

TOWN OF RIGOLET MUNICIPAL PLAN

**IMPORTANT: To see if there were any changes to
this plan since it came into effect, please refer to:**

List of Municipal Plan Amendments

RIGOLET MUNICIPAL PLAN

1994 - 2004

Prepared for the Community of Rigolet by the
Urban and Rural Planning Division
Department of Municipal and Provincial Affairs
Government of Newfoundland and Labrador

January 1994


URBAN AND RURAL PLANNING ACT

NOTICE OF APPROVAL

RIGOLET MUNICIPAL PLAN 1994-2004

I, Arthur D. Reid, Minister of Municipal and Provincial Affairs, under and by virtue of the powers conferred by the *Urban and Rural Planning Act*, hereby approve the *Rigolet Municipal Plan 1994-2004*, adopted by the Community Council of Rigolet on the 3rd day of October, 1994.

Dated at St. John's this *29th* day of *June*, 1995.


ARTHUR D. REID, M.H.A.
Carbonear District
Minister of Municipal & Provincial Affairs

NOTICE of ADOPTION

Resolved, pursuant to section 15 of the Urban and Rural Planning Act, that the Council of the Community of Rigolet adopt the Municipal Plan which is attached hereto and is impressed with the Seal of the Council, signed by the Mayor, and certified by the Clerk.

Resolved further, pursuant to section 17 of the Urban and Rural Planning Act, that the Council apply to the Minister of Municipal and Provincial Affairs for the setting of the time and place of a Public Hearing to consider objections or representations to the Municipal Plan.

Proposed by: Edmund Shiwak

Seconded by: Richard Rich

SEAL and SIGNATURE

Signed and sealed pursuant to section 15 (3) of the Urban and Rural Planning Act this

2 day of Nov. , 1994.



Mayor

SEAL

CLERK'S CERTIFICATE

*Certified that the attached Municipal Plan is a correct copy of the Municipal Plan
adopted by the Community of Rigolet on the 3 day of October , 1994.*



Clerk

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FUTURE LAND USE MAPS 1 and 2 at back.

1. INTRODUCTION

1.1 Foreword

This document and the maps contained within it form the Municipal Plan for the Community of Rigolet. The document presents statements regarding the Community's intentions with respect to the location and manner in which development within its Municipal Planning Area shall take place. The maps show the Municipal Planning Area divided into various land use designations. Within each one only specified kinds of development may take place. The Municipal Plan is a legal document, binding upon Council and any person or group using or proposing to use land anywhere within the Municipal Planning Area. All development must conform with the applicable policies of the Municipal Plan after the date on which it comes into effect.

1.2 Purpose of Municipal Planning

A Municipal Plan guides growth and development within a Municipal Planning Area. It provides a means of preventing problems that could occur if conflicting land uses are developed too close to each other. It directs future growth so that it occurs in a manner whereby municipal services and land resources are used most efficiently, thus preventing unnecessary increases in servicing costs that can result from development becoming needlessly spread out. It also ensures that aspects of land development like safety, aesthetics and environmental protection are given proper consideration.

1.3 Municipal Plan Preparation

This Municipal Plan has been prepared in accordance with Section 14 of the **Urban and Rural Planning Act**. The process begins when Council resolves to have a Municipal Plan prepared and makes a formal request to the Minister of Municipal and Provincial Affairs in this regard. The Minister then defines the Municipal Planning Area and the

Lieutenant-Governor in Council authorizes Council to exercise development control within it through an Interim Development Order. A Municipal Plan is then prepared by a qualified planner following background studies of land uses, population trends, the local economy, municipal and social services and any other relevant factors. When the Municipal Plan has been completed and meets with Council's approval, it is then formally adopted by a resolution of Council, in accordance with Section 15(1) of the Act.

For the Municipal Plan to gain full legal effect, the following procedure must be undertaken. Council must sign and seal two copies and publish a notice in the Newfoundland Gazette and a newspaper circulating in the Municipal Planning Area, in which Council states its intention to seek the approval of the Municipal Plan. The notice must state where and when the Municipal Plan can be inspected and give the time and place for a Public Hearing of any objections or representations. The Hearing is then conducted by a Commissioner appointed by the Minister. Following the Hearing, the Commissioner submits a written report to the Minister together with copies of all the evidence taken at the Hearing.

After the Commissioner's report has been submitted or after it has been determined that a Public Hearing has not been found to be necessary, Council must then apply to the Minister for approval of the Municipal Plan. For this, the Minister requires two copies of the Municipal Plan which have been certified by the Clerk as having been adopted by Council, a copy of the adopting resolution, and all written objections and representations that may have been submitted at the Hearing. After reviewing this material, the Minister may approve the Plan with or without modification or may order that a new one be prepared.

