

# MUNICIPAL PLAN 2024-2034



## Town of Norris Point



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TRACT

**TOWN OF NORRIS POINT  
RESOLUTION TO APPROVE  
MUNICIPAL PLAN, 2024-2034**

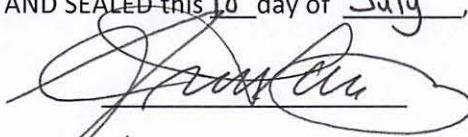
Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Norris Point:

- a) Adopted the Town of Norris Point Municipal Plan, 2024-2034 on the 30th day of April, 2024;
- b) Gave notice of the adoption of Municipal Plan, 2024-2034 by advertisement in the Telegram on May, 18, 2024 and June 1, 2024 and on the Town website on May 10 2024.
- c) Scheduled the 6<sup>th</sup> day of June 2024 at the Norris Point Town Hall, for the holding of a public hearing to consider objections and submissions to the Municipal Plan, 2024-2034.

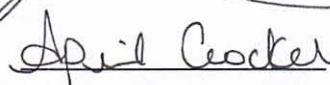
Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Norris Point approves the Municipal Plan, 2024-2034, as adopted.

SIGNED AND SEALED this 10<sup>th</sup> day of July, 2024 .

Mayor:



Town Clerk:



**Municipal Plan/Amendment  
REGISTERED**

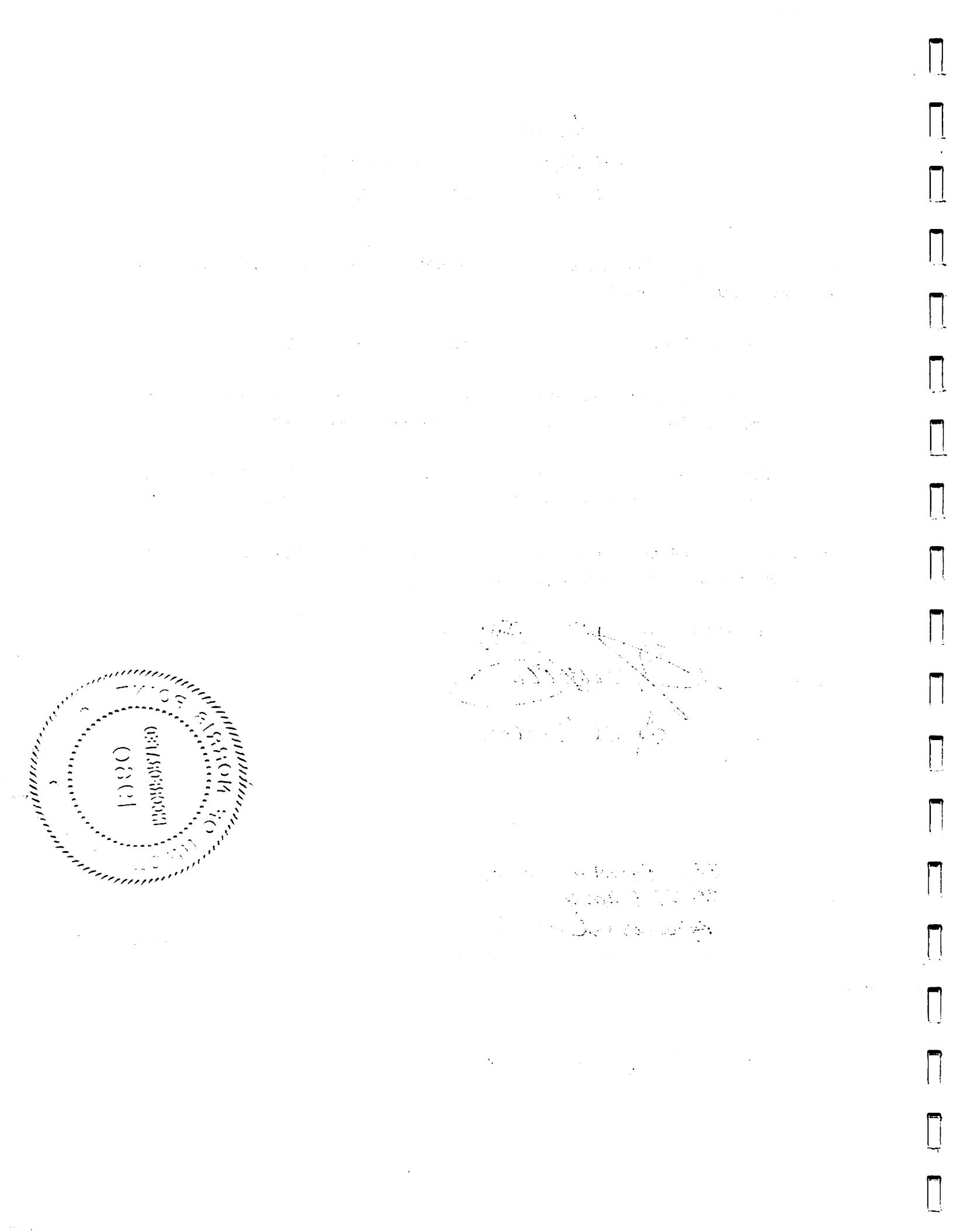
Number 3515 -2024 -000

Date 25 JULY 2024

Signature Karen L. Cocker



(Council Seal)



**TOWN OF NORRIS POINT**  
**RESOLUTION TO ADOPT**  
**MUNICIPAL PLAN, 2024-2034**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of Norris Point adopts the Town of Norris Point Municipal Plan, 2024-2034.

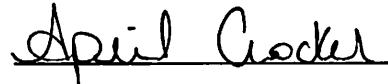
Adopted by the Town Council of the Town of Norris Point on the 30<sup>th</sup> day of April, 2024.

Signed and sealed this 10<sup>th</sup> day of July, 2024.

Mayor:



Town Clerk:



(Council Seal)

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

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



Member, Canadian Institute of Planners (MCIP)



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## 1.0 INTRODUCTION

### 1.1 The Community Vision and introduction to the Municipal Plan

The purpose of the new Municipal Plan and Development Regulations is to enable the Town of Norris Point to pursue sustainable choices to meet the needs of the Town for the next 10 years. This Municipal Plan provides a policy framework to influence, manage, and regulate future growth and change in the Town of Norris Point. These policies form the basis for the Development Regulations.

The Town of Norris Point Municipal Plan and Development Regulations build on the Town's Vision as set in the Integrated Community Sustainability Plan (ICSP):

*"Norris Point is a vibrant community that prospers economically, socially and culturally by placing a high priority on the protection of the environment and natural beauty of the community, its history and culture.*

*Norris Point is a safe, caring community that offers a high quality of life for its residents through the provision of municipal services, opportunities for active living, and sound planning. A range of tourism attractions, services and cultural events bring visitors who sustain the local economy and provide opportunities for new business."*

### 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 *Urban and Rural Planning Act, 2000*).

The Municipal Plan and Development Regulations must address the development of the Municipal Planning area for a 10-year period. The Municipal Plan must be reviewed every five years (section 28) for a 10 year period.

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 A.



The Municipal Plan authorizes Council to prevent the undertaking of any development that contravenes a policy stated in the Municipal Plan or a requirement set out in the Development Regulations.

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 Municipal Plan (Section 35). The Development Regulations set out the regulations that enable the Council to administer the policies of the Municipal Plan.

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 (2024-2034) 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 Municipal Plan and Development Regulations is set out in Part III of the *Urban and Rural Planning Act, 2000* (Sections 14-25) which must be undertaken by a certified planner in good standing with the Canadian Institute of Planners.

A Background Report for the Town of Norris Point was prepared to inform the preparation of a new Municipal Plan and Development Regulations. The Background Report contains a review of land use, development and infrastructure servicing issues, and a socio-economic profile of the Town of Norris Point. 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. A community survey was conducted in April 2024 and there were 174 responses. During the community site visit, a public consultation was held on May 10<sup>th</sup> and there were meetings and tours with community stakeholders.

The Municipal Plan and Development Regulations are prepared in consultation with Council, Town staff, and the public (as required by Section 14 of the *Urban and Rural Planning Act, 2000*). In particular, the residents and stakeholders in the Town were invited to two formal public consultations throughout the planning process. The first public consultation was undertaken on May 10, 2024 during the Community Site visit. The results of the Community Survey were included as part of the PowerPoint presentation. There were 174 responses to the survey conducted between March 22, 2024 and April 15, 2024. Tours of the Town were provided by Council members and stakeholders who shared their perspectives on the future of the community. For the second public consultation, the draft planning documents and mapping were made available to the public. The poster and notices indicated that interested parties may contact the Town by email or telephone to receive electronic copies of the documents and maps.

Upon completion of the review and comment phase, the draft planning documents and mapping are submitted to the Provincial government for review and comment, as required, by Section 15 of the *Urban and Rural Planning Act, 2000*.

Upon completion of the provincial review, Council adopts the released planning documents and mapping and arranges a further opportunity for public input through a formal Public Hearing chaired by a qualified Commissioner, as required by Section 16-25 of the *Urban and Rural Planning Act, 2000*. The Commissioner is appointed by Council to consider objections and representations from the public, either opposing or in favour of the Municipal Plan and Development Regulations. The Commissioner formally reports his 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 approves (by Resolution) the Municipal Plan and Development Regulations and associated mapping submits them for registration (as required by Section 23 and 24 of the *Urban and Rural Planning Act, 2000*). 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.



## **2.0 PLANNING CONTEXT AND MUNICIPAL PLAN OBJECTIVES**

### **2.1 PLANNING CONTEXT**

As part of the Municipal Plan Update, 2024, the Town of Norris Point is updating the Integrated Community Sustainability Plan (ICSP) which provided the basis for the Planning Context of the Municipal Plan and Development Regulations, 2009. This is supported by an updated Municipal Plan Background Report.

The context for the changes to these plans reflects the ongoing effects of COVID, the global impacts of the Ukraine war (fuel prices), inflation and higher interest rates, as compared to the optimism underpinning the previous plans which anticipated opportunities related to positive provincial trends. What remains constant is the geographic setting in Gros Morne National Park and the shift in the character of the town from a traditional outport lifestyle and regional service centre to a summer ‘resort town’. Regional health and social services remain a key to balance in thing the dual nature of the community.

The elements of sustainability in the 2009 ICSP: social, cultural, economic and environmental, are updated. The 2009 goal remains valid: To ensure that Norris Point remains a complete and healthy community into the future. Using the framework of the previous ICSP, the following sections outline the key resources, issues and anticipated challenges that Norris Point will face over the next 10-year planning period.

#### **2.1.1 Planning for Social and Cultural Sustainability**

The Town of Norris Point has a population of 602 people as of the 2021 Census. The town has seen a population decrease of about 14% from 2006 to 2021, or 98 people. The biggest loss occurred between 2016 and 2021 of 68 residents; whereas between 2006 and 2016 there was only a loss of 30 people.

