

Town of McIver's
Municipal Plan
2020-2030



CONTACT INFORMATION:
100 LEMARCHANT ROAD | ST. JOHN'S, NL | A1C 2H2 |
CANADA
P. (709) 738-2500 | F. (709) 738-2499
WWW.TRACTCONSULTING.COM

**TOWN OF MCIVER'S
RESOLUTION TO APPROVE
MUNICIPAL PLAN, 2020-2030**

Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of McIver's:

- Adopted the Town of McIver's Municipal Plan, 2020-2030 on the 30th day of August, 2021;
- Gave notice of the adoption of Municipal Plan, 2020-2030 by posting a Notice of the Hearing at the Town Hall, the Town's Website, and advertised in the 'West Coast Wire' on September 8 and September 20, 2021.
- Scheduled the 15th day October, 2021 for submission to the McIver's Town Hall, of objections and submissions to the Commissioner regarding the Municipal Plan, 2020-2030.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of McIver's approves the Municipal Plan, 2020-2030, as adopted.

SIGNED AND SEALED this 6th day of April, 2022.

Mayor:

Susan Park-White

Municipal Clerk:

Jill Lyn Lowell

**Municipal Plan/Amendment
REGISTERED**

Number 3065-2022-000

Date 21 JUNE 2022

Signature D. Blanchard

(Council Seal)





**TOWN OF MCIVER'S
RESOLUTION TO ADOPT
MUNICIPAL PLAN, 2020-2030**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of McIver's adopts the Town of McIver's Municipal Plan.

Adopted by the Town Council of the Town of McIver's on the 30th day of August, 2021.

Signed and sealed this 6th day of April, 2022

Mayor: Susan Parker-Jones

Municipal Clerk: Jacilyn Lowell

(Council Seal)

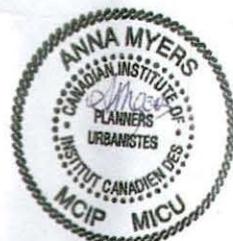
CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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

MCIP:

AMyers

Member, Canadian Institute of Planners (MCIP)





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1.0 INTRODUCTION

1.1 THE PURPOSE OF THE MUNICIPAL PLAN AND COMMUNITY VISION

The purpose of the Municipal Plan is to enable the community to pursue sustainable choices to meet the needs of the Town for the next 10 years. This updated Plan provides an up to date, comprehensive policy framework to influence, manage, and regulate future growth and change in the Town of McIver's.

The Town of McIver's Municipal Plan Review process is mindful of the Community Vision as set out the Town's Integrated Community Sustainability Plan:

'McIver's is a safe, thriving, and caring community that prospers economically, socially and culturally by valuing its quiet, rural setting, history, culture, environment and natural beauty.'

- a. *We encourage constructive change that blends with the Region through economically and environmentally sound sustainable development.*
- b. *We will:*
 - i. *capitalize on our strengths, which are considerable confront, and attempt to minimize our challenges*
 - ii. *practice sound planning and provide municipal services within the limits of our fiscal capacity and*
 - iii. *welcome development opportunities that are in keeping with the small-scale and residential character of Town.'*

1.2 AUTHORITY

The Municipal Plan and Development Regulations are legal documents created under the authority of the *Urban and Rural Planning Act, 2000*. The policies and development requirements contained in the documents and mapping are binding upon the Town Council, residents and on any person undertaking a development within the Municipal Planning Area boundary (Section 12 of the Act).

The Municipal Plan guides the future growth and physical improvement of the Town by identifying locations and setting out policies for various types of land use development. These locations are shown as land use designations on the Future Land Use map found in Appendix B.

The Municipal Plan provides the basis for the Development Regulations which provide more refined zoning within the land use designations indicating permitted and discretionary uses in each zone, development standards and conditions, and criteria for the evaluation of subdivision and development applications.

The Municipal Plan authorizes Council to prevent the undertaking of any development that contravenes a policy stated in the Municipal Plan.



The *Urban and Rural Planning Act, 2000* requires the preparation of Development Regulations to ensure that land is controlled and used in compliance with the Plan (Section 35); these form a separate companion document to the plan. The Development Regulations enable the Council to administer the policies of the Municipal Plan.

The Municipal Plan (2020-2030) that comes into legal effect upon publication of the notice of registration in the Newfoundland and Labrador Gazette.

1.3 THE MUNICIPAL PLANNING PROCESS

The process for preparing a plan is set out in Part III of the Act (Sections 14 – 25) which must be undertaken by a certified planner in good standing with the Canadian Institute of Planners.

A comprehensive Background Report was prepared to inform the Municipal Plan review (note that the Background Report is not a legal document). The Background Report for the Town of McIver's was submitted to the Town and the Provincial Government. It provides the key findings of statistical research, community site visits and discussions with the Town, Provincial agencies and with community representatives, including public consultation. The Background Report contains a review of land use, development and infrastructure servicing issues and a socio-economic profile of the Town of McIver's. The Background Report provides the foundation for preparation of this plan update.

In preparation for the Municipal Plan Review, the Local Governance and Planning Division referred the Town of McIver's review notice to the Interdepartmental Land Use Committee (ILUC). ILUC consists of about 16 government departments and agencies with land use and development jurisdiction. As the ILUC report is an internal government document it cannot be reproduced in entirety as part of the Municipal Plan, however, the recommendations set out in Section 2.2.2.

The planning documents and maps were circulated online and with Council and staff and the public. Formal public consultations occurred prior to the preparation of the documents in order to solicit input on issues and concerns; and upon completion of the Draft Municipal Plan, Development Regulations and associated mapping to receive further input. The Public Consultation Report can be found in Appendix A.

The effort to circulate the poster providing Notice of the Public Meeting #1 for McIver's (July 15, 2019) included the following activities:

- Posted on the Town's Web Page-McIver's.ca
- Posted on the Town's Facebook Page
- Notices in Mail box area
- Notices in two local stores
- Notices at the town office
- Notice on the town's digital message board

In addition, a notice was placed in the 'Western Star' newspaper on July 10, 2019, as this was a pre-COVID consultation.

For Public Consultation #2 held on September 15, 2020, the effort to circulate the poster providing Notice of the Public Meeting for McIver's included the following activities for both public consultations:

- Posted on the Town's Web Page-McIver's.ca
- Posted on the Town's Facebook Page
- Notices in Mail box area
- Notices in two local stores
- Notices at the town office
- Notice on the town's digital message board
- Posted on the Town Hall sign, as shown below:



Upon completion of the review and comment phase, Council accepted the draft Plan and Development Regulations and recommended submission to the Provincial government for (Section 15) review and release from Provincial legislative and regulatory requirements.

Upon Section 15 release, Council will adopt (by Resolution) the Municipal Plan and Development Regulations. There is further opportunity for public input through a formal Public Hearing chaired by a qualified Commissioner appointed by Council to consider objections and representations from the public, either opposing or in favour of the Municipal Plan. The Commissioner formally reports his/her findings to Council as a result of the public hearing. Council may adopt the Commissioner report in whole, in part, or reject the report in its entirety.