If the Minister approves the municipal Plan he will endorse a copy and return it to Council. Within ten days of receipt of Ministerial approval, a notice to this effect will be published in the Newfoundland Gazette and a local newspaper. Once this notice has been published, the Municipal Plan is legally binding on Council and any person or party proposing to use or develop land anywhere within the Municipal Planning Area.

1.4 Municipal Plan Review and Amendment

Every five years from the date on which it came into effect, Council must initiate a review of the Municipal Plan. Where necessary, changes will be made to account for any new policies or land use requirements for the next ten years. The Municipal Plan may be amended at any other time, in whole or in part, for legitimate planning reasons that may have been unforeseeable at the time it had initially been drafted. Any such amendment will be read together with, and become part of, the Municipal Plan and so must not conflict with the General Intent of the Plan.

2. BACKGROUND REPORT

2.1 Municipal Planning Area

The Rigolet Planning Area encompasses approximately 343 hectares (847 acres) of land that surrounds the community of Rigolet, which is situated on the north side of The Narrows at the entrance of Lake Melville. It is located approximately 160 kilometres east of Goose Bay .

2.2 Municipal Planning Background

The community of Rigolet was incorporated in 1977. A Municipal Plan was completed in 1980 by DPA Consulting limited, however it was never legally adopted by the Community Council. At that time Council was given interim development regulations. In 1984 the Municipal Plan was revised by the Dept. of Municipal Affairs and up-dated. The Council of Rigolet has been using the Municipal Plan to guide future development in the community. However, the revised 1984 Municipal Plan was never adopted by the Council, or approved by the Minister.

2.3 Ecomony

The Community of Rigolet is located along central coastal Labrador, at the mouth of Hamilton Inlet approximately 160 kilometres by air from Goose Bay. Like other communities of the northeast coast, due to its isolation, Rigolet is highly reliant on the Happy Valley - Goose Bay area for the provision of many essential goods and services. Year-round air services and seasonal shipping are the main links to the outside in addition to radio service and telephone.

The Community has a limited economic base, which is highly dependent upon the Fishery. Like other communities in Labrador, it is dependent on seasonal sources of income, supplemented by various transfer payments. A significant level of employment is

dependent, both directly and indirectly, on the activities of all levels of government. Given these two elements the economy of Rigolet is highly fragile and easily subject to developments often beyond the direct control of its residents.

The fishery of which the Salmon fishery is most important will continue to provide the main economic base of the community. Tourism offers some potential for greater job opportunities. At present the number of tourist to the community is low, consisting mainly of visitors journeying on the CN coastal boats, and sports fisherman who fly into remote camps nearby. Future tourism development can expand to attract the new naturalist and adventure-seeker type tourism development.

As far as regional changes occur, the direct impacts on Rigolet are not expected to alter substantially the seasonal resource-based economy with its reliance on government activities for jobs and income. It is anticipated that any major resource development will not affect the fish and wildlife resources near the community and alter the lifestyle of those who depend on them.

2.4 Population

The population of Rigolet was 334 in 1991. The average annual growth rate from 1981-1991 was 1.88 percent. It is predicted the Community's annual growth rate will drop off to about 1.0 percent during the 1994-2004 Plan period. The population is projected to reach 361 by 1999, and by the end of the ten year plan period it should be at 380. The increase will be almost entirely due to births. Depending on the progress of major development projects elsewhere in Labrador, out-migration may offset this increase temporarily and seasonally.

RIGOLET POPULATION GROWTH		
YEAR	POPULATION	ANNUAL % CHANGE
1971	182	---
1976	238	4.70
1981	271	2.43
1986	317	2.90
1991	334	1.02
1996	350	1.00
1999	361	1.00
2004	380	1.00

In-migration will continue to have little effect on the population as it is expected the numbers of professional jobs that have brought new people to the community will remain stable and subject to regular staff rotations. Development of regional and local tourism infrastructure during the planning period may be expected to result in increasingly pronounced seasonal population fluctuations.

2.5 Housing

In the 1981-1991 period the number of households in Rigolet increased from 65 to 88, an increase of 26 percent. When compared with the increase in population by 19 percent for the same period, it is obvious the number of persons per household is decreasing. Using the trends of decreasing household size and increasing population, an estimate of the number of new dwelling units that will be required to accommodate population growth in Rigolet for the period of this plan can be established.