The 45% drop in the number of children <14 years of age (55 in total in 2016) was especially noticeable for the 5-9-year-old group (only 20 young children). This may reflect the 50% loss in the 35-39-year-old group, which would represent potential parents. Interestingly, the number of 0-4-year-old children remained relatively stable. The 50-59-year-old group also remained stable. Overall, the population is middle-aged and older with the greatest increases in in the 65+ age groups. The challenge continues to be for the community to retain its youth and also encourage new younger families to locate in the community.

The Town of Norris Point offers a combination of attractions to prospective residents that many other small rural Newfoundland communities do not have: access to a wide range of recreational opportunities and health care facilities in an attractive setting. However, the age groups which are growing continues to be the retired age groups. In order to attract younger families, the community needs to offer services and amenities that cater to these younger cohorts, including, daycare, age-appropriate recreation, sport and cultural programming.

Although the overall population in Norris Point continues to decline, there continues to be some new housing construction, such as the subdivision at Holland's Memorial Drive. While it is difficult to project future populations, past trends would indicate that the Town's unique location in proximity to Gros Morne National Park combined with the above-noted attractions, Norris Point can expect modest residential growth in the coming years. The previous Municipal Plan, 2009 expected greater growth and identified new areas of land to accommodate new development. Much of these lands have not been developed. These lands, in combination with vacant lands within the community appear to provide sufficient residential land base to accommodate future needs.

There are several issues to take into consideration regarding housing in the community. With regard to the existing housing stock in the community, more houses are becoming used seasonally. Houses are either used as summer homes or as short term residential rentals (STRRs). This trend drives up the cost of housing and as these properties are improved and improve in value, the overall effect is the gentrification of the community. Local residents dependent on local employment and income levels cannot compete with the outsiders buying into the community. This creates a challenge for entry-level homeowners, professional newcomers working in the health sector, and accommodation for seasonal workers in the many tourism-related businesses. Summer homes and STRRs are generally located near the waterfront or in the areas of town with the best views of the Tablelands, Gros Morne mountain or the waterfront and surrounding landscape. Some of the land available for new housing does not have the views and may be less attractive to newcomers.

The 2009 Municipal Plan also allowed the complete range of commercial accommodations throughout the residential zone as discretionary use. While short term residential rentals (STRR) were not defined and controlled in the 2009 plan, the mix of full-time homes with commercial rentals created a situation where the STRRs blend in.

Regional health-related facilities and services located in Norris Point, such as the Bonne Bay Health Centre and Bonne Bay Physiotherapy Clinic, plus the dental clinic represent important community strengths. They are a sound foundation expand a wider range of holistic health services for all ages, as well as, supportive services and special care to the aging population in the region.

Cultural sustainability relates to the social amenities of a community, the recreation and social events that provide opportunities for social interaction, building connections and the sense of community. The Town has worked on fostering community spirit by creating new cultural opportunities, such as, the Trails, Tales and Tunes Festival, the local Radio Broadcast, and participation in Tidy Towns. The Town Hall is used by community groups for formal and informal social events. Also, various community volunteer groups have built strong social and cultural connections, such as the community library and spaces at the Julia Ann Walsh Heritage Centre, as well as the Town Park providing recreation facilities for children. While these things have been done for the benefit of the community, these events and activities also support what has become a vibrant tourism and cultural industry within the town which leads to greater economic sustainability.

In planning for the future of the community , Norris Point needs to consider how to balance the needs of preserving a fully-functioning year-round community with the impact of the seasonal demands of a 'resort-town' within Gros Morne National Park. Even with the disruption of the

COVID pandemic, the success of the national park has created pressures on the fabric of the community.

### **2.1.2 Planning for Environmental Sustainability**

Environmental sustainability is defined as "...the responsibility to conserve natural resources and protect ecosystems to support health and wellbeing, now and in the future". While the regulatory authority for most environmental controls are under provincial regulation, i.e., environmental assessment, pollution control, protection of waterbodies, etc., the municipality still has an important role.

In the Municipal Plan, the Town has the opportunity to set standards regarding landscaping, site layout and development standards as well as municipal servicing requirements, as well as ensuring adherence to provincial statutes, regulations, policies and guidelines. New development that respects and enhances the natural environment can improve quality of life and make Norris Point an attractive place to live. The location, type and standards applied to new development needs to respect environmental standards (i.e., waste management), site aesthetics and landscaping, and viewscapes for all residents and businesses.

In addition to protecting environmental integrity, the Town of Norris Point has stunning scenic vistas of key features of the surrounding Gros Morne National Park combined with prime access to the marine resources. These natural assets contribute to the identity of the residents of the community, and they are important to the tourist economy of the town. As an enclave community located within Gros Morne National Park, protecting the environment in Norris Point is essential for attracting tourists and ensuring continued economic benefits from the tourism industry.

Environmental issues that are addressed in the Municipal Plan include providing open spaces or protection buffers for trails and other outdoor recreation, ensuring that valuable irreplaceable resources such as long term supply of potable water are protected, preservation of view points and protecting land for agriculture use.

The Norris Point coastline is vulnerable to the impacts of climate change. The community is essentially located on a raised marine terrace and areas of the coastline are comprised of highly erodible materials. As storms become more frequent and intense (wind velocities >200 km/hour) combined with rising sea levels, the Town needs to address protection measures as well as conservative controls on future development in the vicinity of high risk areas.

### **2.1.3 Planning for a Sustainable Built Environment**

The 2009 Municipal Plan addressed the need to link dispersed areas of development and enhance the town's "sense of place". The objective was to create cohesive future development pattern and provide better opportunities for economic development and tourism. These land use designations and zoning shall generally be respected and refined in the updated Municipal Plan.

Currently there is no specific geographic 'town centre' in the community. Individual public buildings have structural impact, such as the Town Hall, the Julia Ann Walsh Heritage Centre, and the Bonne Bay Marine Centre. There is no land available to create a 'town centre' around them. Each of these important buildings are administered independently and there may be opportunities to work

together to create opportunities to provide more social, cultural, recreational and educational services for the benefit of the residents of the town on a year round basis.

Currently the Town Hall cannot house the Municipal administrative offices and this prime location combines community social space with the firehall. The Julia Ann Walsh Heritage Centre has an asbestos issue which limits the securing funding for potential uses of this building. In the meantime, the Bonne Bay Search and Rescue use the Centre experiences a lack of space for storage of equipment. There have been discussions as well of constructing a new Town Hall that would be a community centre as well as the administrative centre of the town.

The 2009 Municipal Plan policies proposed to provide for redevelopment of a recognizable 'town centre' at the intersection of Main Street, Neddie's Harbour Road and Hospital Lane through commercial zoning to encouraging a mix of commercial uses and streetscaping. There are still a number of the developed commercial buildings that are still underutilized. There is little vacant land of any size in the area, and most of this commercial zone is occupied by long-term residences and established businesses. Minimal change has happened since 2009.

There are a few important historic resources in the Town: two registered heritage buildings: Jenniex House and the Julia Ann Walsh Heritage Centre; the traditional fishing stage and stores at Wild Cove; and the historic harbourfront at Clarke's Road and Stone's Lane. Note that the historic Jenniex House provides a panoramic vista and welcoming services in a strategic location for visitors entering the Town. These resources shall be recognized and protected in the updated Municipal Plan.

The expansion of the built environment requires municipal servicing. With a limited but stable tax base to manage town affairs, the Town has undertaken to prepare an Asset Management Plan to responsibly maintain and expand municipal infrastructure. The ongoing challenge for Norris Point is to encourage new development that utilizes existing infrastructure such as roads, water and sewer services and ensure that extensions to municipal services does not place undue tax burden on residents, now or in the future. The Municipal Plan sets out clear policies to guide new growth.

The updated Municipal Plan will provide opportunities for different forms of housing with the objective to accommodate the housing needs of prospective new residents as well as the current aging population. New housing issues to be addressed include lot sizes, densities and layouts in a geophysically challenging environment; options for tiny homes; options to address seasonal use of single detached dwellings in the residential zone for short term residential rentals and seasonal 'cottage' use.

#### **2.1.4 Planning for a Sustainable Economy**

The community has two economic anchors: tourism related to Gros Morne National Park and the regional health service sector. As well, there are fishing enterprises based out of Norris Point and a wide range of local services for a town of this size.

The Municipal administration is on solid footing with stable tax base, low debt servicing ratio and sufficient means to borrow funds for needed capital infrastructure investment. The Town partners with a variety of community groups to secure resources to improve civic amenities. Plan policies encourage a wide range of business development opportunities, both in identified commercial and mixed development areas and as home based businesses.

It has worked hard with a variety of groups, individuals, organizations and businesses to provide a range of tourism products and lengthen the tourism season. Having a sustainable economy also means that the town uses tax revenues efficiently, and in ways that will provide community-wide benefits. The community has extended the tourist season creating new opportunities, such as, the Trails, Tales and Tunes Festival, the. While these things have been done for the benefit of the community, these events and activities also support what has become a vibrant tourism and cultural industry within the town which leads to greater economic sustainability.

The new Neddie's Harbour and Marine Project will help relieve traffic congestion in this area by diverting the fishing offloading activity to the new location. This Project involves the construction of a new treated timber crib marginal wharf and finger pier, launchway, two (2) floating docks and armour stone breakwater. The uplands will be backfilled to create laydown area as well as give greater access to the facility. The Gros Morne Tourism Regional Implementation Plan Project is exploring the possibility of reclaiming land in the Neddie's Harbour area which would provide more space for marine and tourism related use and development. The changes and proposed expansion of these shore-based uses will be reflected in the updated Municipal Plan. It is important to recognize the marine identity of the community by recognizing the waterfront in Neddie's Harbour, Inner Harbour, the historic waterfront The historic waterfront area where new commercial development continues to be encouraged, and the protection measures implemented in the Wild Cove area to conserve heritage structures such as the traditional stores and wharves used by inshore fishermen.

From a sustainability perspective, Gros Morne National Park continues to be a significant resource contributing to the economy of the town. This does not come without challenges. The seasonal nature of the accommodation and tourism related businesses places pressure on the housing resources of the community with more and more homes used for short term accommodations and as seasonal 'cottages'. As the town experiences increasing gentrification, local long-term businesses may find that they are no longer viable on a year-round basis. There is a tension between the needs of the established community and the tourism-related businesses. The policies of the updated Municipal Plan are intended to provide a wider range of scope to address these challenges.

## **2.2 A SUSTAINABLE FRAMEWORK: MUNICIPAL PLAN OBJECTIVES**

The following sections outline objectives of the Municipal Plan that apply throughout the Town of Norris Point Planning area, (as required by Section 13 (2) of the *Urban and Rural Planning Act, 2000*). These have been organized to complement the planning context discussion.

The objectives of the Municipal Plan provide a sustainable framework for the land use and development policies set out in this Municipal Plan. They articulate the aspirations and needs of the residents of the Town of Norris Point.