Council can then approve (by Resolution) the Municipal Plan and Development Regulations, and apply to the Minister of Municipal Affairs and Environment for registration. Upon registration, the Council arranges for a notice to be published in the Newfoundland and Labrador Gazette which becomes the date of legal effect. A notice must also be published in a local newspaper to inform the public.

Amendments can be made to the Municipal Plan and Development Regulations at any time. Amendments must follow the procedure (sections 14-25) set out in the *Urban and Rural Planning Act, 2000* (section 25). Note that a *Resolution of Council alone* cannot amend (or circumvent) a requirement contained in the Municipal Plan or Development Regulations.

The Municipal Plan is to address the development of the Municipal Planning area for a 10-year period. The Municipal Plan must be reviewed every five years (section 28), and reviewed comprehensively again at 10 years.

1.4 ORGANIZATION OF THE PLAN

The Municipal Plan is organized into four chapters:

- Chapter 1 sets the legal context and the organization structure requested by Council;
- Chapter 2 sets out the Sustainability Framework objectives of the Municipal Plan and the General Development Standards objectives and policies that apply generally throughout the community;
- Chapter 3 sets out the specific land use objectives and policies by land use classification (as required under Section 13 of the Act); and,
- Chapter 4 sets out the implementation of the Plan.

The Future Land Use Map in Appendix B indicates the land use designations corresponding to the land use policies set out in the plan.

2.0 OBJECTIVES FOR A SUSTAINABILITY FRAMEWORK & GENERAL DEVELOPMENT STANDARDS

The following sections sets out the Sustainability Framework objectives of the Municipal Plan and the General Development Standards objectives and policies that apply generally throughout the Town of McIver's Municipal Planning area.

2.1 A SUSTAINABLE FRAMEWORK

The objectives of the Municipal Plan articulate the aspirations and needs of the residents of the Town of McIver's. They will provide a sustainable framework for the land use and development policies that will be implemented through the Development Regulations.

2.1.1 Community structure

The objectives for community structural sustainability are:

1. To provide a healthy, pleasant and safe living and working environment in the Town of McIver's;
2. To preserve scenic views of the shoreline, ponds and hills, recognizing their value to residents and visitors for recreation and tourism and the preservation of the rural character of the Town;

2.1.2 Economic sustainability

The objectives for economic sustainability are:

1. To provide employment-generating opportunities, such as, zoning land for commercial use;
2. To encourage home businesses that will help residents augment their income and also provide products for seasonal tourism;
3. To support the continued operation of existing businesses through appropriate land use policies;

2.1.3 Environmental sustainability

The objectives for environmentally sustainability are:

1. To protect the integrity of the natural environment, including soil, water, vegetation, waterbodies, wetlands, and wildlife, from inappropriate development and ensure that natural hazard areas, such as, flood zones and steep slopes, are not developed;
2. To preserve the Town's natural resources and promote sustainable development of agricultural, forestry, and mineral resources;
3. To foster an attractive community particularly for growing families by designating areas for open space, parks and trails;

2.1.4 Municipal governance

The objectives for sustainable municipal governance are:

1. To provide municipal administration and services effectively, efficiently, and equitably to all residents, in a transparent manner and within the fiscal capacity of the Town;
2. To collaborate with other municipalities in the region, government and community organizations, and the business community to facilitate opportunities to improve local governance and municipal services;
3. Strive to provide the quality-of-life amenities and infrastructure services to promote a vibrant economy and secure future for the community;

2.2 GENERAL DEVELOPMENT STANDARDS AND CONDITIONS

2.2.1 Objective

1. To manage future growth in a manner that ensures land use compatibility, orderly development, and the economic use of municipal services;

2.2.2 Policies

The following policies apply throughout the McIver's Municipal Planning area (Section 13 (2) 2) of the *Urban and Rural Planning Act, 2000*.

It is Council policy to:

Administration of the Development Regulations

1. Establish a transparent application review process that enables Council to more comprehensively evaluate proposed development, involve the public, and consider alternatives during the review process of development proposals. The Development Regulations will address: when a permit is required, the obligations of the applicant and Town in the application process for all applications.
2. Set out provisions in the Development Regulations for: variances, non-conforming use, and the amendment process for the Municipal Plan and/or Development Regulations as per the *Urban and Rural Planning Act, 2000* and Minister's *Development Regulations 3/01*.
3. The Development Regulations will address special conditions for development, including planned unit developments, Development Agreements, Planning Impact Analysis, as well as service levies under the *Municipalities Act, 1999*(Part VI).
4. Set out the application decision-making process in the Development Regulations including, but not limited to, the decision-making authority of Council, including premature development, written reasons for refusal, and the responsibility to inform applicants of the appeal process.

5. Establish parameters for decision-making in the Development Regulations by stating that, in considering an application for a permit to carry out development, Council shall take into account the policies expressed in the Municipal Plan and any further scheme, plan or Development Regulations pursuant thereto, and shall assess the general appearance of the development of the area, the amenity of the surroundings, availability of utilities, public safety and convenience, and any other considerations which are, in its opinion, material, and notwithstanding the conformity of the application with the requirements of these Development Regulations, Council may, in its discretion, and as a result of its consideration of the matters set out in these Development Regulations, approve with conditions, or refuse the application;
6. Undertake regular review of Municipal Plan and Development Regulations in a flexible, clear and fair planning process, and monitor compliance;

Planned Unit Development

7. Establish development application requirements for planned unit development (PUD) in the Development Regulations. A planned unit development may include a residential, commercial or industrial development containing one or more single or individual developments (i.e., condominium or townhouses which can be sold as separate units or a shopping complex containing separate retail units which are leased as individual spaces) which may be treated as a single development and where services are to be provided and maintained privately and internally. It must front on a publicly maintained road; Infrastructure must meet the Town standards for roads and servicing. Uses in the PUD must comply with the uses in the applicable use zone table.

Planning Impact Analysis

8. Establish a procedure, where an application for development or an application for an amendment to the Municipal Plan and/or Development Regulations is considered by Council to potentially have a significant effect on the community, whereby Council may require that a Planning Impact Analysis be undertaken to address Council concerns;

Development to Front onto a Publicly Maintained Road

9. Require that all development fronts on to a publicly maintained road (Provincial or Municipal) and have independent, approved access. Exceptions include: (1) a development within a Planned Unit Development where there may be an internal road plan (which will be set out in the Development Regulations); however, the PUB must front onto a publicly maintained road; and (2) natural resource uses and associated industries, i.e., agriculture, forestry, mineral working, etc.

Site requirements

10. Establish standards and conditions regarding lot siting and landscaping in the Development Regulations. Establish development standards in the Development Regulations to maximize use of the land and accommodate efficient provision of services, and appropriate buffers, fences, and separation distances to avoid conflict;

Infill development

11. Establish standards for residential development in areas served by municipal water and sewer services. Council shall review infill development to ensure:
 - a. the use must comply with the zone;
 - b. the type, scale, massing, and design of the development is generally appropriate to the neighbourhood;

- c. preservation of side/back/front yards for public safety requirements;
- d. adequate provision is made for light, privacy, and amenity.