It is projected that the number of persons per household will drop in the next ten years and the annual population will increase at a rate of 1.0 percent. The Community of

RIGOLET HOUSING			
YEAR	POPULATION	NUMBER DWELLINGS	PERSON PER HOUSE
1981	271	65	4.27
1986	317	80	4.00
1991	334	88	3.81
1999	361	100	3.60
2004	380	108	3.50

Rigolet will require approximately 12 additional building lots by 1999, and 8 building lots by 2004. In addition, 15 new homes will be needed over the next ten years to replace existing substandard homes in the Town. At present there are over 21 families on a waiting list for low income rental housing or government-funded housing, there is another 22 families on a list for major renovations and repairs to their houses.

2.6 Community Structure

The existing land use in Rigolet has been dictated by the limitations of the physical landscape and the low demands for developable land. The community has a mixed development pattern with Industrial uses along the harbour, Commercial and Institutional uses are located in the centre of the community intermixed and surrounded by residential uses. Residential development consists primarily of single detached dwellings.

In the past ten years new residential subdivision development has taken place to the west of the existing community along the access road to the airstrip. Future residential expansion is planned in a subdivision located to the west of the existing community on higher ground. This area is suitable for development and would reduce the cost of providing municipal services.

There are several small commercial developments in the community which include; the Northern Store and Northern Convenience Store (located near the government wharf), Sivulik Country Inn, Rigolet Craft Centre and a games hall. The only industrial development in Rigolet is the few buildings located at the government wharf that are owned

by the Torngat Fish Products Co-operative which are used to store fish (salmon) waiting to be shipped out of the community for processing and a ice making facility.

Newfoundland and Labrador Hydro operates a diesel generating plant located on the southwest end of the community near the shoreline. The Canadian Coast Guard also maintains a communications tower and storage shed in the southwestern section of the community.

2.7 Community Services

Education from pre-school to grade 12 is provided by Northern Lights Academy which is administrated by the Labrador East Integrated School Board. The Labrador Community College has one staff member in Rigolet and offers a Basic Education program.

The Grenfell Regional Health Service Board operates a nursing station which provides medical and public health services. The station is staffed with two nurses. Any medical emergencies that can not be handled at the station are transported to St. Anthony or St. John's. The Labrador Inuit Health Commission provides information, education, support, prevention, intervention, counselling and referral services in the areas of public health, mental health, addictions, abuse and family oriented issues.

The community has a voluntary Fire Brigade and it's equipment consists of (Labrador Package) a snowmobile, four wheel bike, portable pump and hoses, and breathing apparatus.

The R.C.M.P. have a unmanned station in the community. Officers from the Goose Bay detachment are responsible for providing police services to the community.

Other Federal and Provincial government services are provided for Rigolet out of offices in Goose Bay.

Recreation activities in the Community are limited to outdoor activities. The community does not have any indoor recreation facilities. There is a outdoor skating rink, a down hill sliding hill and several open space areas for recreation activities. The community hall has a ping pong table and offers other less physical forms of recreation such as card games, bingo, and dances.

The Community has one Anglican church which services the religious needs of the people, but presently there is no pastor living in the community.

2.8 Municipal Services

The Community Council provides municipal services of water distribution, sewerage collection and disposal, road construction and maintenance, street lighting, garbage collection and disposal, fire protection and recreational activities.

A portion of the Community is serviced by a municipal water and sewer systems however future public works program are planned to extend servicing in the community. Due to the topography of the Community and the limitations of the systems it is not possible to service all development in the community. Presently there are about a dozen homes in the community that have water delivered on a daily bases. The extension of the water services is a high priority for the community. Currently, water is drawn from Rigolet Pond for municipal water system. Filtration and the addition of chlorine occurs at the system intake. The Rigolet Pond watershed area is protected under The Department of Environment and Lands Act, which restricts development in the watershed area.

The solid waste disposal site is located west of the Community near the coastline of The Narrows. The solid waste is collected by the Community Council dump truck and by snowmobile in winter months and disposed of by means of a sanitary landfill.

The municipal sewage system is a gravity system. No treatment of the raw sewage occurs at this time. A outfall delivers waste directly into the harbour. Residences not connected to the municipal sewage system use private septic systems. Often these need to be cleaned out and the waste removed to the landfill site for disposal. Many home have problems with freezing of private water and sewer lines during the winter months. The Community Council provides water deliver services to any home that does not have water.

2.9 Transportation and Communications

Rigolet has no outside road connections to the rest of Labrador. The community's local road network is very limited. During winter months the snowmobile is the main form of transportation. Access to other communities like Makkovik, Goose Bay and Cartwright are possible along groomed trails during winter.