### **2.2.1 Sustainable Social and Cultural objectives**

The objectives for social and cultural objectives include:

- 1) To provide a healthy, pleasant, and safe living and working environment in Norris Point;
- 2) To preserve scenic views recognizing their value to residents and visitors and the importance to the character of the Town;
- 3) 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;
- 4) Strive to provide the quality of life amenities to promote a healthy community, vibrant economy and secure future for the community;
- 5) Develop relationships with key community organizations, such as the Bonne Bay Aquarium and Research Station and the Old Cottage Hospital Heritage Corporation, to expand year round community programming and services;
- 6) Accommodate housing needs for current and future residents for a range of age, income, abilities, and family status with a range of housing types to satisfy market needs;
- 7) Allocate sufficient land to meet anticipated needs for community for the next ten years;

### **2.2.2 Sustainable Environment objectives**

The objectives for environmental sustainability include:

- 1) To protect the integrity of the natural environment, including soil, water, vegetation, wetlands, wildlife, plant and fish habitats, for its intrinsic, aesthetic, recreational, and economic values;
- 2) To manage the Town's natural resources, such as forestry, agriculture, and mineral resources, and to promote the sustainable development of these resources;
- 3) Restrict development in environmentally hazardous areas such as steep slopes and areas prone to landslides and rockfall, and areas vulnerable to climate change effects on the coastline;

### **2.2.3 Sustainable Built Environment objectives**

The objectives for the Norris Point Built Environment include:

- 1) To encourage future growth in a manner that ensures land use compatibility, orderly development in a manner that promotes a balanced and attractive community taking into consideration its physical setting;
- 2) To create a 'town centre' to provide a focus for the town and foster community pride and identity;
- 3) To protect heritage resources including structures and locations important to the historic understanding of the community for the benefit of both residents and visitors.
- 4) To preserve the character of the community by encouraging the retention of the style, size, scale, colour and form of buildings in Norris Point.
- 5) To protect views from public vantage points to the waters of Bonne Bay; and include evaluation of the impact of new development on views;
- 6) To provide opportunities for residential infill, tiny homes, and higher density housing in order to maximize use of limited residential land base.

#### **2.2.4 Sustainable Economic objectives**

The objectives for economic sustainability include:

- 1) To work with the Gros Morne Tourism Regional Implementation Project to develop tourism resources and services in Norris Point that will excel within the context of Gros Morne National Park;
- 2) To encourage home-based businesses by including provisions in the Development Regulations regarding home business that will help residents augment their personal income;
- 3) To ensure compatibility of non-residential and residential development in a Town with of the size and geography of Norris Point;
- 4) To encourage the continued operation of existing businesses through policies and regulations that facilitate expansion of the existing operations, retention of the population base needed for economic viability and provide flexibility for a wide variety of business development opportunities;
- 5) To make land available for employment-generating activities, such as tourism, commercial and industrial development opportunities;

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## **3.0 LAND USE DESIGNATIONS, POLICIES & PROVINCIAL & MUNICIPAL INTEREST OVERLAYS**

### **3.1 LAND USE DESIGNATIONS**

#### **3.1.1 Land Use Classes and Designations**

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 Norris Point is divided into land use classes. Within each land use class, a land use designation shall be defined and mapped on the Future Land Use Map. Within the designation, the Municipal Plan shall set out the Land Use Zones that shall be shown on the Land Use Zoning Map of the Development Regulations, as shown on the following table.

LAND USE CLASS	LAND USE DESIGNATIONS FUTURE LAND USE MAP	LAND USE ZONES LAND USE ZONING MAP
Commercial	Commercial	Commercial
Conservation	Conservation	Environmental Protection Open space, Parks & Trails Protected Water Supply
Industrial	Industrial-Commercial Waterfront	Waterfront-Wild Cove Waterfront-Neddie's Harbour Waterfront-Inner Harbour Waterfront-Norris Cove
Mixed	Mixed Development	Mixed Development
Residential	Residential	Residential
Rural	Rural	Rural

#### **3.1.2 Interpretation**

It is a policy of Council to:

- 1) Establish Future Land Use designations on the Future Land Use Map.
- 2) Refine each Municipal Plan land use designation into land use zones for the Development Regulations.
- 3) Sets out the permitted, discretionary, and prohibited land uses for each zone.

- 1) Set out Land Use Definitions and specific conditions for development (including subsidiary apartments and outdoor storage) in the Development Regulations according to Land Use Class, including:

- Agricultural Use Class
- Commercial Land Use Class
- Industrial Use Class
- Conservation Use Class
- Public/Institutional Land Use Class
- Residential Use Class
- Public Infrastructure and Utilities Use Class

- 4) Indicate the following uses in the Development Regulations:
  - a. Set out permitted uses in each zone and that can be approved, with or without conditions;
  - b. Set out discretionary uses in each zone where Council determines that 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;
  - c. Set out Accessory Uses (for residential and non-residential), Accessory Buildings and Home Business (General home businesses or specific home businesses, such as Bd & Breakfast, Boarding House, Day Care-Residential, and associated parking) uses and conditions for development;
  - d. Indicate the following considerations when accepting or refusing a permitted or discretionary use:
    - i. whether the use is appropriate for the site and the immediate surrounding area;
    - ii. 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 Maps in which the use is located.

- 5) Provide the following interpretation of boundaries between land use designations: the boundaries between land use designations 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.

### **3.1.3 Uses and requirements that apply in all zones**

- 1) Set out the uses that are permitted, and conditions to be applied, in all Future Land Use designations and Land Use zones which shall include:
  - a. Conservation uses (environmental protection and open space, parks and trails);
  - b. Mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*);
  - c. Public infrastructure such as, utilities and municipal services;
  - d. Accessory uses and buildings provided the buildings are clearly incidental and complimentary to the main buildings' character, size and use; and wharves/boathouses/slipways/breakwaters, where they are accessory to a principal use;
- 2) Protect the traditional trail network in the Town with a minimum 15-metre undisturbed buffer between the proposed development and the trail. Where trails are located along existing street rights of way, no buffer is required. These trails are intended for pedestrian

use and in the interests of public safety, it is a policy of Council to prohibit ATV use on these pathways. ATVs are only to be used on trails that are identified specifically for ATV use. Development shall not obstruct access to these trails.

- 3) Ensure that new development does not obstruct views from public vantage points to the waters of Bonne Bay, such as down streets perpendicular to the water; and require an assessment of the impact of the height of the structure on the views of neighbouring properties is a requirement for consideration to restrict the height of the structure or alter the design to mitigate the impact;
- 4) To encourage the preservation of natural features such as beaches, mature tree cover, areas of steep slopes and wetlands to support the preservation of ecosystems and cultural landscape features for future generations. New development shall be required be designed to minimize environmental impacts.
- 5) To ensure that public access to and along the shoreline of Norris Point is preserved. New development shall not be permitted to block or prevent public access by virtue of backfilling, depositing materials, erection of gates or fences. The impact on public access of the construction of wharves, docks or marinas along the shoreline will be considered in the review and approval of development applications.

### **3.2 COMMERCIAL**

#### **3.2.1 Commercial Objectives**

The following objectives for commercial development in Norris Point are:

- 1) To support commercial development at the Norris Cove-Clarkes Road area as a tourism destination that will foster growth in the tourism industry;
- 2) To foster development of a vibrant town centre to enhance community spirit and pride, as well as provide a venue for community events and social and cultural activities and programming;
- 3) To provide a uses in the commercial that accommodates a wide range of businesses and services attractive to visitors and residents.

#### **3.2.2 Commercial Policies**

It is the policy of Council to:

- 1) Provide for a commercial land use designation on the Future Land Use mapping;
- 2) In the Commercial land use designation, provide for a Commercial zone in the Development Regulations which shall have the following uses:
  - a. Permitted Uses: Commercial Land Use Class: All Uses, **EXCEPT** Amusement Park/Attraction, Campgrounds, Resort; Institutional/Public Land Use Class-All Uses **EXCEPT** Cemetery; Public Gathering-Indoor; and Uses that are permitted in all zones:

conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the Urban and Rural Planning Act, 2000); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;

b. Discretionary Uses: Apartment building; Assisted Living-Residential; Emergency shelter; Hostel; Light Industrial; Outdoor Market; Outdoor Storage; Protective and Emergency Services; Supportive housing; Transitional housing;

3) Include in the Commercial use development standards, outdoor storage buffers and separation distances shall be set out in the Development Regulation;

4) Prepare a plan for the area designated for Commercial development around the intersection of Neddie's Harbour Road, Main Road, and Hospital Lane that would incorporate improved urban design and streetscaping, integrate plans for the Julia Ann Walsh Heritage Centre, and identify parking and open space areas within this central business area.

#### **Access**

5) Require that new commercial development, or redevelopment of an existing commercial building, have well-designed access points that will enable the efficient and safe flow of vehicular and pedestrian traffic.

#### **Julia Ann Walsh Heritage Centre**

6) Support the Julia Ann Walsh Heritage Centre; Council recognizes the importance of the Julia Ann Walsh Heritage Centre as an important anchor in the commercial heart of Norris Point and commits to supporting services and facilities that provide for residents and visitors.

#### **Bonne Bay Marine Centre**

7) To enhance community outreach and partnership opportunities with the Bonne Bay Marine Centre for the benefit of the community.

#### **Setbacks to complement existing structures**

8) Allow for the building line setbacks (building line) of new building to complement the setbacks of existing conforming buildings on adjoining or nearby lots on the same street and allow buildings be permitted to abut existing sidewalks

### **3.3 CONSERVATION**

The Conservation land use designation may be comprised of public and private open space; water bodies including buffers around ponds, shorelines, and wetlands; lands that contribute to important ecological functions and lands containing other natural physical features which are desirable for open space use or preservation in a natural state. It also includes landscapes with natural hazards such as shorelines susceptible to erosion or slopes with potential for landslides.

The inclusion of privately-owned lands within the Conservation designation shall not imply that the land is accessible to the public. Permissions for public access to privately owned property within the Conservation designation shall be at the discretion of the property owner.

### **3.3.1 General Policies**

It is the policy of Council to:

- 1) Provide for a Conservation Future Land Use designation on the Future Land Use mapping;
- 2) In the Conservation designation, provide for the following Land Use Zones in the Development Regulations:
  - Environmental Protection
  - Open Space, Park and Trails
  - Protected Water Supply
- 3) Protect natural areas which by reason of their intrinsic character, are sensitive, vulnerable, or ecologically significant, or have natural or recreation values.

### **3.3.2 Environmental Protection**

#### **3.3.2.1 Environmental Protection Objectives**

The objectives for Environmental Protection in Norris Point are:

- 1) To prevent development in environmentally sensitive, hazardous or areas threatened by the effects of climate change;
- 2) To encourage and support the use of natural areas for recreation, eco-tourism and outdoor education; and
- 3) To work in partnership with groups and organizations to foster a sense of environmental stewardship among residents.

#### **3.3.2.2 Environmental Protection Policies**

It is the policy of Council to:

- 1) In the Environmental Protection I zone in the Development Regulations which shall have the following uses:
  - a. Permitted Uses: Uses as permitted under the Water Resources Management Division Policy W. R. 97-1: Environmental Protection; boathouses, jetties, wharves, moorings and other docking facilities and the extension and upgrading of existing buildings; and Uses that are permitted in all zones: conservation uses (environmental protection and open

space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;

- b. Discretionary Uses: Marina; Campground; Mineral exploration-'development'; Forest activities-domestic harvest only

2) Apply the Environmental Protections zone in areas where development must be restricted, such as shorelines, waterbodies, steep slope where development is unsuitable and environmentally unsustainable and in coastal areas susceptible to effects of flooding as a result of rising sea levels combined with storm surges.