12. Where a proposed development constitutes infill between existing developments, Council may consider changes to the lot area, building line setback, and frontage based on the land capability to accommodate servicing requirements, and also ensure that the building line setback is consistent with adjacent properties and the general residential neighbourhood. Such infill proposals shall be consistent with adjacent development and not compromise public safety, neighbouring services, or the general amenity of the area.

13. The side yards and rear yard requirements may be exchanged for infill lots only where the adjacent development has sufficient separation to ensure that the primary buildings on each lot are a minimum of 4 m and maximum of 10 m apart.

Character of town and compatible development

14. Mitigate future land use conflicts between existing and potential residential development in lands adjacent to commercial, industrial or agricultural activities by including buffer and separation requirements in the Development Regulations.

15. Require that non-residential land uses located near and/or within residential areas will be laid out and designed in a manner that is:

- a. compatible with the neighbourhood; and,
- b. minimizes potential nuisance factors.

Signs

16. Establish standards and conditions in the Development Regulations pertaining to advertisements and signage that will promote the amenities, natural and cultural resources and businesses of the community;

17. Incorporate the requirements of the *Highway Sign Regulations, 1999* into the Development Regulations; these apply to a control line that extends 100 m from the centreline on either side of a provincial highway; a permit is required from Service NL; A permit is required for any sign erected within designated control lines of a highway.

Access to streets

18. Set out standards in the Development Regulations regarding access to the public street in order to keep the street safe and efficient for both vehicles and pedestrians.

Future Development

19. Allocate land for future development on the basis of its best use considering its physical characteristics and location;

20. Priorize new subdivision development in areas that can be easily and economically connected to municipal services provided that the existing service have sufficient capacity;

21. Require that, within serviced areas, development shall be connected to municipal water and sewer services unless the connection is unfeasible, in which case, subject to the approval of the Service NL;

22. Require groundwater assessments as per the process set out by the Water Resource Management Division for areas where more than 5 residential or cottage lots are developed using private water supply and/or sewage disposal systems;
23. Prohibit development that would create unreasonable servicing demands or costs; therefore, unserviced development that may in the future demand servicing at the expense of the Town will not be allowed and development requiring services that will place an unsustainable maintenance burden on the Town will not be allowed;
24. Establish requirements for the subdivision of land and the standards of development, including a Development agreement, in the Development Regulations in order to achieve compliance with the policies of the Municipal Plan;

Roads, Parking, and Off-Street Loading

25. Ensure that the local transportation system adequately and safely provides access to meet the needs of residents and businesses;
26. Require a proper road system with connecting streets by ensuring that cul-de-sacs do not exceed a maximum length before providing a second access for emergency access purposes;
27. Set out off-street parking and loading facilities in the Development Regulations;
28. Include requirements for adequate off-street parking, loading and safe access to the street in the Town's Development Regulations.

Require Land Conveyed for Public Work Purpose

29. Require, for a development not involving a subdivision, a portion of the land to be developed to be conveyed to the Town for a public purpose where public works are required to accommodate the proposed development.

Open Space/Recreation

30. The requirements of Section 37 of the Act must be incorporated into the Development Regulations: This section requires up to 10% of the subdivision or land to be developed shall be dedicated to the Town as public open space. Council may accept from the developer in lieu of such area of land, payment of a sum of money equal to the market value of the land which would otherwise be required to be dedicated.

Slopes

31. Restrict development in areas with slopes greater than 15 percent, recognizing that development in such areas may result in environmental damage and higher costs for servicing and maintenance and set out conditions for exceptions;

Cost/Benefit analysis for development proposals

32. Address the costs and benefits of a development when considering proposals for development with the goal to maximize efficient use of municipal infrastructure and minimize the fiscal impact of ongoing operations and maintenance;

33. Refuse development that is premature, or that adds unnecessary financial burden to the Town where public costs exceed public benefits; and,
34. Establish development levies that adequately reflect the public costs of development; these must be fairly and equitably applied.

Municipal Service standards

35. Require compliance regarding site services meet the standards of the Service NL and the Water Resources Management Division;
36. No on-site sewerage disposal system shall be closer than 30 metres from a waterbody or watercourse;
37. Require that municipal services and utilities, telecommunications, pollution control and electric utilities, are permitted uses in all use designations, provided no adverse effect on adjacent land uses is created. In this regard, the size and appearance of such works must be in keeping with adjacent uses and provision shall be made for buffering in the form of landscaped areas between uses;
38. NL Hydro will be consulted with regard to development adjacent to NL Hydro easements.

Compliance with federal and provincial regulations

39. State in the Development Regulations that the Town of McIver's is subject to all relevant Federal and Provincial legislation, regulations, policies and guidelines.

Provincial Interests

40. Notwithstanding Policy 2.3 (39), recognize the following provincial interests in the Municipal Plan and Development Regulations:

Archaeology

- a. Require the protection of archaeological resources by requiring that any applications for public works projects or major land developments that involve ground disturbance must be sent to PAO for review by the Town. As well, any accidental discoveries of historic resources shall also be reported by the Town to the Provincial Archaeology Office.

Climate Change Impacts

- b. Incorporate available data regarding provincial climate change projections for Comfort Cove and Gander (nearest regional sites) when considering land for future developments that are in close proximity to a river, floodplain or coastline. These projections suggest that extreme precipitation events will become more intense, by about 32%. Climate change is expected to result in more precipitation and more frequent extreme weather events that may result in increased flooding, sea surge and coastal erosion. These areas will be included in the Environmental Protection designation on the Future Land use mapping and Environmental Protection zone in the Land Use zoning map in the Development Regulations.

Easements – NL Hydro

- c. Consult with Newfoundland Power and Newfoundland and Labrador Hydro regarding any applications for development near overhead distribution lines and a main transmission line that fall within the Municipal Planning Area boundary.

Work near Survey Control Monuments

- d. Inform the Surveys and Mapping Division when a proposed development is proposed in the vicinity of a Survey Control Monument. There are 4 monuments in the Municipal Planning Area and these will be shown on the Future Land Use map and Land Use Zoning map.

Agriculture

- e. Create an overlay on the Future Land Use map and Land Use Zoning map for the Agricultural Development Area and Regional Pasture identified by the Land Resource Stewardship Division; future development applications in these areas must be referred to the Land Resource Management Division for approval;

Mineral Resource Lands

- f. Where a minimum required distance was originally observed when choosing the location of a mineral working site the operation will not be required to be discontinued or impeded due to encroachment of development towards the mineral working site.
- g. Allow Mineral exploration that is not a development as a blanket permitted use in all zones and that Mineral exploration that is a development is indicated as a discretionary use except in the Resource zone where it is a permitted use;
- h. Set out development requirements regarding mineral exploration, mineral working and mining including the definitions provided by the Mineral Lands Division into the Development Regulations.

Digital Government and Service NL

- i. Require compliance with Service NL requirements, before issuing approvals. These include, but are not limited to: on-site services, highway signs; electrical permits; building accessibility; access to highways; tanning salon and/or Personal services establishment; Food establishment licence; public markets/farmer's markets; meat plant; pool; wastewater or water system approval; tobacco sales; water supply testing; cemetery; waste management; fuel storage and handling; asphalt, boiler; pressure vessel and compressed gas installation. The Development Regulations will provide greater detail on: on-site services, highway signs; building accessibility; access to highways.