Rigolet has a small gravel airstrip located about 1 km west of the community. Scheduled weekly air service is provided by Labrador Airways from Goose Bay. The airstrip is capable of daytime and nighttime landings provided weather is permissable. There is a small building at the airstrip which contains a piece of heavy equipment for maintaining the runway and a small terminal for passengers.

The Community is visited on a regular schedule during summer months by Marine Atlantic coastal boats. The Government wharf provides docking facilities for the coastal marine boats and other cargo ships that visit the community. The coastal service, seasonal because of heavy ice conditions during the winter months, is the main transportation system used for importing supplies to the community during summer and intercommunity travel by Labrador residents. The passenger service is a popular mode of transport for adventure tourists, as well.

The Community is serviced by C.B.C. radio a regional bilingual (Inuktitut and English) radio station operated out of Goose Bay. Satellite television (L1-cable) reception is common, bringing Canadian and American stations to local screens, as well as C.B.C. North. The northern TVNC network broadcasts T.V. programs produced by the Okalakatigat Society and other northern communications societies. Regional newspapers produced in Goose Bay are widely circulated in the Community, also a bilingual quarterly magazine produced by the Okalakatiget Society in Nain is distributed throughout the community. The telephone service is provided by Newfoundland Telephone.

3. RIGOLET MUNICIPAL PLAN

3.1 Introduction

The Municipal Plan presents goals, objectives and policies to guide development in the Rigolet Municipal Planning Area from 1994 - 2004. Goals represent the broad long-term targets the Council has set for itself. Objectives are the more specific directions to be followed in order that the Council will achieve its goals. Policies are specific actions towards development that facilitate the accomplishment of the Municipal Plan's objectives and goals.

The intent of this Municipal Plan is to encourage orderly, economic and attractive development. To this end, the Municipal Plan divides the Municipal Planning Area into land use designations where specified land uses are permitted. These general land use designations are shown on Future Land Use Maps 1 and 2. These maps are as important as the plan text and should be read along with it.

The Municipal Plan intends to keep conflicting land uses apart. It has also been designed considering the need for commercial and industrial areas to be located so as to benefit from local transportation connections and ready access to local resources, and the need to protect special natural and cultural features. Major public works such as a road must similarly be designed to provide both safe and efficient movement of goods and people through the Community.

3.2 GOALS AND OBJECTIVES

The following are goals which describe the intent of the Plan and provide a rationale for the specific policies which will guide the development of the community over the ten year planning period:

A) COMMUNITY STRUCTURE

- Goals:**
1. To provide for orderly growth and development within the Municipal Planning Area, safeguarding the social, physical and economic well-being of its residents.
 2. To maintain and improve upon the present land use pattern of the community.

- Objectives:**
- a) Council will undertake to use this Municipal Plan to guide its exercise of powers and responsibilities for the provision of services, the allocation of land uses, and the general development of the Community.
 - b) Commercial facilities will be centrally located.
 - c) Land uses will be allocated recognizing natural constraints and limitations in order to protect life and property, and to minimize effects on the natural environment.
 - d) Compact development of the community will be promoted.

B) HOUSING

- Goal:**
1. To provide for the long-term housing needs of the community.

- Objectives:**
- a) Housing shall be designed, sited and constructed to meet the particular local conditions and needs of residents of the Community and to facilitate the greatest development of available land resources.
 - b) New areas of vacant lands will be designated for future residential development and older housing areas will continue to be upgraded.

C) EMPLOYMENT

Goal: 1. To encourage commercial and industrial development that will meet the community's employment needs.

- Objectives:**
- a) To allocate sufficient lands for commercial and industrial activity that will provide new employment opportunities and diversify the community's economy.
 - b) To encourage fishery and forestry related development that will improve the economy of the community.
 - c) To seek alternative sources of employment to offset the high seasonal employment during winter months.

D) ENVIRONMENT AND NATURAL RESOURCES

Goal: 1. To protect and enhance the environment and natural resources of the Municipal Planning area.

- Objectives:**
- a) To limit development and use of lands outside of the community's built-up area to those of a rural nature and those which cannot be reasonably carried on within the built-up area.
 - b) To provide a safe and sustained drinking water supply by restricting development in the watershed.
 - c) To control development in order to minimize its detrimental effect on the environment and to preserve the natural resources of the Municipal Planning area.

E) RECREATION

Goal: 1. To establish, preserve and improve natural spaces and recreational areas to meet local needs.

- Objectives:**
- a) To ensure ready access by residents throughout the Community to recreational facilities.
 - b) To provide additional facilities in the existing recreational areas.

- c) To preserve and protect rural areas with a recreational potential or other open space value.

F) COMMUNITY SERVICES AND FACILITIES

Goal: 1. To provide a sufficient range and level of community services and facilities to meet the recreational, social, religious, and educational needs of the Community's residents.