### **3.3.3 Open Space, Park and Trails**

This zone is intended to provide the opportunity to recognize lands where the Town or community groups have invested in the development of active and passive recreational facilities and protect the lands from other non-compatible uses.

#### **3.3.3.1 Open Space, Park and Trail Objectives**

The objectives of the Open Space, Park and Trail zone are to:

- 1) Preserve lands for the purpose of open space for the beautification and aesthetic values of the Town;
- 2) Protect lands or the development of parks from incompatible development for the enjoyment of residents and tourists;
- 3) Ensure that trails, including viewpoints and access points ,are safeguarded from detrimental adjacent developments including the safety of trail users;

#### **3.3.3.2 Open Space, Park and Trail Policies**

It is the policy of Council to:

- 1) In the Open Space, Park and Trail zone in the Development Regulations which shall have the following uses:
  - a. Permitted Uses: *Conservation-All uses; and* Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;

- b. Discretionary Uses: Public gathering places-outdoor; Restaurant-mobile take-out/street vendor only; Outdoor Market
- 2) Apply the Open Space, Park and Trail zone in areas where the Town or community organizations have invested in development of infrastructure for recreation purposes.

### **3.3.4 Protected Water Supply**

The Neddy Harbour Pond Water Supply Area is the source of drinking water for the Town of Norris Point. The Protected Water Supply area is a provincially designated and protected water supply under the *Water Resources Act, 2002*.

#### **3.3.4.1 Protected Water Supply Objective**

The objective for the Protected Water Supply designation is:

- 1) To ensure the long-term viability of drinking water for the Town of Norris Point;

#### **3.3.4.2 Protected Water Supply Policies**

It is the policy of Council to:

- 1) In the Protected Water Supply zone in the Development Regulations, indicate the following uses:
  - a. Permitted Uses: Uses must be consistent with the 'Policy Directive on Land and Water Development in Protected Public Water Supply Areas' W.R. 95-01: Environmental Protection; Cottage; Forestry; Commercial Agriculture; Resort; -From W.R. 95-01: Construction of residential, commercial, industrial and institutional facilities or any other related activity including land clearing or drainage, construction of access roads, servicing of lands for subsequent use, or extension and upgrading of existing buildings or facilities, and Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;
  - b. Discretionary Uses: Mineral Working; Mineral Exploration-'Development'
- 2) Apply the Protected Water Supply zone in areas where land uses need to be controlled to protect the integrity of the water quality and quantity for the purposes of potable water for the Town of Norris Point.

### **3.4 INDUSTRIAL-COMMERCIAL WATERFRONT**

The industrial activity is mainly related to the fishery and needs appropriate facilities on the waterfront. Access to the waters of Bonne Bay is an important part of community identity and the fishery continues to be part of the local economy. There are four distinct waterfront locations that offer opportunities for heritage interpretation, expanded marina offerings, tourism amenities, as well as facilitating the needs of fishermen.

#### **3.4.1 Industrial-Commercial Waterfront Objectives**

The following objectives shall apply to development on lands designated as Industrial on the Future Land Use maps:

- 1) To provide opportunities for industrial, commercial and recreational boating in the community;
- 2) To support ongoing redevelopment of the waterfront in the community in a manner that protects traditional economic activities and enhances the sustainable values of the community, including:
  - the preservation of marine-related heritage structures in Wild Cove in a manner that does not hinder continued commercial and recreational marine uses;
  - enhancement of Neddie's Harbour for the purposes of providing marine-related services for fishing operations and recreational boating, protective climate change measures along the shoreline, and create a tourism waterfront facility destination;
  - tourism-related commercial activities and services in Norris Cove;
  - improvements in the Inner Harbour, including public access;

#### **3.4.2 General Policies**

It is the policy of Council to:

- (1) Provide for an Industrial Waterfront designation on the Future Land Use map;
- (2) In the Industrial-Commercial Waterfront Land Use designation, establish the following Waterfront zones in the Development Regulations:
  - Waterfront-Wild Cove
  - Waterfront-Neddie's Harbour
  - Waterfront-Inner Harbour
  - Waterfront-Norris Cove
- (3) In areas designated Industrial-Commercial Waterfront on the Future Land Use Map, permit marine uses associated with the fishing industry including wharves, docks, boat haul outs and storage yards, marine service facilities, commercial and recreational boating, fishing sheds and other ancillary uses.

### **3.4.3 Waterfront-Wild Cove Policies**

It is the policy of Council to:

- 1) In the Industrial Land Use designation, establish the Waterfront-Heritage zone in the Development Regulations with the following uses:
  - a. Permitted Uses: Uses as permitted under the Water Resources Management Division Policy W. R. 97-1 (see Appendix 3), subject to Heritage standards for fishing sheds; Fishery-related Use; Marina ; boathouses, jetties, wharves, moorings and other docking facilities and the extension and upgrading of existing buildings; Open Space, Recreation and Trails uses; *and* Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;
  - b. Discretionary Uses: Bar/Liquor Establishment; Outdoor Market; Outdoor Commercial patio; Public Gathering Place-Outdoor (outdoor performance space only); Public Gathering Place-indoor; Restaurant; Retail;
- 2) Apply a heritage overlay to this area where heritage standards shall guide new development and the repair existing fishing stages and wharves in Wild Cove. However, nothing in this plan shall prevent the continuation of current fishing activity in Wild Cove.
- 3) The Discretionary uses shall only be considered when the ownership and upgrading of Whale Cove Road has been completed to the satisfaction of Council.

### **3.4.4 Waterfront-Neddie's Harbour Policies**

It is the policy of Council to:

- 1) In the Industrial Land Use designation, establish the Waterfront -Neddie's Harbour zone in the Development Regulations with the following uses:
  - a. Permitted Uses: Permitted Uses: Uses as permitted under the Water Resources Management Division Policy W. R. 97-1 (see Appendix 3): Fishery-related Use; Marina; boathouses, jetties, wharves, moorings and other docking facilities and the extension and upgrading of existing buildings; *and* Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;
  - b. Discretionary Uses: Bar/Liquor Establishment; Outdoor Market; Outdoor Commercial patio; Public Gathering Place-Outdoor (outdoor performance space only); Public Gathering Place-indoor; Restaurant; Retail;

- 2) Consideration of these Discretionary uses on the shoreline can only occur subsequent to the protection of the foreshore from erosion and the build-up of sufficient land for these types of development;
- 3) Designate lands sufficient to support the Neddie's Harbour and Marina Project to develop harbour facilities on the north side of Neddie's Harbour for both fishery and marina uses and also sufficient lands for tourism-related uses.
- 4) Expand the Neddie's Harbour Marina Development area to encompass the shoreline along Neddie's Harbour Road to achieve the dual purpose of:
  - a. protecting Neddie's Harbour Road and municipal infrastructure from the threat of climate change flooding; and,
  - b. to reclaim land in the Neddie's Harbour area and fill in the foreshore area in order to provide space for additional marine and tourism related use and development.

#### **3.4.5 Waterfront-Inner Harbour Policies**

It is the policy of Council to:

- 1) In the Industrial Land Use designation, establish a Waterfront-Inner Harbour zone in the Development Regulations with the following uses:
  - a. Permitted Uses: Permitted Uses: Uses as permitted under the Water Resources Management Division Policy W. R. 97-1 (see Appendix 3): Fishery-related Use; Marina; boathouses, jetties, wharves, moorings and other docking facilities and the extension and upgrading of existing buildings; *and* Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;
  - b. Discretionary Uses: Bar/Liquor Establishment; Outdoor Market; Outdoor Commercial patio; Public Gathering Place-Outdoor (outdoor performance space only); Public Gathering Place-indoor; Restaurant; Retail;
- 2) To facilitate the continued use for fishery and marina related uses and enhance access to the shoreline for both residents and tourists.

#### **3.4.6 Waterfront-Norris Cove Policies**

It is the policy of Council to:

- 1) In the Industrial Land Use designation, establish the Waterfront -Norris Cove zone in the Development Regulations with the following uses:
  - a. Permitted Uses: Permitted Uses: Uses as permitted under the Water Resources Management Division Policy W. R. 97-1 (see Appendix 3): Fishery-related Use;

Marina; boathouses, jetties, wharves, moorings and other docking facilities and the extension and upgrading of existing buildings; *and* Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;

b. Discretionary Uses: Bar/Liquor Establishment; Outdoor Market; Outdoor Commercial patio; Public Gathering Place-Outdoor (outdoor performance space only); Public Gathering Place-indoor; Restaurant; Retail;

2) Encourage tourism-related uses in this prime location which has limited land available for expansion.

### **3.5 MIXED DEVELOPMENT**

The Town has a good number and variety of businesses- many are seasonal tourism-related, such as cafes and gift shops, but some provide year-round services. As well, Norris Point has established regional health related facilities and services, such as the Bonne Bay Health Centre, Bonne Bay Physiotherapy Clinic, and Bonne Bay PharmaChoice.

#### **3.5.1 Mixed Development Objective**

The objective for Mixed Development in Norris Point is:

- 1) To provide more residential and commercial development opportunities along the main road in the community as there is very limited land available within the urban core for new commercial ventures.

#### **3.5.2 Mixed Development Policies**

It is the policy of Council to:

- 1) Provide for a Mixed Use Future Land Use designation on the Future Land Use mapping;
- 2) In the Mixed Use designation, provide for Mixed Use zone in the Development Regulations which shall have the following uses:
  - a. Permitted Uses: Apartment building; Single Detached Dwelling; Double Dwelling; Home businesses as set out in Condition (3); Business support service; Club and Lodge; Convenience store; Garage, public parking, taxi stand; General Service/repair; Medical or Dental Clinic; Personal Service; Offices; Outdoor Commercial patio; Restaurant-full service; Retail; Public Gathering Place-Indoor; Subsidiary Apartment, and Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the

*Urban and Rural Planning Act, 2000); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building; Home businesses that are permitted uses include:*

- i. Professions, such as an accountant, architect, auditor, engineer, realtor, insurance agent, planner, lawyer;
- ii. Personal service that do not disrupt the residential character of the neighbourhood, such as a hairdressing, tailor, photographer, caterer's establishment, shoe repair, dressmaking, sewing repairs and tailor shop, small appliance, clock/watch, bicycle, ski and snowboard and computer repair, locksmiths, manicurists;
- iii. Artisan and other home crafts;
- iv. Music and dance lessons and educational tutoring;
- v. Telephone and mail order business

b. Discretionary uses: Amusement establishment/use; Auto Body shop; Automotive Repair; Bar; Building supply store; Child Care-Non-residential; Contractor, Day Care-residential, Dormitory, General; Custom manufacturing ; Home business-set out below; Hostel; Hotel; Industrial light; Industrial Mall; Institutional; Mobile Street vendor (non-food; Motel; Non-Market housing; Protective and Emergency Services; Seasonal Residence; Short Term Residential Rental; Sport and Recreation Facilities; Townhouse; Veterinary Clinic; Home businesses as discretionary uses, including but not limited to:

- i. Food preparation for catering services and baking;
- ii. Music and dance lessons, and educational tutoring
- iii. Personal service that do not disrupt the residential character of the neighbourhood, such as a hairdressing, tailor, photographer, pet groomer, caterer's establishment, shoe repair, dressmaking, sewing repairs and tailor shop, small appliance, clock/watch, bicycle, ski and snowboard and computer repair, locksmiths, manicurists;
- iv. Care services, such as child care, or home-care; and similar occupations or businesses.
- v. Art gallery and framing shop;
- vi. Pet grooming services;
- vii. Bed and Breakfasts;
- viii. Boarding house
- ix. Home care-residential
- x. Furniture repair and upholstery;
- xi. Sale of bedding plants and trees grown on the same lot

3) Expand opportunities for commercial and light industrial revenue-generating uses along the main roads in the community that are compatible with residential development.