Water bodies

- j. Protect rivers, streams, ponds, wetlands, riparian areas, and shorelines by requiring an approved permit from the Water Resources Management Division (where required) to be submitted before a development permit is issued. These requirements will be incorporated into the Development Regulations as per the be incorporated Water Resources Management Division Policy Directives:
 - i. W.R.91-1-Infilling Bodies of Water;
 - ii. W.R. 97-1-Development in Shore Water Zones;
 - iii. W.R. 97-2-Development in Wetlands;
 - iv. *Environmental Control Water and Sewage Regulations, 2003* for any effluent or runoff from a site; and,
 - v. including standards for development in a waterbody that does not require a permit from the Water Resources Management Division, including, the 'Guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses'.

- k. Require appropriate approvals from Fisheries and Oceans Canada, where fish habitat is affected;
- l. Maintain existing vegetation along banks and shorelines for protection of riparian habitat, where possible;

Wildlife

- m. Communicate with the staff involved with in the Eastern Habitat Joint Venture to discuss the incorporation of wildlife and conservation values in the Town of McIver's;
- n. To protect general wildlife habitat and landscape connectivity, require the protection on following conditions on applications in the vicinity of waterbodies and in forested areas, as practicable:
 - i. a riparian buffer of 30 m minimum undisturbed natural vegetated along wetlands and waterbodies (ponds, rivers, creeks etc.) or more for riparian areas near agricultural areas;
 - ii. green belts connected to forested areas or other habitat patches to create wildlife travel corridors;
 - iii. indicate a minimum percentage of forests to be maintained during lot clearing;
- o. Vegetation clearing will be done outside the May 01 to July 31 period, to minimize disturbance during that sensitive breeding/ young rearing, whenever possible;

3.0 LAND USE CLASS DESIGNATIONS: OBJECTIVES AND POLICIES

3.1 INTERPRETATION

In accordance with Section 13 (2) (c) of the *Urban and Rural Planning Act, 2000*, the land in the Municipal Planning Area of the Town of McIver's is divided into land use class designations. Each class of land use is described by the objectives that reflect the vision of the community.

Each land use class is further refined into zones which set out the permitted, discretionary and prohibited land uses that reflect the various desired outcomes for each zone. The Development Regulations will set out how the zones, uses and conditions are to be interpreted.

Council may add or revise the uses, standards and conditions for development in any land use zone by an amendment to the Development Regulations, provided the changes are consistent with the objectives of this Plan.

It is the policy of Council to:

1. Establish the following Future Land Use Designations:

- Residential
- Comprehensive Development Area
- Commercial
- Town Centre
- Environmental Protection
- Open Space, Parks and Trails
- Town Centre
- Protected Water Supply
- Resource

2. The Future Land Use Designations are illustrated on the Future Land Use Map. The boundaries between land uses classes 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. The paper copy of this map with the signed registration stamp is the legal version. One copy of the registered map is kept at the Council Office, Town of McIver's and a second copy is in the Minister's Registry with the Local Governance and Land Use Planning Division.

3. It is the policy of Council to:

- a. Establish zones in the Development Regulations that indicate permitted, discretionary and prohibited uses in each zone. Development Regulations shall set out the standards and conditions for uses and development in each land use zone based on the objectives and policies of the Municipal Plan.
- b. Establish permitted uses in each zone and that may be approved, with or without conditions;
- c. Establish discretionary uses in each zone where Council determines that:
 - i. the use may negatively affect the predominant uses of the zone and that in order to mitigate this impact, it is desirable to consult with the public and possible affected parties prior to issuing (with or without conditions) or refusing a permit; and/or, it is



necessary to attach conditions to an approval that differ from the standard conditions under the Development Regulations to ensure that the discretionary use is compatible with nearby uses and the predominant uses of the zone;

- ii. use the following considerations when accepting or refusing a discretionary use and attaching conditions to a discretionary use:
 - whether these are appropriate for the site and the immediate surrounding area;
 - the policies of the Municipal Plan as it pertains to the Town in general and as they pertain to the designation shown on the Future Land Use Map in which the use is located.
- d. Set out the uses permitted in all zones which will include: accessory buildings and uses, 'environmental protection' and 'open space, park and trails', uses, roads, mineral exploration that is not a development, and public utilities are permitted in all land use designations.

The objectives of the Municipal Plan as articulated in Chapter 2 are implemented by the policies that apply to the following Land Use designations in the McIver's Municipal Planning Area.

3.2 RESIDENTIAL

3.2.1 Objectives

The objectives of the residential land use class are to:

1. To provide for an adequate quality, quantity and mix of housing to serve the needs of the present and future population, including a range of age, income, abilities, and family status for the next 10 years;
2. Preserve and enhance the amenity of existing residential areas and protect residential quality of life and property values;

3.2.2 Residential Policies

It is the policy of Council to:

General

1. Designate a 'Residential' land use designation on the Future Land Use mapping;
2. Establish a 'Residential' zone on the Land Use Zoning map in order to provide a range of housing options to meet the needs and desires of all residents.
3. Permit the following uses in the 'Residential' zone: Single detached dwelling, Semi-detached (double) dwelling, Mini-home (not mobile home) and Subsidiary apartment; Home businesses (1), (2), (4), (7) and (8) in section 5.3.1 of the Development Regulations; and the following Discretionary uses: Townhouse, Garden Suite, Apartment building, Convenience store, Home business, Urban agriculture, Public Gathering Places-Indoor, Energy generating facility – residential only; Home business-all in section 5.3.1 of the Development Regulations, except (1), (2), (4), (7) and (8) which are permitted uses.

4. Establish conditions for a range of discretionary uses, including home businesses, urban agriculture, Garden Suite; and require that the primary use of the lot remains residential.
5. Provide conditions regarding alternative energy within a built-up residential area which will be limited to a single energy-generation unit that serves an individual property;
6. Set out conditions regarding shared driveways in the community;

Subdivisions

7. No land in the Municipal Planning Area shall be subdivided unless a permit for the development of the subdivision is first obtained from Council.
8. Require a Subdivision Plan for subdivision development with 5 lots or more, which addresses issues related to the development of the site, including but not limited to:
 - a. Conformity to the goals, objectives, and policies of this Municipal Plan;
 - b. A description of the subject lands;
 - c. Consideration of land ownership as it will affect the layout of streets and the optimal use of land and municipal services;
 - d. Access to the site from existing roads and internal road layout;
 - e. Extension and development of municipal piped services for new subdivision;
 - f. Provision for lot layout scheme including the phasing of development;
 - g. Provision for 10% recreation lands or alternative measures if requested by Council;
 - h. Adherence to the Town's Engineering Design Guidelines for Subdivisions for standards for streets designs, grades, storm drainage, building line setback, access, landscaping (landscape plan if required), buffers, development standards for each lot, etc.

