

Municipal Plan for 2018-2028, Town of Lawn
Approved by Council 10 November 2020

2018-2028
TOWN of LAWN
Newfoundland and Labrador
MUNICIPAL PLAN
for
2018-2028



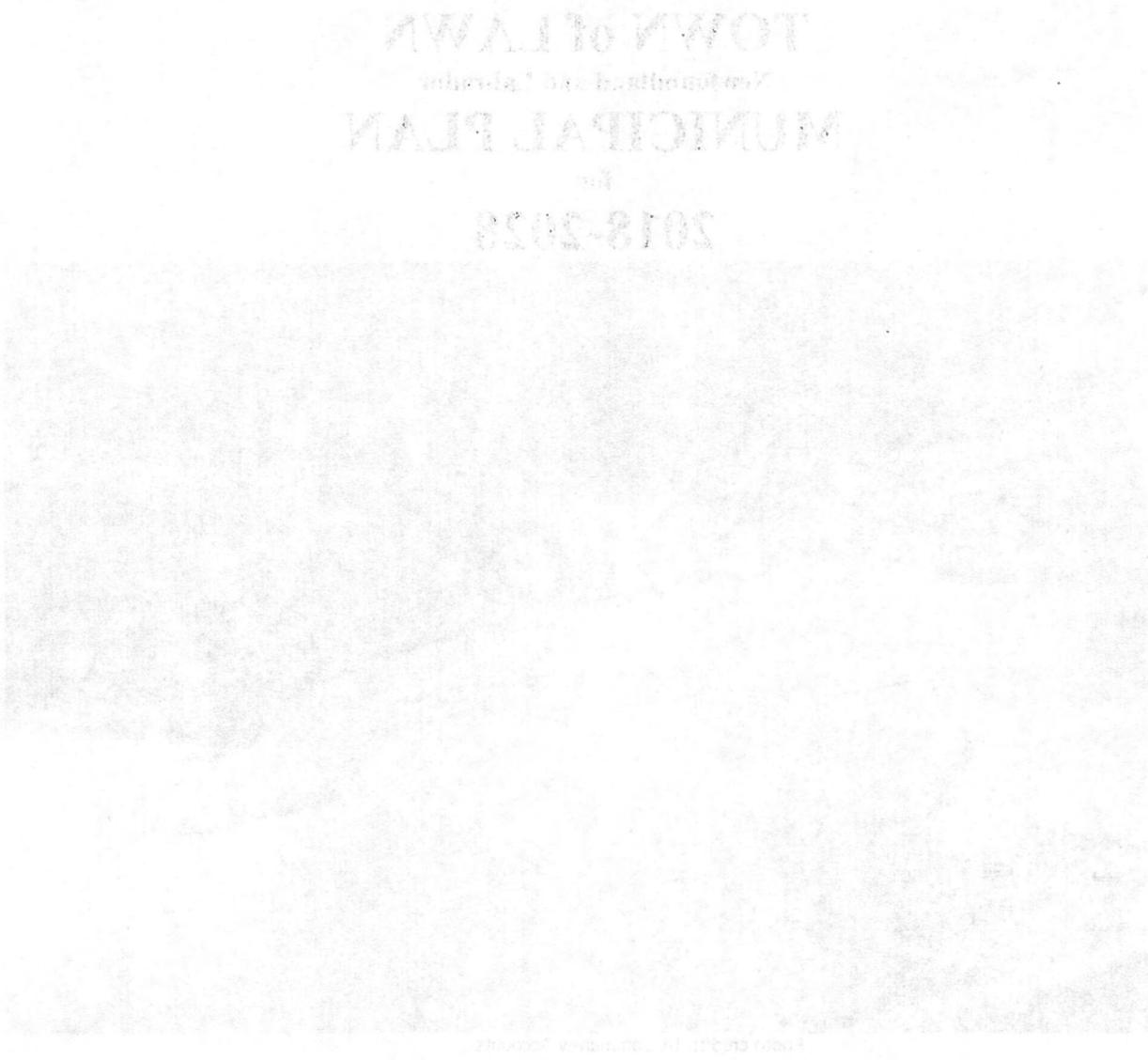
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Project 09 038

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Future Land Use Maps: Map 2 is a large map in a map pocket; Maps 1, 3 & 4 are page size and are bound in the final pages of the document.