- Objectives:**
- a) To locate future educational facilities with related community services such as recreation and daycare.
 - b) To ensure the safe passage of children throughout the municipal planning area and to carefully assess all new developments for their impacts on youth play areas and access.
 - c) To ensure that existing community facilities are protected from adverse development by regularly assessing the effects of neighbouring uses on their safety and convenience.

F) TRANSPORTATION

Goal: 1. To provide a safe and efficient transportation network to move people and goods into, out of and throughout the Municipal Planning area.

- Objective:**
- a) To develop a list of priorities for road improvements in the Municipal Planning Area.
 - b) Re-align sections of existing roads and snowmobile trails to improve safety and access.
 - c) To seek improvements in existing port facilities, particularly in the public wharf.

G) UTILITIES

Goal: 1. To provide utilities which meet local needs in the least disruptive manner possible.

- Objectives:**
- a) To encourage the location of utility poles to be sited at the back of residential development.
 - b) To require the construction of buffers between existing development and new utility installations.

H) MUNICIPAL FINANCE

Goal: 1. To effectively manage the financial resources and commitments of the Community.

- Objectives:**
- a) To implement municipal improvements which match both the policies and priorities of the Municipal Plan and the financial capabilities of the Community.
 - b) To improve the cost effectiveness of municipal servicing by implementing compact, carefully planned development.

3.3 POLICIES SPECIFIC TO LAND USE DESIGNATIONS

The following policies apply only to development within the respective land use designation under which they appear, unless stated otherwise. These policies for specific land use designations take precedence over general land use policies that follow in the Municipal Plan. The land use designation's correspond with those on the Future Land Use Maps (at the back of the document).

1. MIXED DEVELOPMENT

The majority of development in the Community is residential, however there are a mixture of land uses that are present among the residential development. This mixture of land uses has not created any significant problems and it is intended to permit this to continue while ensuring amenity and safety between the different uses. The following policies will guide the growth and development of the Mixed Development areas.

1. The Mixed Development areas are established as indicated on the Future Land Use Map 2.
2. Development of these lands will be primarily for residential uses. Other uses of land for commercial, light industrial, public uses, and open space recreation may be permitted provided they are of a scale compatible to the residential environment and protect public safety and amenity are protected.
 - a) The full range of residential uses will be permitted. Higher density residential type uses may be required to fit in with the scale of the existing low density residential uses. Specialized housing for seniors and group homes may also be permitted.

Residential growth shall be accommodated in approved comprehensive subdivisions and through the orderly infilling of existing areas in the Community to ensure the efficient use of available lands. Subdivisions will be located adjacent to existing built up areas where municipal servicing can be easily and economically provided in the future.

- b) A small scale business use may be permitted to occupy a minor part of a residence. These uses are limited to convenience retail uses, service and office uses and home occupations.
- c) Commercial uses including retail uses, service uses and offices may be permitted. These uses will be compatible in floor area to surrounding residences. Commercial uses will be limited to those that will not be a hazard or nuisance to residences and will be separated an adequate distance from residences.
- d) Small scale light industrial uses including indoor storage, repair and manufacturing uses may be permitted. Limited outdoor activity may be permitted provided it is adequately screened from sight. These uses will be separated from and not be a hazard or nuisance to other uses.
- e) Public uses may be permitted provided they respect residential amenity, safety and privacy. Public uses include religious, educational and medical and professional uses.
- f) Recreational open space uses such as public parks, and playgrounds may be permitted. The amenity and privacy of nearby dwellings will be taken into consideration.

3. Development permits will only be granted by Council when it has been established by the Department of Health and/or the Department of Environment and Lands to Councils satisfaction that soil and drainage conditions are suitable to permit the installation of an adequate means of sewage disposal unless connection to municipal services are available.

2. INDUSTRIAL

Industrial development is very limited in the Community due to its geographic location on the Labrador Coast. The two resource sectors which provide opportunity for industrial development are the fishery and forestry. The following policies will guide the growth and development of the Industrial areas.

1. The Industrial areas are established as indicated on Future Land Use Map 2.
2. Land designated Industrial shall be developed primarily for industrial uses. Other uses such as Public Utilities may be permitted.
3. Tanks or apparatus connected with the storage of fuel within the industrial designation shall be required to provide adequate containment and dyking. Council shall require that all fuel storage tanks are approved by the Department of Environment and Lands. Also Council shall require siting of fuel storage tanks within the industrial designations in a manner that will not adversely affect the amenities or safety of the adjoining properties.