3.3 COMMERCIAL

3.3.1 Objectives

The objectives for the Commercial designation are to:

1. To provide for an adequate quality, quantity and mix of commercial land to serve the present and future needs of the community;
2. To protect existing businesses and to ensure their continued operation.



3.3.2 Policies

It is the policy of Council to:

1. Designate a 'Commercial' land use designation on the Future Land Use mapping;
2. Establish a 'Commercial' zone with the following Permitted Uses: Commercial Land Use Class: All Uses, EXCEPT Amusement Park/Attraction, Campgrounds, Resort; and the following Discretionary Uses: Public Gathering-Indoor.
3. Set out standards for outdoor storage in the Development Regulations;
4. Require a traffic impact assessment as part of the development application, where necessary to minimize the impact of commercial traffic on adjacent land uses and the carrying capacity of adjacent roads;

3.4 TOWN CENTRE

3.4.1 Objective

1. The objective of the Town Centre land designation is to provide a focal point for community services that is highly visible in order to instill community pride.

3.4.2 Policies

It is the policy of Council to:

1. Designate a 'Town Centre' land designation on the Future Land Use mapping.
2. Establish a 'Town Centre' zone on the Land Use Zoning mapping for the Development Regulations;
3. Allow the following Permitted Uses in the Town Centre zone: Institutional/Public Uses – ALL-EXCEPT Crematoria; and Discretionary Uses include: Club and lodge, Outdoor Market, Crematoria only in association with funeral home.

3.5 ENVIRONMENTAL PROTECTION

3.5.1 Objective

The objective for the Environmental Protection designation is to identify and protect areas of environmental sensitivity, vulnerability, ecological significance or natural values and/or potential natural hazard;

3.5.2 Policies for Environmental Protection

It is the policy of Council to:

1. Designate an 'Environmental Protection' designation protect on the Future Land Use mapping;
2. Establish an 'Environmental Protection' zone where the following uses are Permitted: environmental protection (conservation measures to protect land and water resources) and open space, parks and trails uses; and Discretionary Uses include: Forest activities-domestic harvest only; and uses as allowed under the policies of the Water Resources Management Division regarding development within 15 m of a waterbody, infilling of waterbodies and areas known for flooding;
3. Designate and zone the following features under the Environmental Protection designation and zone: water bodies including buffers around ponds, shorelines, and wetlands, and flood plain lands, recognized by Council as having natural significance; lands that contribute to important ecological functions; lands containing other natural physical features which are desirable for open space use or preservation in a natural state; and land with natural hazards or areas vulnerable to future climate change impacts;
4. Designate the areas identified with as having natural hazard potential as 'Environmental Protection', including areas with coastal flooding and erosion hazards and slope movement hazards; this will become the 'Environmental Protection' zone in the Development Regulations.
5. Designate areas above the present 4 m contour that may also be at risk from coastal flooding and erosion, including storm surge, as 'Environmental Protection' on the Future Land Use mapping; this will become the 'Environmental Protection' zone in the Development Regulations.

3.6 OPEN SPACE, PARK AND TRAILS

3.6.1 Objective

To identify areas of significant recreation value to the Town and protect recreation facilities where significant community investment has been made.

3.6.2 Policies for Open Space, Parks and Trails

It is the policy of Council to:

1. Designate an 'Open space, Parks & Trails' designation on the Future Land Use map;
2. Establish a 'Open Space, Parks and Trails' zone on the Land Use Zoning maps in the Development Regulations ;
3. Permit the following uses in the 'Open Space, Parks and Trails' zone: environmental protection and open space and trails uses; and Discretionary Uses include: Public gathering places-outdoor, Restaurant – Mobile Take Out, Street Vendor only; Vendor-retail merchandise and office; Outdoor Market.



4. Protect public access to the coastal shoreline an 'Open Space, Parks and Trails' designation/zone throughout the community;
5. Require that any development near a designated trail or water does not negatively impact such trail or watercourse. Where deemed necessary, the Town may require that the separation distance or visual buffer be provided by the developer

3.7 RESOURCE

3.7.1 Objective

1. The objective for the Resource Use designation is to identify and manage responsibly lands intended to be used primarily for resource and rural uses, and associated activities that need a rural context or large areas of land or are incompatible with the urban area, balancing these uses with the desire to preserve the rural character of the community.

3.7.2 Policies

It is the policy of Council to:

1. Designate for a 'Resource' designation on the Future Land Use map;
2. Establish a 'Resource' zone on the Land Use Zoning map that will permit the following uses: Commercial Agriculture, Forestry Activities, Mineral Working, Cottage, Contractor- General, Protective and Emergency Services, and Resort; and Discretionary Uses include: Outdoor Market, Natural Resource-Related Use, Industrial – General, Industrial-Heavy/Hazardous, Cemetery, Campground, Public Gathering – Outdoor, Amusement Park/Attraction, Salvage/scrap yard, Solid waste/recycling/disposal, Service Station, Kennel, Marina; Residential: (1) Single detached dwelling only in association with a permitted use.
3. Permit accessible (by road) cottages to be developed as a cottage subdivision in the Resource zone only, in locations where there will be no potential future demand for municipal services and subsequent conversion to permanent homes. Council must refer the cottage subdivision applications to the Water Resources Management Division for a determination regarding a Groundwater assessment.
4. Work with Provincial government agencies in their referral processes to ensure that Town concerns are addressed in the permitting process;
5. Establish conditions for quarry development in the Development Regulations;
6. Require a 30 m undisturbed natural vegetated green belt buffer on waterbodies wherever possible as natural green belts along wetlands and waterbodies (ponds, rivers, creeks etc.); wider green belts are to be required for development bordering agricultural lands or similar types of uses, as practicable.
7. Require measures to maintain landscape connectivity to create travel corridors and habitat patches for various wildlife species in developments requiring vegetative removal;

8. Require vegetation clearing to be done outside the May 01 to July 31, as practicable, as disturbance may be most detrimental during that sensitive breeding/ young rearing period.
9. Protect the natural resources of the Town for the best use in an environmentally responsible manner;
10. Require that development of resource lands does not block future access for other future opportunities for land use and development;
11. Protect and enhance agricultural enterprises in consultation with the Land Resource Stewardship Division and ensure compatible adjacent development in order to minimize potential conflicts;
12. Require that forestry activities including harvesting, road building and silviculture, are compatible with the other uses in the Resource zone;
13. Comply with Provincial government authority regarding mineral exploration and mineral lands development opportunities and ensure the procedures are in place to ensure that:
 - i. the Council is consulted by the Mineral Lands Division on all proposed developments associated with these activities;
 - ii. that appropriate environmental, public health and safety and fencing/landscaping measures are provided to avoid land use conflict; and,
 - iii. parties comply with the requirements of the Mineral Lands Division regarding the Mineral Working referral buffer, when appropriate in the future.

