculture as detailed in Schedule C the Development Regulations.

Policy RES-3: When evaluating proposals for new development in Residential areas, Council shall pay particular attention to the compatibility of uses to ensure that non-residential uses do

not create excessive noise, pollution or a hazard to adjoining properties and, if necessary, uses are adequately separated and buffered from surrounding residential development in the form of side-yards, screening, or landscaping buffers.

Policy RES-4: Before permitting any non-residential development, Council will be satisfied that its requirements with respect to building setbacks, buffering between uses, off-street parking, outdoor storage and other site related matters can be met as outlined in Schedule C of the Development Regulations.

Policy RES-5: Council shall not issue a permit where it is of the opinion that the proposal will have an adverse or detrimental effect on adjacent properties.

4.2.2 Recreation Land Use Policies

General Intent

In Bryant's Cove the availability of recreation facilities, their quality and location will determine their use by residents and potential programming options.

The areas designated as Recreation on the *Generalized Future Land Use Map*, shall be further categorized on the *Land Use Zoning Map* as the following zone:

- **Recreation - REC**

The detailed requirements of this zone are outlined in the Schedule C of the Development Regulations.

Policy REC-1: It is Council's policy to permit Recreation Open Space and Conservation uses in the Recreation land use designation.

Policy REC-2: It is Council's policy that discretionary uses shall include Indoor Assembly, Outdoor Assembly, Cultural and Civic, Take-out Food Service, and Antenna.

Policy REC-3: It is Council's policy to continue to support through financial contribution, recreation and cultural facilities and activities for the enjoyment of Bryant's Cove residents. Council shall:

- (a) Evaluate on a yearly basis, the outcome of events and activities such as Canada Day celebrations and the Christmas parade to assess their impact and to consider potential changes.
- (b) Ensure that municipal parks, open spaces and recreation facilities are adequately maintained.

4.2.3 Conservation Land Use Policies

General Intent

The Bryant's Cove Planning Area has an abundance of open space, and coastal and freshwater shorelines. Council's intent is to protect and enhance these shoreline areas.

The areas designated as Conservation on the *Generalized Future Land Use Map*, shall be further categorized on the *Land Use Zoning Map* as the following zone:

- **Conservation - CON**

The detailed requirements of this zone are outlined in the Schedule C of the Development Regulations.

Policy CON-1: It is Council's policy that within the Conservation Land Use designation, permitted uses shall include Conservation.

Policy CON-2: It is Council's policy that discretionary uses shall include: Agriculture, Forestry, Transportation, Cemetery, and Antenna.

Policy CON-3: It is Council's policy that environmentally sensitive lands or areas important for wildlife habitat are designated as Conservation and are to be left in a relatively natural state for scenic purposes, and for the protection of steep slopes and rock outcrops, wetlands, waterways and coastal areas or the need to provide buffers between potentially incompatible land uses.

4.2.4 Rural Land Use Policies

General Intent

Lands located outside of the built-up areas of the town are designated Rural. The intent of this designation is to ensure the affected lands remain undeveloped for traditional rural based purposes such as agricultural uses, forestry, habitat conservation, mineral exploration and mineral workings. Residential encroachment into rural areas will be minimized to reduce the loss, fragmentation and degradation of the natural environment.

The areas designated as Rural on the *Generalized Future Land Use Map*, shall be further categorized on the *Land Use Zoning Map* as the following zone:

- **Rural - RUR**

The detailed requirements of this zone are outlined in the Schedule C of the Development Regulations.

Policy RUR-1: It is Council's policy that within the Rural designation, permitted uses shall include Agriculture, Forestry, Mineral Exploration and Mineral Workings, Recreation Open Space,

Cemetery, Veterinary Clinic, and Conservation provided that adequate separation is maintained between these uses and built-up areas.

Policy RUR-2: It is Council's policy that discretionary uses shall include: Single Dwelling (subject to conditions), Outdoor Market, Outdoor Assembly, Animal, Utilities, Transportation, and Antenna.