3. ENVIRONMENTAL PROTECTION

The topography of coastal Labrador has resulted in the majority of the physical landscape around Rigolet being unsuitable for development because it is too hazardous to build on, for example, steep slopes, bedrock outcrops, and wetlands. The harsh climate and the sensitive landscape have resulted in the physical landscape being very susceptible to damage from human development. These sensitive areas of land need to be protected to ensure that the physical landscape remains intact and that the negative impacts created by humans are minimized. The following policies address the protection of these environmentally sensitive lands.

1. The Environmental Protection areas are established as indicated on the Future Land Use Maps 1 and 2.
2. No development shall be permitted in Environmental Protection areas however conservation shall be permitted. Public utility uses may be permitted provided there are no other acceptable sites, the development does not cause pollution, erosion, or major alteration of the area from its natural biophysical state and that all possible measures are taken to protect the environment.
- 3) The Watershed area of Rigolet pond shall be designated a Environmental Protection Area. Council will protect the Watershed Area from existing uses and any future development that could adversely affect water quality. Testing and observation will be undertaken to monitor the quality of the water in order to ensure a safe and adequate supply for the community.
- 4) The only permitted uses in the watershed shall be passive recreational activities such as hiking, canoeing and conservation uses. Council shall not permit the use of motorized boats and other recreational vehicles on the pond and shall limit access to the Watershed area where possible.

- 5) No development shall be permitted within 15 metres of the Dam or intake area.
- 6) Forestry uses may be permitted at the discretion of Council, where they will not endanger or reduce the quantity or quality of water available for the Community's needs.
- 7) To limit the impacts from human development on the natural environment all development proposals shall be required to show plans for grading, ditching and landscaping. Significant alterations to the natural environment (drainage patterns, topography, vegetation) to accommodate development will be considered in the overall evaluation of development proposals. Alterations to the natural environment which will adversely affect adjoining property or natural systems such as watercourses shall not be permitted.

4. RURAL

Rural lands that surround the community provide valuable resources and are used extensively by the local community for recreational purposes and partially for subsistence lifestyle. The rural lands are used heavily during the winter months for snowmobile trails, which provide recreational use and also access to hunting and trapping areas. The rural lands close to the community provide for a source of aggregate material used by the Community for road construction and repair. The following policies shall guide development in the Rural areas.

1. Undeveloped lands surrounding the community and within the defined Municipal Planning Area shall be designated Rural as indicated on the Future Land Use Maps 1 and 2.
2. All lands within the area designated Rural shall generally be retained in their natural state. Only uses utilizing the area's natural resources and uses not compatible with the urban environment. Council will evaluate each development proposal to determine environmental impacts and set development standards to reduce or eliminate any negative impacts and protect public safety and all amenities.
3. Council, shall not extend municipal water and sewer services to any development located in areas designated Rural.
4. Council will prohibit all but very small scale mineral workings and related activities from taking place within general view of developed areas and will not allow development of new mineral workings activity at any location in the Municipal Planning Area where it may be visible from developed areas. Unless absolutely necessary, existing quarry sites are to be exhausted before new sites are developed.

5. Council when issuing a permit for any mining operation may attach such conditions as are in it's opinion necessary to properly regulate the land use. Such conditions in particular may refer to the following subjects and matters:
 1. Landscapping, screening and fencing;
 2. Noise, dust and pollution control;
 3. Rehabilitation.
6. A substantial buffer shall be maintained around the Solid waste disposal site of a size to protect against smell, rodents and other adverse effects of such an operation. Only those rural uses not negatively impacted by operation of solid waste disposal or a related use may be located within the buffer zone. Council may consult with the Dept. of Environment and Lands concerning the acceptability of a use.

3.4 GENERAL LAND USE POLICIES

Unless otherwise stated, the following policies apply throughout the entire Municipal Planning Area.

1. Surface Conditions

Any proposal for erection of a structure on a site having a slope in excess of 15 percent, or which is potentially subject to flooding or any other hazard, must be certified by an engineer to ensure that development of the site can take place without danger to health or safety. Otherwise, the development will not be permitted.

2. Municipal Services

Some of the costs of running a municipality are proportional to the overall length of publicly maintained roads that must be upgraded, maintained, provided with street lights, water and sewer services, electric utilities. Generally, the more spread out a municipality becomes, the more these costs increase. Council intends to keep these costs from increasing through implementation of the following policies:

- 2.1 Vacant land and sites made suitable for infilling due to installation of municipal water and sewer servicing are intended to be fully utilized before services may be extended to new areas.
- 2.2 All new roads must connect to another existing road and deadend road's shall terminate with a turning circle.
- 2.3 An industrial, agricultural or non-building use presently located in predominantly residential areas or along serviced roads that does not require municipal services shall be encouraged to relocate to areas that are not serviced so that land that is, or will be serviced can be used for more appropriate urban development.
- 2.4 Extensions to the water, sewer and road system which are not part of the Community's capital works program shall be the developer's financial responsibility.