3.8 PROTECTED WATER SUPPLY

3.8.1 Objective

1. The objective for the Protected Water Supply designation is to protect the water supply for the Town of McIver's.

3.8.2 Policies

It is the policy of Council to:

1. designate a 'Protected Water Supply' area on the Future Land Use map in the Municipal Plan;
2. establish a 'Protected Water Supply' zone on the Land Use map in the Development Regulations which sets out requirements that ensure that any development proposed adjacent to, or within, the Protected Water Supply area:
 - a. adheres to the Policy Directive on Land and Water Development in Protected Public Water Supply Areas, Water Resource Management Divisions;
 - b. Obtains the necessary permits under the *Water Resources Act, 2002* for any development adjacent to or within the Protected Water Supply area;
3. Permitted uses in the Protected Water supply include: Environmental Protection; Cottage (Remote only); Forestry; Commercial Agriculture; and Resort; and Discretionary uses include: Mineral

Working and Mineral exploration-development; all permitted and discretionary uses are subject to approval by the Water Resources Management Division (WRMD) and the WRMD "Policy for Land and Water Related Developments in Protected Public Water Supply Areas".

4. All land use and development activities within a designated Protected Water Supply under the Water Resources Act must be referred to the Water Resources Division of the Provincial government for review and approval. No development is allowed without Water Resources approval.

3.9 COMPREHENSIVE DEVELOPMENT AREA

3.9.1 Objectives

The objectives for the Comprehensive Development Area designation are to:

1. protect lands with development potential from ad hoc development, in order to reserved these areas to meet the future land needs of the community for residential uses.

3.9.2 Policies

It is the policy of Council to:

1. Designate a 'Comprehensive Development Area' designation on the Future Land Use Map;
2. Establish a 'Comprehensive Development Area' zone on the Land Use zoning map of the Development Regulations;
3. Allow existing uses to continue in a Comprehensive Development Area; Only uses permitted in all zones are permitted; and discretionary uses include accessory uses.
4. No new development may take place until comprehensive planning has been carried out as specified in the Municipal Plan.
5. Council may consider Comprehensive Development applications in the area which must be prepared by a certified Planner (Member of the Canadian Institute of Planners. The application would include a site plan indicating how the majority, if not the entirety of the CDA is to be developed, and provide information regarding:
 - a. identification of environmentally sensitive lands,
 - b. tree retention and replanting,
 - c. proposed land uses including attention to affordable housing and efficient use of the land base,
 - d. proposed land uses including type zones to occur within the CDA,
 - e. proposed road network and sewer/water and stormwater servicing, how the roads will add to connectivity of the existing road system,

- f. where applicable, park, trials and open space provisions for build-out of the neighbourhood plan area including proposals for developing connective pedestrian trail linkages to a community wide pedestrian mobility system, and,
- g. other community planning issues as determined by Council.

6. Integrate the principles from the 'Smart Growth', 'Complete Community' and 'Healthy Community' planning concepts into the development of the 'Comprehensive Development Area' lands, as appropriate:

- a. Incorporating a mix of land uses;
- b. Taking advantage of compact building design;
- c. Creating walkable neighbourhoods and a range of housing opportunities and choices;
- d. Fostering distinctive, attractive communities with a strong sense of place;
- e. Preserving open space, farmland, natural beauty, and critical environmental areas
- f. Strengthening and direct development towards existing communities
- g. Making development decisions sustainable, predictable, fair, and cost effective

4.0 IMPLEMENTATION

4.1 DEVELOPMENT REGULATIONS

In order for the Town of McIver's to achieve the Vision, Objectives and Policies articulated in their Municipal Plan, the Council will need to:

- Adopt Development Regulations as a tool for administration and implementation;
- Implement a Capital Works program to support Plan implementation;
- Establish a clear and efficient approach to the development review, decision-making, and appeal processes; and,
- Undertake to conduct research to inform decision-making in Plan implementation.

Development Regulations are one of the main vehicles through which Plans are implemented. The Town will review, revise and adopt Development Regulations pursuant to Section 35 of the *Urban and Rural Planning Act, 2000*.

4.2 AMENDMENTS TO THE PLAN

Council may consider amendments to the Municipal Plan when:

1. There have been significant changes to the community since the preparation of the Background Report that provided the factual basis for the policies in this Municipal Plan;
2. Studies have been undertaken by the Town or the Provincial or Federal governments which contain recommendations or policies which may be incorporated into the Municipal Plan;
3. A development proposal is submitted to Council which provides sufficient information and rationale to support a change in the Municipal Plan;

In considering any proposed amendment to the Plan, the Council shall evaluate the proposal for consistency with the strategy for growth of the Town, as established in the goals, objectives and policies of the Municipal Plan. An associated amendment may be required to the Development Regulations. As per Section 25 of the Act, an amendment to the Municipal Plan (and an amendment to the Municipal Plan and Development Regulations) must follow the process set out in Sections 14 -25 of the Act.

A person may request to have the zoning of a parcel of land changed in order to accommodate a use or development not permitted under its' current zoning. This might only require an amendment to the Development Regulations without amendment to the Municipal Plan. Alternatively, a Development Regulations amendment may consist of a change to the text of the Development Regulations. In considering requests for Development Regulation amendments, Council shall assess:

- a. all of the criteria listed in the policies of the Plan;
- b. the height, location and spacing of any buildings in the proposed development, and any potential impacts on surrounding land uses;
- c. the location of vehicular access points the likely impact of traffic generated by the proposal on streets, pedestrian and vehicular safety, and on surrounding properties;
- d. the exterior design in terms of bulk, scale, and layout of buildings, and the integration of these uses with present and future land uses in the area;
- e. the potential impact of the development on surrounding natural features and heritage resources;

- f. constraints posed by the environment, including but not limited to locations where adverse effects from landfill sites, sewage treatment plants, methane gas, contaminated soils, noise, ground borne vibration, and rail safety may limit development;
- g. compliance of the proposed development with the provisions of the Town's Municipal Plan and Development Regulations; and,
- h. measures planned by the applicant to mitigate any adverse impacts on surrounding land uses and streets which have been identified as part of the Planning Impact Analysis.

The procedure for an amendment to the Development Regulations only is set out in the Development Regulations.

4.3 REVIEW OF THE PLAN

The Council for the Town of McIver's will undertake a review of the Municipal Plan every five years in accordance with the requirements of Section 28 of the *Urban and Rural Planning Act, 2000*. This review may be comprehensive or it may consist of an audit of progress that confirms that the Plan is still relevant. The review process is valuable to the Council and residents to ensure that the administration of the community achieves the objectives of its residents.

APPENDIX A: PUBLIC CONSULTATION REPORT

PUBLIC CONSULTATION REPORT

There were two Public Consultations held for the Town of McIver's new Municipal Plan and Development Regulations.

PUBLIC CONSULTATION #1 – JULY 16, 2019

The effort to circulate the poster providing Notice of the Public Meeting #1 for McIver's (July 15, 2019) included the following activities for both public consultations:

- Posted on the Town's Web Page-McIver's.ca
- Posted on the Town's Facebook Page
- Notices in Mail box area
- Notices in two local stores
- Notices at the town office
- Notice on the town's digital message board

In addition, a notice was placed in the 'Western Star' newspaper on July 10, 2019, as this was a pre-COVID consultation.