Policy RUR-3: It is Council's policy to permit single dwellings in conjunction with a permitted use where access and provision for water and on-site services and provision for waste disposal are adequate and supplied by the developer, and where such uses are subject to terms and conditions outlined in Schedule C of the Development Regulations.

Policy RUR-4: It is Council's policy to maintain and protect the Harbour Grace Bryant's Cove Pasture by designating those lands as Rural.

Policy RUR-5: It is Council's policy to encourage conservation of natural features such as steep slopes and rock outcrops, natural shorelines, waterbodies, watercourses, and wetlands and flood risk areas in order to preserve natural areas for future generations.

5.0 IMPLEMENTATION

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

- (a) Effective administration of the Plan;
- (b) The adoption of a five-year capital works program, updated annually;
- (c) The adoption of Development Regulations;
- (d) The procedure for considering amendments to the Plan; and
- (e) Working in partnership with citizens, groups, and organization 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 shall be read only in conjunction with the Goals, Objectives and Policies outlined in this document. All development applications shall be carefully evaluated as to their conformity to the Plan. Council shall require the full conformity of all proposals to the Plan.

The boundaries of land use designations shown on the Generalized Future Land Use Map 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 that 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 Bryant's Cove in the best long-term interests of its citizens.

All persons wishing to develop land for any purpose within the Bryant's Cove 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 the 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 and will be signed by both the developer and Council. This agreement shall establish the conditions under which development may proceed and shall be binding on both parties. Conditions governing development attached to the development permit and shall be enforced.

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

5.2 Financial Evaluation for Municipal Capital Works Projects

In order to suitably implement the goals and objectives of the Plan, an annual public works program will be adopted and implemented by Council. This will include a financial overview and preparation of a *Financial Evaluation for Municipal Capital Works Projects* which outlines proposed capital works to be undertaken by Council subject to the availability of government funding. The Evaluation will include a five-year program of works to be undertaken as required under the *Municipalities Act, 1999*.

The proposed capital works budget is intended to maintain existing municipal infrastructure in the community and provide the same level of services to residents. In its 2020 budget Council will determine where potential changes or upgrades are required. Council's obligations are with respect to protective services, transportation services, environmental health, planning and development, and recreational and cultural services.

In its *Proposed 2021 Municipal Capital Works Projects* Council wishes to continue its program of infrastructure improvements to its water system for the next 5-year period to provide these services to all residents. 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, should 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 principle source from which funds could be realized for this purpose is new development. Minor public works should be financed from current accounts 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) Additional borrowing to undertake major public works shall preferably be based on government guaranteed loans.
- (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 Environment and Climate Change agreement between the Town and Department.

(f) For subdivision development, Council shall pursue a break-even policy for development that will require the developer to pay for the installation of all services to municipal standards.

5.3 Development Regulations

Once this Municipal Plan has been adopted, Council will proceed to adopt the 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 Bryant's Cove Municipal Planning Area.

All land within the Planning Area will be covered by land use zones which will provide for such detailed requirements as lots 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 Procedures 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 as per Section 25 of the *Urban and Rural Planning Act, 2000*.

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 notice 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 that 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.

5.5 Procedure for Considering Re-Zonings

Development Regulations can be changed through text amendments (e.g.: 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. In order to consider any proposals to amend the Development Regulations, Council shall require a clear proposal to be submitted that shows:

- (a) The location of the subject property, to scale, showing lot dimensions, area, street frontages;
- (b) The proposed means by which the site is/will be serviced;
- (c) The proposed location of all driveways and parking areas;
- (d) Areas that are to be landscaped or left in a natural state;
- (e) The proposed location of all buildings on a site;
- (f) Identification of adjoining land uses; natural hazards; or sensitive natural areas; and
- (g) The identification by a qualified consultant, of steep slopes and construction methods that will be employed to ameliorate potential negative or hazardous effects of the proposed development.

When considering proposals for developments that necessitate amendments to the Development Regulations, Council shall give regard to the goals, objectives, policies and programs outlined in this Municipal 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.