4) Provide 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 between residential and non-residential land uses.

### **Setbacks to complement existing structures**

- 5) Allow for the building line setbacks (building line) of new building to complement the setbacks of existing conforming buildings on adjoining or nearby lots on the same street and allow buildings be permitted to abut existing sidewalks
- 6) Allow for seasonal residences which, at the discretion of Council, may be subject to the conditions applicable to Short Term Residential Rentals (see #11, below).
- 7) Protect the housing stock of the town from seasonal use, such as short term residential rentals (STRR) by Council shall have the discretion to:
  - a. limit the density of a combination of Short-Term Rentals and Bed and Breakfast operations in a neighbourhood;
  - b. enact a moratorium on the establishment of new Short-Term Residential Rentals after determining a ratio of seasonal versus full-time occupation of housing stock in the community;
  - c. set a percentage of all housing stock that can be STRR and new licences will only be issued when a licence is retired;
  - d. require that STRRs must be owner-occupied (like a bed and breakfast);
  - e. set out criteria to enable boat houses or other accessory buildings to be used as a STRR;
  - f. stipulate that only residents of the Town of Norris Point can own a STRR and set a limit on the number any one individual can operate;
  - g. prohibit Hotel/Motel operations from having STRRs as part of their accommodation offerings;

## **3.6 RESIDENTIAL**

The dominant housing form is the single detached home and 69% of these homes are over 26 years old and well maintained. Commercial residential uses are allowed as a discretionary use in the Residential zone. Due to the Town's natural setting within Gros Morne National Park and next to Bonne Bay, there are a growing number of homes being used for short term rentals and summer homes. This takes these homes out of the housing market and negatively affects affordability. Land with the best views is either already developed or held as vacant land. The Town needs residential policies which provide for a wide range of housing types, increased density, and maximizes use of land.

### **3.6.1 Residential Objectives**

The objectives for the Residential designation in Norris Point are:

- 1) To encourage a variety of housing types, sizes and affordability levels for people at all stages of life, abilities and income levels;
- 2) To ensure a high quality in residential subdivision design by encouraging comprehensive development, open space amenities and efficient street networks;

- 3) To encourage new residential subdivision opportunities in backland areas close to built up areas of the community that can be serviced efficiently from existing water and sewer infrastructure;
- 4) To ensure development in residential areas takes place in a manner that is compatible with and complimentary to areas of existing development and established neighbourhoods.

### 3.6.1 Residential Policies

It is the policy of Council to:

- 1) Provide for a Residential land use designation on the Future Land Use mapping;
- 2) In the Residential designation, provide a corresponding a Residential zone in the Development Regulations which shall have the following uses:
  - a. Permitted Uses: Single detached dwelling; Semi-detached (double) dwelling; Subsidiary apartment; and Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building; Home businesses that are permitted uses in the Residential zone:
    - i. Professions, such as an accountant, architect, auditor, engineer, realtor, insurance agent, planner, lawyer;
    - ii. Personal service that do not disrupt the residential character of the neighbourhood, such as a hairdressing, tailor, photographer, caterer's establishment, shoe repair, dressmaking, sewing repairs and tailor shop, small appliance, clock/watch, bicycle, ski and snowboard and computer repair, locksmiths, manicurists;
    - iii. Artisan and other home crafts;
    - iv. Music and dance lessons and educational tutoring;
    - v. Telephone and mail order business;
  - b. Discretionary Uses: Apartment building; Assisted Living-Residential; Convenience store; Day Care-residential, Dormitory; Energy generating facility-residential only; Garage, public parking, taxi stand; Garden suite; Hostel; Hotel; Institutional; Education facilities only; Mini-homes; Motel; Non-profit housing; Public Gathering Places-Indoor; Seasonal Residence; Short Term Residential Rental; Supportive housing; Tiny Home; Townhouse; Transitional housing ; Urban agriculture; Home businesses, including but not limited to:
    - i. Food preparation for catering services and baking;
    - ii. Music and dance lessons, and educational tutoring
    - iii. Personal service that do not disrupt the residential character of the neighbourhood, such as a hairdressing, tailor, photographer, pet groomer, caterer's establishment, shoe repair, dressmaking, sewing

- repairs and tailor shop, small appliance, clock/watch, bicycle, ski and snowboard and computer repair, locksmiths, manicurists;
- iv. Care services, such as child care, or home-care; and similar occupations or businesses.
- v. Art gallery and framing shop;
- vi. Pet grooming services;
- vii. Bed and Breakfasts;
- viii. Boarding house
- ix. Home care-residential
- x. Furniture repair and upholstery;
- xi. Sale of bedding plants and trees grown on the same lot

3) Permit the expansion of the Residential zone at end of Neddie's Harbour Road under the following conditions:

- a. Mineral Lands Division confirms that the quarry resources are no longer required and the sites have been rehabilitated in accordance with the conditions of the quarry permits;
- b. That development permits in the area adequately address issues related to water quality and safety due to proximity to the Town Chlorination system.

4) Restrict street access to Wild Cove Road from the Residential area located east of Wild Cove (accessed from ) due to concerns regarding condition of the road and future impacts of climate change on future accessibility.

5) Provide regulations for a range of accessory uses such as home-based businesses; and ensure that the primary use of the lot remains residential;

6) Include provisions in the Development Regulations regarding alternative energy within a built-up residential area, which shall be limited to a single energy-generation unit that serves an individual property;

7) Require prior approval of the Department of Digital Government and Service NL for on-site water supply and sewage disposal system for each lot for non-serviced lots, before development permits are issued in areas where municipal services cannot be provided in an economic manner;

8) Provide for higher density residential development;

9) Provide for seasonal/temporary employee accommodation as needed by the tourism and health sectors in particular;

**Setbacks: staggered or to complement existing structures**

10) Allow for staggered setbacks or to allow the building line setbacks (building line) of new building to complement the setbacks of existing conforming buildings on adjoining or nearby lots on the same street and allow buildings be permitted to abut existing sidewalks.

- 11) Allow for seasonal residences which, at the discretion of Council, may be subject to the conditions applicable to Short Term Residential Rentals (see #11, below).
- 12) Protect the housing stock of the town from seasonal use, such as short term residential rentals (STRR) by Council shall have the discretion to:
  - a. Short-Term Residential Rental (STRR) uses shall have a permit from the Town and are only allowed as a discretionary use and where such dwelling units are well maintained and attractive to the intended tourism accommodation use and surrounding residential neighbourhood;
  - b. Neighbourhood consultation must be undertaken prior to approval of a new STRR permit being issued;
  - c. All STRRs shall be licenced under appropriate provincial regulations, such as, the Tourist Establishment Regulations including Service NL approvals and proof of appropriate insurance coverage;
  - d. Every bedroom available to be rented shall have parking spaces (one for every unit);
  - e. A STRR is not permitted within a mobile home.
  - f. Council shall have the discretion to enact the following measures as needed:
    - i. limit the density of a combination of Short-Term Rentals and Bed and Breakfast operations in a neighbourhood;
    - ii. a moratorium on new STRRs;
    - iii. set a percentage of all housing stock that can be STRR, and when that is met new licences will only be issued when a licence is retired;
    - iv. require that STRRs must be owner-occupied (like a bed and breakfast);
    - v. require that only residents of the Town of Norris Point can own a STRR
    - vi. limit the number per individual;
    - vii. prohibit Hotel/Motel operations from having STRRs as part of their accommodation offerings;
    - viii. Allow an Accessory Building, boat house or other structure to be used as a STRR.

#### **Infill development**

- 13) Allow Infill development in the residential zone only on an Infill lot which is defined as follows: An Infill lot is a lot that does not meet the lot dimensions for the development standards for the zone and the lot and cannot be brought into conformance because existing development prevents the acquisition of land to bring it into conformance without putting those adjacent properties out of conformance. Infill shall allow the following:
  - a. The side yards and rear yard requirements can 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.
  - b. Primary buildings on each lot are must be a minimum of 4 m apart.

#### **Subdivision Development**

- 14) Require residential subdivision development to have a development agreement with a layout approved by Council. Proposed subdivisions shall be subjected to evaluation for conformity with the goals, objectives and policies of this Municipal Plan and Development Regulations.
- 15) Ensure that the developer shall be responsible for the cost of development, including all road, water and sewer extensions. Preparation of land for subdivision development shall be

carried out in a way that respects the environment and provides for proper site drainage, avoids erosion does not contribute to pollution on or off site. Because mature trees prevent erosion, shield houses from wind and blowing snow and provide aesthetic benefits, developers shall have regard to preserving mature trees when preparing a site for subdivision development. Council may require that the developer have an engineer or other qualified professional assess the impact that the subdivision development may have on the environment on site and on surrounding land and water.

#### **Shared Driveways**

16) Allow shared driveways in the Residential zone only. Standards in the Development Regulations shall minimize liability to the Town by addressing public health and safety access to homes for emergency services. These include:

- a shared driveway is considered a private road and it shall not be maintained by Council;
- b. No more than three properties are allowed to have a shared driveway (private road);
- c. All primary buildings accessed by a shared driveway must have a street number visible from the street in order to meet public safety and emergency requirements.

#### **Garden Suites**

17) Allow garden suites as a discretionary use in the Residential zone provided they meet the following requirements:

- a. The lot must meet the Residential development standards;
- b. The garden suite can only be a maximum of 75 m<sup>2</sup> in size;
- c. The garden suite must have its own servicing either via municipal services or according to the standards of the Department of Digital Government and Service NL;

#### **Back lots**

18) Permit residential backlot development in the Residential zone only. Land can be subdivided for back lot development where the driveway from the street forms part of the lot. A backlot must be:

- a. located on a land behind existing development where the vacant parcel is of sufficient size to meet the development standards for a single dwelling.
- b. The development conditions regarding access width, length, and the application of the building line, side yard, and rear yard requirements to be specified in the Development Regulations, include, but are not limited to:
  - i. The lot must have municipal servicing where available; and where municipal services are not available, appropriate approvals for onsite servicing must be obtained from the Department of Digital Government and Service NL;
  - ii. The development of the lot must not prejudice the use of adjoining backland. Council shall be satisfied that the backlot development shall not detract or restrict other types of development on adjacent lands;
  - iii. To ensure that Council can meet its responsibility for public safety and emergency access by limiting the location of a dwelling on a backlot which shall be a maximum of 200 metres from a public street for a serviced lot a 300 metres for unserviced.