TOWN OF McIVERS



The Town of McIvers
is preparing a
new Municipal Plan

Come to the **Public Meeting**

To share your ideas and concerns about your community
and provide input

Tuesday July 16, 2019
TOWN HALL
7 PM





Deadline: Display Ads: Thursday 1 pm - the week prior to publication
Word Ads Thursday 1 pm - the week prior to publication

Business hours: Monday through Friday from 8:30 AM to 5:00 PM

Payment methods: Visa, Mastercard

TO OUR ADVERTISERS: Please check your ad the first day it runs, if you find an error call us immediately. In the event an error occurs, our responsibility is limited exclusively to the charge for the first publication of your ad. All forms of discrimination are illegal.

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TOWN OF McIVERS PUBLIC CONSULTATION NEW MUNICIPAL PLAN, 2019-2029

The Town of McIvers is presently preparing a new ten-year Municipal Plan. The general public is invited to attend a Public Consultation Meeting for the **McIvers Municipal Plan, 2019-2029** to be held at the Community Hall on **July 16, 2019 at 7:00 pm**. The Town encourages residents to provide input into this new Municipal Plan which will guide development for the next 10-year period.

The Town will consider written requests from groups, corporations or individuals on areas of land for possible zoning. The Public can provide any comments or concerns on the new Municipal Plan.

More information may be obtained by contacting:
Town Clerk: Jerri Lynn Lovell
Main Contact: 709-688-2603
Fax: 709-688-2680
Town of McIvers
439 Main Street McIvers
McIvers, NL A2H 6B9

7841833



Notice of Public Meeting

Review of Municipal Plan and Development Regulations for 2019-2029

&

Proposed Amendment to Existing Municipal Plan and Development Regulations for the Town of St. George's

Community members are invited to a public meeting on 16 July, 2019, concerning two topics: a comprehensive review of the Town's Municipal Plan and Development Regulations (the "documents") to update them for 2019-2029, and a proposed amendment to the existing Municipal Plan and Development Regulations.

Review of Municipal Plan and Development Regulations: Council is reviewing the existing documents and bringing new ones into effect, with the objective of providing more flexibility in regulations and simpler approvals procedures. A public meeting on this topic was held on 12 June, 2019, from which suggestions from interested persons were received. The meeting on 16 July, 2019, will feature the revisions made since then. Please note that the planning area includes the area within the Town boundary plus a large area outside the boundary.

Amendment to existing Municipal Plan and Development Regulations: amendments to these documents are being considered to expedite approval of a seniors housing development on Town lands in the vicinity of the Siki Bennett Memorial Stadium. The existing documents do not permit such a development, which Council considers to be a valuable asset for the community. The reason for not simply including the changes in the comprehensive review process is to move more quickly than the schedule for the review will permit. The review process has already incorporated more flexibility in the use of the large area now designated "Recreation" in the vicinity of the Stadium, including the potential for the proposed development. The Town has retained a planning consultant, for both the comprehensive review and the special amendments. This has involved research on the opportunities and circumstances affecting development of the Town and consideration of the input from the June meeting. Our consultant has prepared a suggested Planning Background Report and Municipal Plan and Development Regulations for the period 2019-2029, related to the comprehensive review, as well as the documents for the amendments proposed for the existing Municipal Plan and Development Regulations. These documents are available at the Town office for viewing during regular business hours and can also be sent by email as PDFs on request to: townofstgeorges@nfaihn.com.

Please review these documents and come with your questions and suggestions.

This is not notice of an official public hearing specified in the Urban and Rural Planning Act 2000. A separate public hearing for each of the topics described above follows later, after Council has considered any revisions which may be made following the public meeting on July 16th.

The meeting will be held at:

7:00 pm

Tuesday, 16 July, 2019

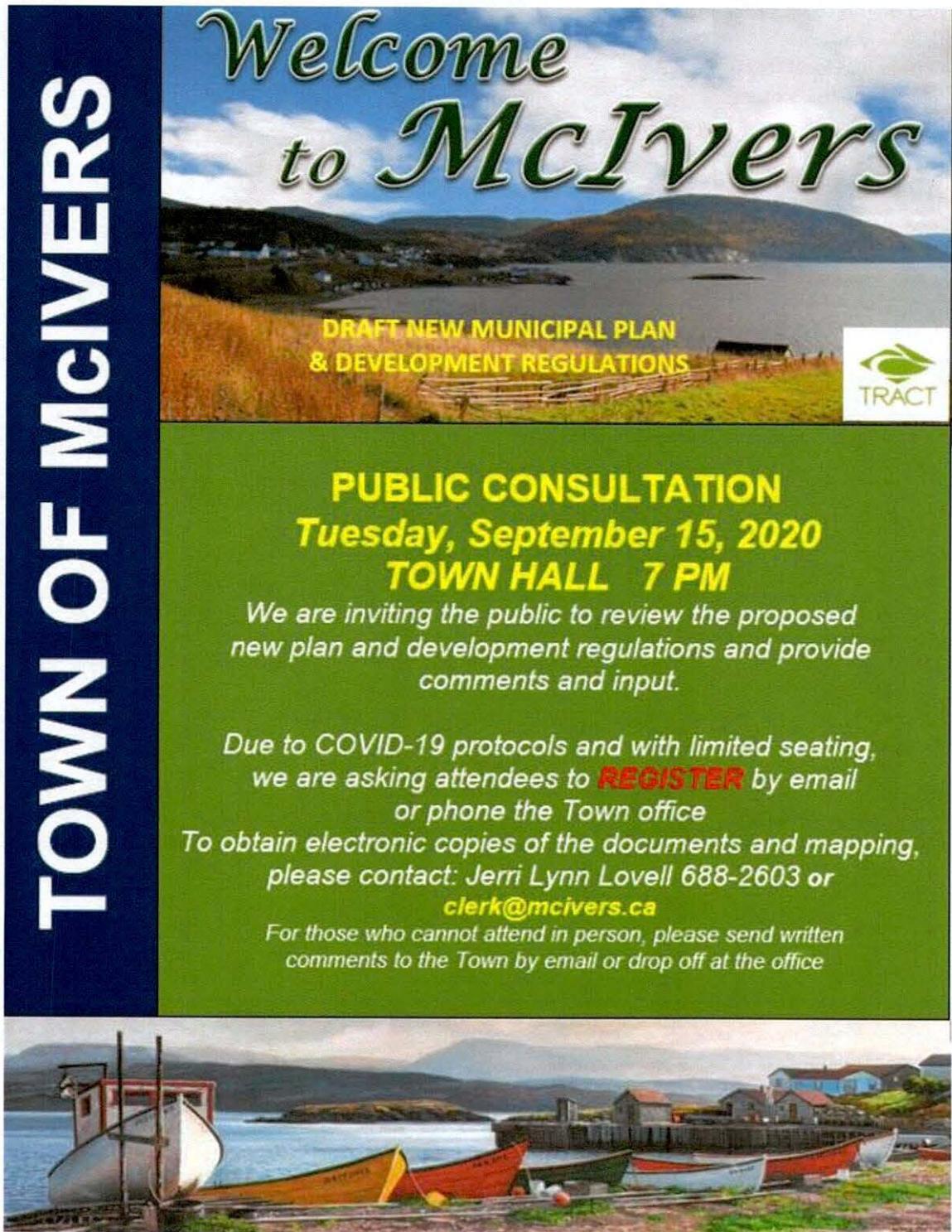
At 195 Main Street, St. George's, NL (Council Chambers)

Signed: Jocelyn Butt
Town Manager/Clerk



PUBLIC CONSULTATION #2 – September 15, 2020

Poster:



Welcome to McIvers

DRAFT NEW MUNICIPAL PLAN & DEVELOPMENT REGULATIONS

PUBLIC CONSULTATION
Tuesday, September 15, 2020
TOWN HALL 7 PM

We are inviting the public to review the proposed new plan and development regulations and provide comments and input.