3. Servicing Requirements

- 3.1 All buildings that have or are required to have plumbing systems will connect to the municipal water and sewer system. This requirement does not apply, at Council's discretion, to buildings in the Rural designation. This requirement also does not apply to lots that are not serviced by the municipal water and sewer system unless Council determines the development should not be permitted unless it connects to the municipal water and sewer system.
- 3.2 With the exception of land uses associated with agriculture, forestry, sawmilling, mineral workings or other resource or industrial type of uses for which street frontage would be unnecessary or undesirable, all buildings shall have the appropriate frontage on a publicly owned and maintained road, unless other policies and requirements of this Plan specify otherwise.

4. Streets

4.1 Local Streets

Local streets will be designed to maximize the safety and efficiency of vehicular and pedestrian traffic.

4.2 Street Maintenance

After installation of water and sewer services it is intended that all residential streets will be upgraded.

5. Property Maintenance

- 5.1 All development shall be landscaped. The exteriors of buildings, particularly commercial properties, restaurants, shops and stores, or any business catering to tourists, shall be properly finished and maintained to the satisfaction of Council. Owners of dilapidated structures shall be required to repair or remove them if they present a safety hazard.
- 5.2 Council will ensure that buildings and property owned by the Council are well maintained and landscaped where possible as a general example to the community.
- 5.3 Wrecked or inoperable vehicles, machinery or equipment of any kind shall not be stored or abandoned where it may be in general public view.

6. Visual Effects of Development

Where a proposed development is of a size or nature that could in any way have negative effects beyond the boundaries of the site upon which it is located (such as the creation of noise, smoke, dust, fumes or unsightliness) Council may hold a public briefing or otherwise consult with surrounding residents to ensure they are aware of the potential effects of the proposal and that their concerns are taken into consideration before any decision is made. Screening through such means as retention of original trees and other plant growth or erection of fences or any other measures to render off-site effects acceptable will be required.

7. Development Near Waterbodies

Development will not be permitted within 15 metres of the seashore or any permanent or semi-permanent watercourse or waterbody within the Municipal Planning Area except for the following and then only with the approval from the Water Resources Division, Department of Environment and Lands or Federal Department of Fisheries and Oceans.

- i) wharves, slipways and sheds along the coast to allow for traditional small scale marine operations;
- ii) public works and utilities.

8. Environmental Protection

- 8.1 A proposed development shall not pollute any part of the Municipal Planning Area. Permission to develop may be conditional upon measures to prevent pollution.
- 8.2 Garbage, refuse, abandoned vehicles and any other discarded materials of any kind shall be disposed of only at a waste disposal site approved by the Department of Environment and Lands. Such material shall not under any circumstances be used as fill for buildings and lots.

9. Public Utilities

Municipal and public utility works (including associated structures) for such purposes as provision of telephone, water treatment, pollution control and electric utility facilities may be permitted at any location throughout the Municipal Planning Area provided due consideration is given to danger, nuisance and aesthetics, and reasonable alternatives and then subject to such conditions as Council sees fit to secure an acceptable development.

10. Heritage Structures

Houses and other buildings and structures which were built in a traditional or distinctive architectural style or otherwise are deemed to have historic or aesthetic value by Council shall be considered heritage structures. It is Council's policy to protect heritage structures for aesthetic and historic reasons and for their economic value as tourist attractions. Council may enact regulations for such purposes.

11. Advertisements

All signs and advertisements are to be tastefully presented (in terms of lettering and overall design), properly situated and well maintained in order to prevent unwanted visual effects.

12 Non-conforming Uses

Existing development which does not conform with the requirements of the Municipal Plan and Development Regulations may be continued as a non conforming use. Restrictions shall be designed to limit its potential for replacement and expansion (to be specified in the Development Regulations). Where a Non-Conforming Use is causing a nuisance or otherwise infringing on or preventing allowable development Council will encourage its relocation or discontinuance.

4. PLAN IMPLEMENTATION

4.1 Introduction

In order to enforce and implement the policies of the Municipal Plan, **Land Use Zoning, Subdivision and Advertisement Regulations** (referred to as Development Regulations) and capital works program are required. The **Development Regulations** and capital works program must, conform to Municipal Plan policies.