### **3.7 RURAL**

Lands designated as Rural are intended to be protected for the rural setting of the community, and used primarily by natural resource industries such as agriculture, forestry, fishing, mineral working operations, conservation uses, and other uses which by the nature of size or activity is not suitable to be located in the built-up area of the community.

#### **3.7.1 Rural Objectives**

The objectives of the Rural zone are to:

- Protect the rural and natural setting of the community
- Enable natural resource industries and encourage responsible management practices to maintain these resources;
- Provide locations for employment-generating operations that are not compatible with the urban core of the community;

#### **3.7.2 Rural Policies**

It is the policy of Council to:

- 1) Provide for a Rural designation on the Future Land Use map;
- 2) In the Rural designation, and establish a Rural zone in the Development Regulations that shall allow the following uses:
  - a. Permitted Uses: Commercial Agriculture; Domestic Sawmill; Hobby Farm; Forestry Activities; Mineral Working; Mineral Exploration-development; Natural Resource-Related industries; Protective and Emergency Services; Resort; *and* Uses that are permitted in all zones: conservation uses (environmental protection and open space, parks and trails); mineral exploration that is not a 'Development' (as defined under the *Urban and Rural Planning Act, 2000*); public utilities and municipal services; wharf/boathouse/slipways/breakwaters as an accessory use to a principal use; and, Accessory Uses and Accessory Building;
  - b. Discretionary Uses: Cemetery; Campground; Contractor- General; Cottage; Marina; Public Gathering-Indoor; Public Gathering- Outdoor; Amusement Park/Attraction; Service Station; Kennel; Solid waste recycling/disposal and composting; Veterinary Clinic; Outdoor Market; In the Rural zone, residences are only allowed as a subsidiary use in situations where a farm or forestry is the primary use.
- 3) Ensure that development of resource lands does not block future access for other future opportunities for land use and development;

### 3.8 OVERLAYS

This section outlines the requirements of provincial interests that were referenced in the provincial Land Use Atlas and the Interdepartmental Land Use Committee report and well as Town interests which are shown as 'overlays' on the Land Use Zoning map. They require consideration of the Town when reviewing development in these areas.

The provincial interests include:

- 1) **Agricultural leases:** Applications for development in the vicinity of the Agricultural leases must be referred to the Land Stewardship Resources Division for comment.
- 2) **15 m Building Near Highways Referral:** Within 15-metres of either side of the provincial highway, the Town must refer development applications to the Digital Government and Service NL Division for comment, as per *Building Near Highways Regulations, 1997*, Route No. 430-15, Rocky Harbour Road from its intersection with Route No. 430 to Norris Point Wharf.
- 3) **Heritage Structures:** These structures are recognized by the Town for their heritage significance. Jennex House was designated as a heritage structure under the Section 200 *Municipalities Act, 1999* in June 13, 2006; and the Bonne Bay Cottage Hospital was designated in October 20, 2003. Under Section 404 (1) (g) Council may issue an Order that: that the exterior of a heritage building or structure not altered in accordance with a permit be restored as required by the council;
- 4) **300 m Mineral Working Referral Buffer:** These are shown on the Land Use zoning map and any applications for development within the 300 metre buffer must be referred to the Mineral Lands Division. In consultation with the Mineral Lands Division, where the municipal authority is satisfied that the mineral working shall not adversely affect the specified adjacent use or natural feature, mineral working may be permitted closer than the minimum separation distance or buffer specified. By allowing the municipality to waive pre-set separation distances where it is satisfied there shall be no adverse effect provides for greater flexibility in selecting sites where mineral workings may be permitted. Where mineral workings are proposed within a specified distance of a specified adjacent use or natural feature that may be adversely affected by the mineral workings, special conditions should be applied to mitigate, reduce, limit, or eliminate the anticipated negative effects. Also, where a minimum required distance was originally observed when choosing the location of a mineral working, the mineral working shall not be discontinued or impeded where the buffer is reduced to less than the required distance due to encroachment of development or zoning boundaries towards the mineral working.
- 5) **Survey Control Monuments:** There are approximately 11 survey monuments in the municipal planning area for the Town of Norris Point. The Town shall contact the GIS and Mapping Division (GMD@gov.nl.ca) if works within the Town have the potential of disturbing an existing Control Survey Markers. The markers shall be indicated on the KML (Google Earth) version of the Land Use Zoning mapping in order to facilitate referral to the GIS and Mapping Division.

- 6) **Climate Change Hazard Line (4-metre contour):** Development below the 4-metre contour is potentially vulnerable to coastal erosion and/or storm surge damage; therefore, Council shall require a geotechnical assessment to be prepared by a certified qualified professional to determine and certify that appropriate structural design and other mediations have been applied due to the elevation of the proposed built form and the elevation of developable lands below the 4-metre contour.

The Town Interests include:

- 7) **Dam Break Rainy Day-Inundation Area – with Breach:** Based on flood mapping provided by the Department of Environment and Climate Change, Council wishes to protect future development with the following policy: The Town of Norris Point shall prohibit new structures as development within the area identified for flooding risk by the 'Dam Breach-Rainy Day-Inundation Area' overlay on the Land Use zoning map and shown on the Annex to the Land Use zoning map.
- 8) **Marine Heritage:** To develop and protect the structures in key waterfront areas, such as Wild Cove and the east corner of the Neddie's Harbour area, it is the Town's policy to require that architectural standards shall be considered by Council when evaluating development proposals.

## **4.0 COMPREHENSIVE POLICIES**

This chapter outlines the policies which apply throughout the Municipal Planning Area.

### **4.1 PROVINCIAL AND FEDERAL INTEREST POLICIES**

Notwithstanding the requirement set out in 4.2 (13) that the Municipal Plan and Development Regulations are subject to all relevant Federal and Provincial legislation, regulations, policies and guidelines. It is the policy of Council to incorporate Federal and Provincial Government requirements from the Interdepartmental Land Use Committee report provided by the Department of Municipal and Provincial Affairs as well as, information obtained from the Land Use Atlas managed by the Surveys and Mapping Division into the Municipal Plan. This information shall be incorporated into the Development Regulations as conditions and, wherever appropriate, as a Land Use Map Overlay.

Applicants are responsible to ensure that all appropriate federal and provincial permits and approvals have been secured prior to the use and/or development of land within the Municipal Planning Area. Council does not assume responsibility for administration of provincial or federal statutory requirements..

#### **4.1.1 Climate Change Division, Department of Environment and Climate Change**

It is the policy of Council to take into consideration available data regarding provincial climate change projections for Deer Lake (nearest regional site) 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, for example:

- On a 24-hour basis, a 1-in-100 year storm is expected to bring 113 mm of precipitation by mid-century, an increase from the current climate's 85 mm (32% growth); and
- On a 12-hour basis, a 1-in-100 year storm is expected to bring 92 mm of precipitation by mid-century, an increase from the current climate's 70 mm (31% growth).

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 factors shall be considered when allocating land for future developments that are in close proximity to a river, floodplain or coastline;

Development below the 4-metre contour is potentially vulnerable to coastal erosion and/or storm surge damage; therefore, Council shall require a geotechnical assessment to be prepared by a certified qualified professional to determine and certify that appropriate structural design and other mediations have been applied due to the elevation of the proposed built form and the elevation of developable lands below the 4-metre contour.

#### **4.1.2 Crown Land Administration Division, Department of Fisheries, Forestry and Agriculture**

It is the policy of Council to require that:

- 1) the use of Crown land is subject to the Town of Norris Point Municipal Plan and Development Regulations, including zoning and permitting requirements.
- 2) approvals must be obtained from the appropriate Regional Lands Office, Government of Newfoundland and Labrador; applications are made to the Regional Lands Office.

- 3) Crown land applications must be approved by the Council regarding the use and development of the land prior to approval for issuance of title by the Lands Branch of the Government of Newfoundland and Labrador.

#### **4.1.3 Digital Government and Service NL (DGSNL)**

It is the policy of Council to require:

- 1) compliance with Department of Digital Government and 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 shall provide greater detail on: on-site services, highway signs; building accessibility; access to highways.
- 2) a permit for erection or display of advertisement on Provincial Highways shall be obtained from the Government Service Centre. This requirement applies within a control line established on each side of every highway. According to section 5, the control lines extends 400 metres from the centerline of the road expect within an incorporated municipalities where the control line extends 100 metres from the centerline. A permit is required from both DGSNL and the Town under the *Highway Sign Regulations, 1999*, as per Appendix D (103) - Route No. 430-15, Rocky Harbour Road from its intersection with Route No. 430 to Norris Point Wharf.

#### **4.1.4 Fisheries and Oceans Policy Division, Department of Fisheries, Forestry and Agriculture**

It is the policy of Council to:

- 1) protect coastal areas from future developments that have the potential to impact the health of surrounding marine habitat.
- 2) avoid the spread of Aquatic invasive species (AIS) including European Green Crab, the Town of Norris Point shall consult Fisheries and Oceans Canada for guidance on preventing the spread of AIS when restoring wharves and building marinas. The Town shall consult with the federal department of Fisheries and Oceans Canada when installing coastal infrastructure and in relation to the control and prevention of aquatic invasive species.

#### **4.1.5 Fisheries and Oceans Canada**

It is the policy of Council to:

- 1) For any work conducted in or near water, the Town shall consult with Fish and Fish Habitat Protection Program, Fisheries and Oceans Canada to determine potential impacts and mitigative measures regarding fish and fish habitat. A 50 metre buffer is required for referral to the Department of Fisheries and Oceans.

#### **4.1.6 Forestry Division**

It is the policy of Council to indicate that Forestry activities are:

- i. a permitted use in the Rural zone;
- ii. a discretionary use in the Environmental Protection and,
- iii. a discretionary use in the Protected Water Supply zone subject to referral to the Water Resource Management Division.

#### **4.1.7 Environmental Assessment, Department of Environment and Climate Change**

It is the policy of Council to review applications regarding requirements for registration for an Environmental Assessment review under Section 28 of the *Environmental Protection Regulations, 2003*.

#### **4.1.8 GIS & Mapping Division, Department of Fisheries, Forestry and Agriculture**

It is the policy of Council to indicate Control Survey markers on the Future Land Use and Land Use zoning maps. Council shall inform the GIS and Mapping Division when a proposed development is proposed in the vicinity of a survey Control Monument.

#### **4.1.9 Land Resources Stewardship Division, Department of Fisheries, Forestry and Agriculture**

It is the policy of Council to indicate the following requirements in the Development Regulations:

- 1) Commercial agricultural use is a permitted in the Rural zone;
- 2) The Town shall ensure that existing agricultural operations must not be negatively impacted by proposed future development and sufficient area must be protected to allow for future expansion.