*Due to COVID-19 protocols and with limited seating, we are asking attendees to **REGISTER** by email or phone the Town office*

To obtain electronic copies of the documents and mapping, please contact: Jerri Lynn Lovell 688-2603 or clerk@mcivers.ca

For those who cannot attend in person, please send written comments to the Town by email or drop off at the office



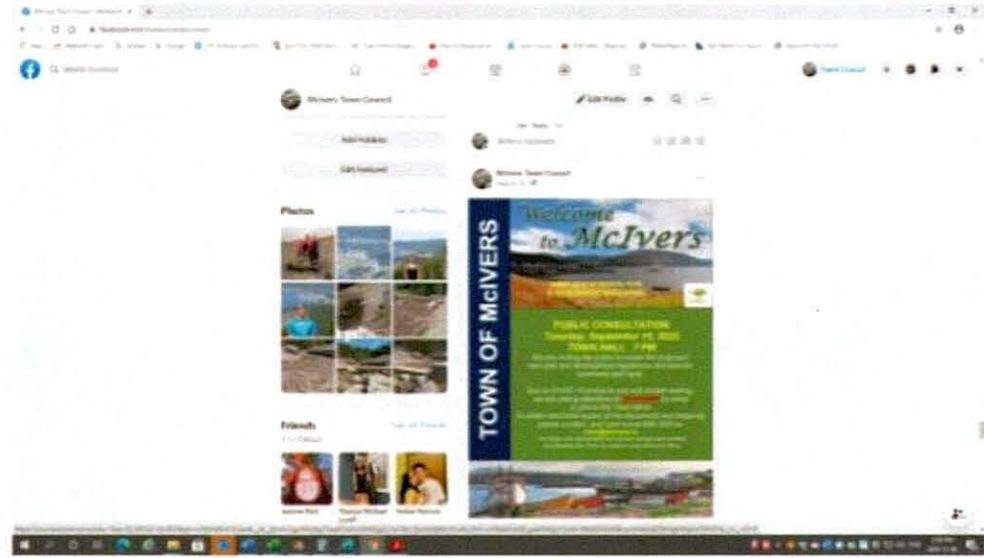
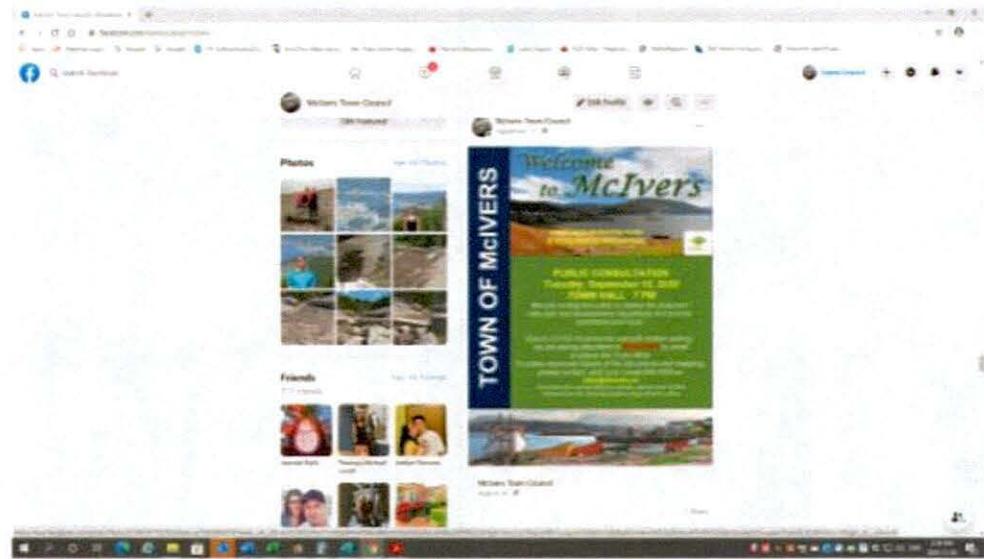
For Public Consultation #2 held on September 15, 2020, the effort to circulate the poster providing Notice of the Public Meeting for McIver's included the following activities for both public consultations:

- Posted on the Town's Web Page-McIver's.ca
- Posted on the Town's Facebook Page
- Notices in Mail box area
- Notices in two local stores
- Notices at the town office
- Notice on the town's digital message board

Town Hall sign:



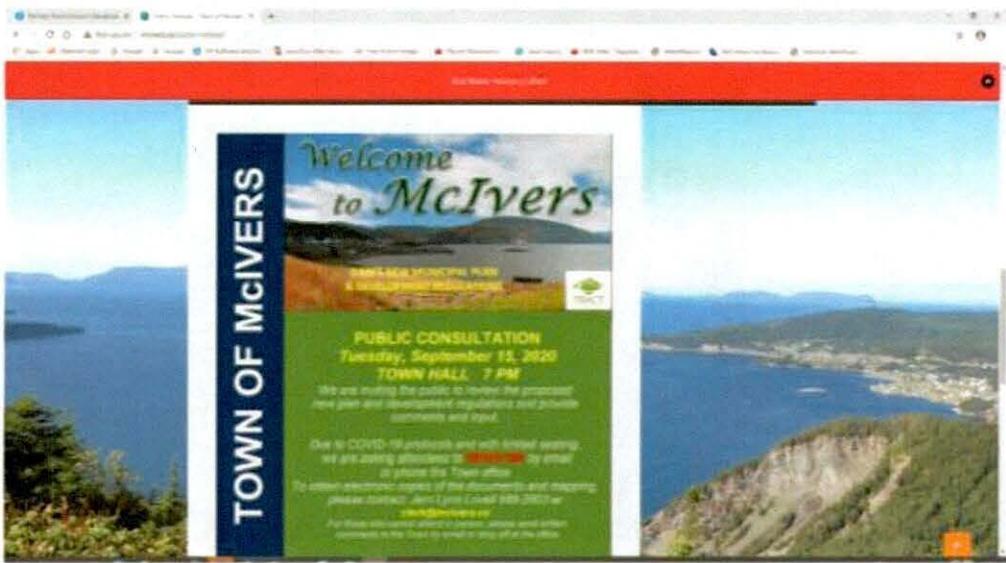
Facebook page notices (more than once in order to keep in at the top of the page):



Webpage Notice:

Town of McIver's
Municipal Plan 2020-2030





APPENDIX B: FUTURE LAND USE MAP