4.2 Development Regulations

Development Regulations ensure that development takes place in accordance with the goals and objectives and the framework of the land use policies of the Municipal Plan. The manner in which the Regulations are drafted and the form in which they appear must comply with the requirements of the **Urban and Rural Planning Act**. Like the Municipal Plan, these Development Regulations are binding upon the Council and all other persons and organizations. The Development Regulations consist of five parts: General Regulations, General Development Standards, Advertisement Regulations, Subdivision of Land Regulations and Land Use Zones. The first four are similar for all towns and communities in the province. However, the Land Use Zone section (Schedule C), is tailored to conform to this Municipal Plan.

I. General Regulations

Among other things, the General Regulations govern matters relating to the power and authority of a municipality to regulate development within its Municipal Planning Area and establish conditions relating to the issuing of permits and local appeal boards.

II. General Development Standards

The General Development Standards relate to such matters as the siting of buildings on building lots, building height, setback from the street, buffers between certain types of development, parking and access requirements, non-conforming uses and other related matters.

III. Advertisement Regulations

Advertisement regulations control the size, shape, location, siting, illumination and material construction of advertisements for the protection of the safety and convenience of the general public and neighbouring properties and the general aesthetics of the Municipal Planning Area.

IV. Subdivision of Land Regulations

Subdivision regulations govern the development and division of parcels of land into two or more lots for the purpose of development. They include standards for street improvements, lot sizes and lot layouts, procedures for dedicating land for public purposes, acceptance of proposed engineering works and other necessary requirements are prescribed.

V. Land Uses Zones

Zoning is a means of implementing Municipal Plan policies. Land Use Zone tables are presented in Schedule C of the Development Regulations. For each land use zone a list of Permitted and Discretionary uses are listed as well as standards to which development must conform before it may take place.

4.3 Development Control

The Municipal Plan is a legal document which is binding upon all persons, groups, and organizations, including the municipal council. Before any development can take place, an application must first be made to Council for a development permit. Development may take place only after Council has reviewed the application and issued a permit. Anyone who fails to follow the required application process or who otherwise violates the Municipal Plan and Development Regulations can be prosecuted and may be ordered to remove any illegal structure and restore the site and buildings on it to their original state.

Day-to-day administration of both the Municipal Plan and Development Regulations are the responsibility of Council and its authorized staff members. It is the duty of

authorized staff members to implement the Municipal Plan through the Development Regulations, refer development applications to outside agencies and to issue all required permits when approval, is granted.

An application to develop must be made on the proper application form prescribed by Council. All applications must show as accurately as possible the location of the site of proposed development and include a plot plan showing the location of existing and proposed buildings and structures on the proposed site.

Council will consider the application to determine whether or not it conforms with the requirements of the Development Regulations, and the policies of the Municipal Plan. If it conforms Council will approve the application and inform the applicant and state any conditions that may apply. If the proposed development does not conform to the Municipal Plan and Development Regulations, the application must be refused. Any applicant who is dissatisfied with the decision of Council may appeal to an Appeal Board. The Appeal Board shall either confirm the decision or require that Council's decision be varied or reversed.

Council has discretionary authority to grant a variance to a proposed development which does not strictly comply with the development standards. However the proposed development must conform to the general intent of the Municipal Plan. A proposed development must not change the permitted land use, or negatively impact on adjoining properties.

4.4 Public Works

Essential to the implementation of the Municipal Plan is the carrying out of annual public works projects. The Community's water and sewer servicing program and any future capital works programs must conform with applicable policies and land use designations of the Municipal Plan. Water and sewer projects must not contribute to sprawl, since that would conflict with the Municipal Plan's goal of promoting compact development. Council must also demonstrate its ability to cover its share of costs in any capital works requests. It should also be recognized that extensions of the water and sewerage systems required for

(or as a part of) new development (including residential subdivisions) are the responsibility of developers and not the municipal or provincial governments. Upon completion of the water and sewer servicing program (or individual phases of it) improvements to local roads should be undertaken in accordance with the Community's financial capability (and in conformity with the Municipal Plan) on a prioritized basis. The development of additional recreational facilities should also be carried out on a year-to-year basis subject to the Community's financial capabilities.

4.5 Development Schemes

Sections 31-33 of the **Urban and Rural Planning Act** provide Council with the authority (upon adoption of a Municipal Plan) to prepare and adopt Development Schemes. Development Schemes are detailed localized plans outlining the manner in which a specified part of the Municipal Planning Area is to be developed. Through a Development Scheme, land may be reserved for such things as public roadways, residential subdivisions, schools, parks or open space. Development Schemes can also provide for the acquisition, subdivision, sale or lease of land and buildings by the municipality. They are prepared and adopted in a manner similar to the process of adopting a Municipal Plan and, when approved, form part of the Municipal Plan.