#### **4.1.10 Mineral Lands Division, Department of Industry, Energy and Technology**

##### **Geological Hazards**

- 1) It is the policy of Council to by reducing the risk of inundation related to sea level rise, the following measures shall be applied, all new development shall be restricted to areas at least 4 metres above the high tide mark, and at least 30 metres inland from the edge of coastal cliffs, banks, and waterways.
- 2) It is the policy of Council to prohibit development in areas with excessive slopes, or on lands susceptible to erosion. In areas designated for development; Council shall require that proposed development or backfilling on steep slopes (particularly slopes >15%) shall be evaluated by a qualified professional to assess the risk for slope movements (e.g., landslide, rockfall), particularly in areas of thick tilt or other unconsolidated materials.

##### **Quarries**

It is the policy of Council that:

- 3) residential development shall not be allowed to encroach on the areas identified with aggregate potential by the Mines Branch, particularly within the 300 m quarry referral buffer;
- 4) applications for development within the 300 m Quarry referral buffer, which is shown as a Land Use Overlay on the Land Use zoning map, must be referred to the Mineral Lands Division for comment prior to approval.

##### **Mineral Exploration**

It is the policy of Council that:

- 5) Mineral exploration that is not a development is allowed as a permitted use in all zones;
- 6) Mineral exploration that is a development may be allowed as a discretionary use in zones as identified on the Land Use Tables (Refer to Chapter 3);
- 7) Incorporate development requirements regarding potential mining into the Development Regulations;
- 8) Mineral working is a permitted use in areas zoned 'Rural'.

#### **Removal of Quarry materials, site grading, soil deposit**

It is the policy of Council that:

- 9) No development permit for removal or deposit of soil, or the excavation and removal of excavated material or grading is required if it is part of an approved development project or affects less than 125 m<sup>3</sup> of soil, sand, gravel, rock or other substance down to and including bedrock. All other cut or fill work, excavation, reclamation, and removal and deposit of material or grading requires a development permit under these Development Regulations.
- 10) Removal or deposit of soil, topsoil, sods, or the excavation and removal of excavated material or grading requiring a development permit, must meet the following conditions:
  - a. land intended for the activity or grading has a slope of less than 25%;
  - b. resulting slopes are stable and without hazards;
  - c. when the work is completed, the area affected shall be covered with topsoil and other necessary material for vigorous plant growth and planted with appropriate vegetation;
  - d. drainage must be provided to the satisfaction of Council and shall be designed so as not to impair existing surface drainage nor to create erosion either on the site or on adjacent sites; The above requirements may be incorporated in a grading plan
- 11) Development is restricted in environmentally sensitive areas such as steep slopes, and areas prone to landslides and rockfall;
- 12) For approved developments where the extraction of quarry materials is occurring or may be expected occur, the Town shall send a copy of the development permit to the Quarry Materials Section, Mineral Lands Division, at [quarries@qov.nl.ca](mailto:quarries@qov.nl.ca). Note that quarry materials include but are not limited to aggregate, fill, rock, stone, gravel, sand, clay, borrow material, topsoil, overburden, subsoil, peat. It is important that the Mineral Lands Division have the documentation necessary to distinguish excavation associated with an approved development from excavation that constitutes quarrying; possessing development permits for developments which may involve excavation will assist greatly in making this distinction.

#### **4.1.11 National Codes and Regulations**

It is the policy of Council that:

- 1) the National Building Code, and associated codes, such as the Plumbing Code, the Fire Code, the Electrical Code, the Life Safety Code, and any other ancillary code and other municipal regulations or bylaws regulating or controlling the development, conservation, and use of land shall, under these Development Regulations apply to the entire Municipal Planning Area.

#### **4.1.12 Newfoundland and Labrador Hydro- Easements**

It is the policy of Council that:

- 1) Any development in the vicinity of the NL Hydro easements or structures must be referred to NL Hydro and other utilities to ensure that there are no conflicts. The Town shall consult NL Hydro for all development applications at the time the application is made to the Town. Requests for access roads underneath transmission lines must be made to NL Hydro.

#### **4.1.13 Parks Canada, Gros Morne National Park**

It is the policy of Council that:

Council shall continue to consult and work with the managers of Gros Morne National Park to ensure that development within the Town contributes to the preservation of the ecological integrity of the Park. Applications for development within the Town that could have an impact on the park shall be forwarded to Parks Canada for review and comment prior to consideration by Council. Any development, including resource uses that involve clearing land or extensive removal

of tree cover located within 300 metres of the joint boundary of the Town and Gros Morne National Park, shall be referred to Parks Canada for review and comment prior to Council consideration of the application. Council may refuse development where it is determined to have an adverse impact on the ecology or ecological integrity of the Park.

#### **4.1.14 Pollution Prevention Division, Department of Environment and Climate Change**

It is the policy of Council that the following regulations apply in the Municipal Planning Area:

- 1) **Waste Disposal and Litter (Environmental Protection Act, 2002, Part IV)**
  - a. Waste receptacles shall be installed at all active areas for use by workers.
  - b. All waste material shall be considered, prior to disposal, for reuse, resale or recycling.
  - c. Waste materials not reused, resold or recycled, shall be disposed at an approved waste disposal site, provided the owner/operator is willing to accept such waste and the local Service Newfoundland and Labrador (SNL) has agreed with the disposal of the waste materials at the site.
- 2) **Air Quality Management (Environmental Protection Act, 2002, Part VI)**
  - a. All activities associated with this proposal are subject to Air Pollution Control Regulations, 2004; <http://assembly.nl.ca/Leqislation/sr/regulations/rc040039.htm>.
  - b. Schedule E of the regulations prohibits the open burning of tires; plastics; treated lumber; asphalt and asphalt products; drywall; demolition waste; hazardous waste; biomedical waste; domestic waste; trash, garbage, or other waste from commercial, industrial or municipal operations; manure; rubber; tar paper; railway ties; paint and paint products; fuel and lubricant containers; used oil; animal cadavers; hazardous substances; materials disposed of as part of the removal or decontamination of equipment, buildings or other structures.
- 3) **Pesticides (Environmental Protection Act, 2002, Part IX)**
  - a. All pesticide purchase, storage, and use is subject to compliance with the Pesticides Control Regulations, 2012, <http://assembly.nl.ca/Leaislation/sr/regulations/rc120026.htm>. The regulations stipulate that an applicator must be licensed for the class of pesticide which is intended to be applied. Also, the regulations stipulate that an operator cannot purchase pesticides without the appropriate license(s).
  - b. If the use of a pesticide(s) is required (e.g., for the control of insects, diseases, weeds, vegetation), the Pesticides Control Section of the Department must be notified.
- 4) **Storage and Handling of Gasoline and Associated Products (Environmental Protection Act, 2002)**
  - a. Petroleum storage and handling, associated with construction and operation of this project/facility, shall be in compliance with the Storage and Handling of Gasoline and Associated Products Regulations, 2003, as amended, <http://assembly.nl.ca/Leqislation/sr/regulations/rc030058.htm>.
  - b. All petroleum storage tanks shall be registered with Service NL in accordance with the GAP Regulations and all leaks/spills must be reported to the 24-Hour Environmental Emergency spill Line at 709-772-2083 or 1-800-563-9089.

- c. Oils, greases, diesel, gasoline, hydraulic and transmission fluids should be stored at least 100 m from any body of water. Re-fuelling and maintenance activities should also occur at least 100 m from any body of water and on level terrain.
- d. An environmental emergency contingency plan must be developed for alt storage tank systems. This plan details information regarding the location of spill response equipment and a trained contractor, in the event of a spill.

5) **Used Oil (Environmental Protection Act, 2002; Used Oil Control Regulations)**

- a. The proponent shall maintain constant compliance with the Used Oil Control Regulations, <http://assembly.nl.ca/Leqislation/sr/regulations/rc020082.htm>.
- b. Waste oils and used lubricating oil shall be retained in a tank or closed container, and disposed of by a company licensed for handling and disposing of used oil products.

6) **Halocarbon (Environmental Protection Act, 2002; Halocarbon Regulations)**

- a. Any use of regulated substances, for example in fire suppression systems, associated with the proposed activity is subject to the Halocarbon Regulations, <http://assembly.nl.ca/Leqislation/sr/regulations/rc050041.htm>.

#### **4.1.15 Provincial Archaeology Office**

It is the policy of Council to require that:

- 1) If an archaeological site or artefact is discovered during development of a property, the development shall stop and Council shall consult with the Provincial Archaeology Office. Development shall not proceed until the Provincial Archaeology Office has evaluated the site or authorized the development to proceed. Any accidental discoveries of historic resources shall also be reported by the Town to the Provincial Archaeology Office.
- 2) Where archeological resources are discovered, known to exist, or there they are likely to exist based on location or historical evidence, applications for development shall be forwarded to the Provincial Archaeology Office, Department of Tourism, Culture, Arts and Recreation for review to determine if a Historic Resources Impact Assessment or other legislated review is required under the Historic Resources Act, 1990. Council or the Provinces Archeology office may require an assessment, and assessments directed by council, at the expense of the applicant, shall be reviewed by the Provincial Archeology Office. Council may, at their discretion unless directed by the Provincial Archeology Office or other Provincial Department, apply conditions for the protection and preservation of any archaeological resources.
- 3) Before approval is granted for a major development such as a subdivision or a new commercial or public building, the application shall be referred to the Provincial Archaeology Office for comments. Where any public works project or development disturbs undeveloped ground, Council may refer the project or development to the Provincial Archaeology Office, Department of Tourism, Culture, Arts and Recreation for review and consideration under the Historic Resources Act.

#### **4.1.16 Water Resources Management Division, Department of Environment and Climate Change**

It is the policy of Council to:

- 1) protect rivers, streams, ponds, wetlands, riparian areas, and shorelines by ensuring conformance with requirements of the Water Resources Management Division of the Provincial government under the Water Resources Act, 2002 and the Environmental Protection Act, 2002 including Policy Directives:
  - a. W.R.91-1-Infilling Bodies of Water;
  - b. W.R. 97-1-Development in Shore Water Zones;
  - c. W.R. 97-2-Development in Wetlands;
  - d. Guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses; and,
  - e. Environmental Control Water and Sewage Regulations, 2003 for any effluent or runoff from a site.
- 2) ensure conformance with requirements of the Water Resources Management Division of the provincial government regarding development within or adjacent to a Watercourse or Wetland, the following applies:
- 3) require a Section 48 permit under the Water Resources Act, 2002 administered by the Water Resource Management Division of the Department of Municipal and Provincial Affairs, and compliance with departmental policy is required, for:
  - a. Any infilling work within 15 metres of a body of water; and,
  - b. Any work in Shore Water zones ("Shore Water Zone" means the land that is intermittently occupied by water as a result of the naturally fluctuating surface water level in a body of water which can be either a fresh or salt water body and, in either case, the low water mark and high-water mark of the water body defining the edges of the shore water zone);
- 4) Require a Non-Domestic Water Use Permit from the Water Resource Management Division of the Department of Municipal and Provincial Affairs is required before construction and for all existing, new or planned water use from any water source;
- 5) Restrict on-site sewerage disposal systems by prohibiting them within 30 metres from a waterbody or watercourse;
- 6) Ensure any new residential development or treatment systems connecting to the municipal water and sewer system obtains approval under Section 36 and 37 of the *Water Resource Act, 2002*.

#### **4.1.17 Wildlife Division, Department of Fisheries, Forestry and Agriculture**

It is the policy of Council to:

- 1) protect general wildlife habitat and landscape connectivity, the Town shall require the following measures when reviewing applications in the vicinity of waterbodies:
  - a. a riparian buffer of 30 metres minimum undisturbed natural vegetated along wetlands and waterbodies (ponds, rivers, creeks etc.) or more for riparian areas near agricultural areas as recommended by the Wildlife Division;
  - b. green belts connected to forested areas or other habitat patches to create wildlife travel corridors;
  - c. indicate a minimum percentage of forest to be maintained during lot clearing;
- 2) require that vegetation clearing shall be done outside the May 01 to July 31 period, to minimize disturbance during that sensitive breeding/ young rearing,.
- 3) require that before any construction/development occur in the vicinity of rare plants, the Town shall contact the Wildlife Division to determine whether any mitigations are required for the

following rare plants (as identified under the Endangered Species Act, 2001): One species has been found in open forest (mix of spruce and fir), in a partly blowdown site; this site is located east of Main Street, Norris Point and north of Neddie's Harbour. The second species has been found in open rock outcrop near the shore along the Norris Point Trail.

## 4.2 GENERAL DEVELOPMENT POLICIES

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

IT IS COUNCIL POLICY TO:

### **Administration of the regulations**

- 2) Establish a Municipal Plan which applies to the Town of Norris Point Municipal Planning area for a period of 10 years as required by Section 13 (2) (g) of the *Urban and Rural Planning Act, 2000*;
- 3) Establish a transparent application review process that enables Council to comprehensively evaluate proposed development, involve the public where appropriate, and consider alternatives during the review process of development proposals. The regulations shall address: when a permit is required, the requirements for all applications, discretionary use applications and planned unit development applications, and the obligations of the applicant and Town in the application process in the application process; Council shall establish through the development regulations process and typologies of development approvals and permits and corrections of error, revocation and refusal of permits;
- 4) Provide development standards for planned unit development in the Development Regulations. A planned unit development may be 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). The planned development may be treated as a single development where services are to be provided and maintained privately and internally. It must front on to a publicly maintained road and meet the Town standards for roads and servicing. The uses must conform with the permitted or discretionary uses in the relevant use zone;
- 5) Set out provisions in the Development Regulations for: variances (Section 36 (1) (B) *Urban and Rural Planning Act, 2000* and Sections 12 and 13 of the Minister's *Development Regulations 3/01*), non-conforming use (Section 108 of the *Urban and Rural Planning Act, 2000*; and Sections 12 and 13 of the Ministers *Development Regulations 3/01*), 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*.
- 6) 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, deferment of an application, written reasons for refusal, and the responsibility to inform applicants of the appeal process; Notice requirements for a change in non-conforming use, discretionary use, planned unit development, planning impact analysis or any other notification requested at the discretion of Council; the requirement of a briefing session at the discretion of Council;
- 7) In considering an application for a permit to carry out development, take into account the policies expressed in the Municipal Plan and any further scheme, plan, or 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 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;

- 8) Refuse development that is premature, or that adds unnecessary financial burden to the Town where public costs exceed public benefits.
- 9) Set out special conditions for development in the Development Regulations such as planned unit developments, Development Agreements, Planning Impact Analysis, and Service levies; The Town shall Town to enter into agreements for new developments involving the subdivision and/or consolidation of lands for development. Such 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; Council may when necessary require permits for development to be released in a phased manner in compliance with applicable development agreements and/or performance standards applied to any approval;
- 10) 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, Council may require that a Planning Impact Analysis be undertaken to address Council concerns;
- 11) Set out the enforcement authorities in the Development Regulations;
- 12) Specify requirements for a Planned Unit development application;

#### **Land Use Zones and Policies**

- 13) Set out the land use zones indicating permitted and discretionary uses including uses permitted in all zones, as well as development standards for the zone; and indicate provincial interest overlays and requirements; including interpretation of the Land Use Zoning mapping and associated Use Zone tables; and general provisions regarding the protection of traditional trails, views, natural features and public access to the shoreline (Refer to 3.3.1 (5);

#### **Compliance with federal and provincial regulations**

- 14) Set out that the Municipal Plan and Development Regulations shall be subject to all relevant Federal and Provincial legislation, regulations, policies and guidelines which are enforced by these agencies; notwithstanding this requirement, the Development Regulations shall incorporate specific compliance requirements as set out in Section 4.13- Provincial and Federal Interests and requirements;
- 15) For land use and development within the Municipal Planning Area boundary, the Development Regulations must state the responsibilities of the Town or the applicant with regard to compliance with the policies of the Municipal Plan and the conditions and standards set out in the Development Regulations;

## **General Development Policies**

16) Require that development shall be laid out and designed in a manner that:

- a. Is compatible with the neighbourhood;
- b. minimizes potential nuisance factors such as, the impact of traffic, noise, lighting, and signage on adjacent residential areas. Where necessary, screening shall be required through the provision of trees, shrubs, banks and berms, landscaping or fencing;
- c. reduces light pollution and control sky glow and light pollution from external lighting by requiring that exterior lighting on buildings and properties be directed down and into the property to prevent excessive spill light into adjacent dwellings or land use;
- d. protects the natural environment of a development site, including non-removal of trees and vegetation and that Council may require environmental studies to be carried out prior to development at Council discretion;
- e. minimizes the need for buffers or separation distances; however, Council may require these measures to ameliorate potential conflict;

17) No lot shall be reduced in area, either by the conveyance or alienation of any portion thereof, such that:

- a. the lot area, frontage, front yard, rear yard, and side yards are less than the minimums permitted by these Regulations for the zone in which such lot is located; and
- b. the lot coverage of all buildings exceeds the maximum permitted by these Regulations for the zone in which such lot is located.

18) Provide standards and conditions regarding building design and town character, including, and landscaping in the Development Regulations; Council to encourage the retention of the style, size, scale, colour and form of buildings in Norris Point, the preservation of heritage structures. When reviewing applications for development, Council shall consider whether the proposed development is complementary to surrounding buildings in terms of size, scale, style and form.

19) Set out standards in the Development Regulations regarding access points to the public street in terms of number, location, and design in order to keep the street safe and efficient for both vehicles and pedestrians;

20) Require that all development must front on to a publicly maintained road (Provincial or Municipal) and have independent, approved access except for the following exceptions: (1) a development within a Planned Unit Development where there may be an internal road plan (which shall be set out in the Development Regulations); however, the Planned Unit Development must front onto a publicly maintained road; and (2) natural resource uses and associated industries, i.e., agriculture, forestry, mineral working, etc. (3) remote cabins which, by definition, have no road access; and recreational cabins in the Rural zone which are located on resource roads which may not be publicly maintained;

21) Ensure that the Development Regulations contain provisions for storm water management and surface drainage to protect adjacent properties, wetlands and waterbodies, with relevant

referrals to the Water Resources Management Division and consideration of green approaches, where practicable.

- 22) Council may, for a development not involving a subdivision, require 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. Ownership of new streets and service infrastructure shall be required to be transferred, at no cost to the Municipality upon satisfactory completion.
- 23) Include requirements for adequate off-street parking, loading, and safe access to the street in the Town's Development Regulations;
- 24) Include standards and conditions in the Development Regulations pertaining to the design and location of signs and advertisements.
- 25) Include lot standards and siting, Civic numbering, in the Development Regulations;
- 26) Address the conditions required for multiple uses on one lot;

#### **Growth Management**

- 27) Ensure fiscally responsible development by requiring new development to be located in areas that can be easily serviced from existing water and sewer infrastructure and provide more flexible standards for infill development.

#### **Subdivision for Future Development**

- 28) Provide requirements for the subdivision of land and the standards of development, including a Subdivision Agreement, permit requirements, financial requirements including fees and securities, design standards and provide for engineering standards and requirements, in the Development Regulations in order to achieve compliance with the policies of the Municipal Plan;
- 29) Require a permit from Council for all subdivision of land;
- 30) For subdivision development with 5 lots or more, a Subdivision Plan must be submitted to Council which addresses all 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. Conformity to a planned unit development or a Development Scheme as approved by Council, which accounts for the development of lands abutting the site;
  - c. A description of the subject lands;
  - d. Consideration of land ownership as it will affect the layout of streets and access to the site from existing roads and internal road layout;
  - e. Provision of potable water, groundwater assessments where onsite wells are used for water, storm runoff management, and sanitary waste services;
  - f. Provision for lot layout scheme including the phasing of development;
  - g. Provision for 10% recreation lands or alternative measures if requested by Council.
- 31) Ensure that the local transportation system adequately and safely provides access to meet the needs of residents and businesses;

32) Include Section 37 of the *Urban and Rural Planning Act, 2000* which allows Council to require 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 pre-development value of the land which may otherwise be required to be dedicated.

**Municipal Services and Public Utilities**

33) Set out requirements regarding municipal services and public utilities, such as accesses and streets, , storm water management, effluents, on-site serving, environmental investigations, parking and loading, and signs.

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## **5.0 IMPLEMENTATION**

### **5.1 DEVELOPMENT REGULATIONS**

In order for the Town of Norris Point to achieve the vision, objectives, and policies articulated in their Municipal Plan, the Council needs to:

- Adopt Development Regulations as a tool for administration and implementation; Council through the Municipal Plan shall adopt development regulations and implement Land Use Zoning consistent with the Land Use Designations and Policies established under the Municipal Plan;
- Implement a capital works program to support Municipal Plan implementation;
- Ensure a clear and efficient approach to the development review, decision-making, and appeal processes.

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

### **5.2 AMENDMENTS TO THE MUNICIPAL 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 should 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;

As per Section 25 of the *Urban and Rural Planning Act, 2000*, an amendment to the Municipal Plan and Development Regulations must follow the process set out in Sections 14-25 of the *Urban and Rural Planning Act, 2000*.

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 regulations. Where there is only an Amendment to the Development Regulations, then Section 35 (5) of the *Urban and Rural Planning Act, 2000* applies.

In considering requests for Development Regulation amendments, Council shall consider:

- all appropriate policies set out in this Municipal Plan;

- the provision of road, water, and sanitary and storm sewer services and the impact on existing infrastructure;
- the fiscal impact of the development on the Town;
- community/neighbourhood context for the proposed development;
- environmental considerations, emissions, effluents, nuisance effects; and,
- site suitability: slope, groundwater, location of watercourses and wetlands.

Council is not required to consider an application for rezoning and that decision cannot be appealed to the Regional Appeal Board as per Section 42 (2) of the *Urban and Rural Planning Act, 2000*.

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

### **5.3 REVIEW OF THE MUNICIPAL PLAN**

The Council for the Town of Norris Point shall 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 Municipal 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.

This Municipal Plan and Development Regulations are developed for a 10-year period and each 5-year review must consider a 10-year period.

## **APPENDIX A: : FUTURE LAND USE MAP**

**ANNEX TO FUTURE LAND USE MAP**