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1.0 ADOPTION AND APPROVAL

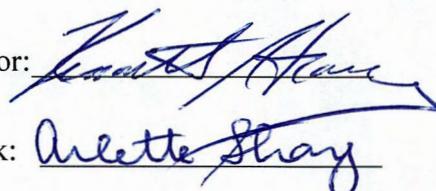
1.1 COUNCIL RESOLUTION - ADOPT; MCIP CERTIFICATE

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Lawn adopts the Municipal Plan for 2018 to 2028.

Resolved by the Town Council of Lawn on the 8th day of July, 2020.

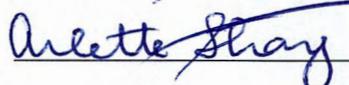
Signed and sealed this 12th day of January, 2021

Mayor:



(Council Seal)

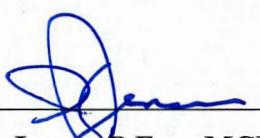
Clerk:



Canadian Institute of Planners Certificate

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

Member of the Canadian Institute of Planners


Jens Jensen, P.Eng., MCIP [date] 3 February 2021 seal



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1.2 COUNCIL RESOLUTION TO APPROVE; CLERK'S CERTIFICATE

[resolution of Council to approve the Municipal Plan, following completion of the requirements of Sections 18 to 22 inclusive of the Urban and Rural Planning Act, 2000]

Whereas under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Lawn:

1. adopted the Municipal Plan for 2018-2028 on the 8th day of July, 2020.
2. gave notice of the adoption of the said Municipal Plan, following special instructions of the Department of Environment, Climate Change and Municipalities related to the COVID19, continually posted from 27 July through 28 August, 2020, on the Town of Lawn website and the Town FaceBook account and in hardcopy posters at the following places:
 - a) Town of Lawn municipal building notice board
 - b) Lawn Post Office
 - c) Potable Water Dispensing Unit (PWDU)
 - d) Sea Coast Ventures - Gas Bar and Convenience Store
3. set the 28th day of August, 2020, at 12:00 noon, to be the deadline time and date for objections and submissions to be received and for the holding of a public hearing to consider objections and submissions.
4. appointed Ms. Jill Strang to be the commissioner to conduct the public hearing.
5. received no objections or submissions by the deadline time and date, and subsequently received a report dated the 30th day of September, 2020 from the commissioner, who recommended Council proceed with approval of the said Municipal Plan as released by the Department of Environment, Climate Change and Municipalities.

Under the authority of Sections 16, 17, 18 and 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Lawn approves the proposed Municipal Plan for 2018 to 2028.

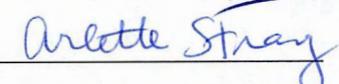
Resolved by the Town Council of Lawn on the 10th day of November, 2020.

Signed and sealed this 12th day of January, 2021

Mayor:



Clerk:



(Council Seal)

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2.0 LEGAL EFFECT OF MUNICIPAL PLAN

2.1 Title and Municipal Planning Area

This Municipal Plan, when brought properly into effect, shall be known as the *Municipal Plan of the Town of Lawn, 2018 - 2028*.

The territory subject to this Municipal Plan is bounded by segments of the various boundaries of the Town of Lawn and its protected public water supply area around Brazil Pond, plus an area lying between the protected public water supply area and the town boundary. The Minister of Municipal and Intergovernmental Affairs (as the relevant Minister was then called) defined the Lawn Municipal Planning Area by Regulation 77/14 pursuant to the *Urban and Rural Planning Act, 2000*, on 27 August, 2014.

2.2 First Municipal Plan; Review and Amendments

This document and the four maps contained with it form the Municipal Plan of the Town of Lawn, 2018 - 2028. It has been prepared in accordance with the *Urban and Rural Planning Act, 2000*. Upon completion of the required steps to bring it into legal effect, it will become the first Municipal Plan for the Town of Lawn.

The policies and land use designations described in this Municipal Plan are not intended to remain static but are subject to continuous monitoring and alteration as required in the light of changing economic, social, and technological developments, as well as at the required five year reviews.

Planning for the Planning Area should be seen as an ongoing process, not done with a “do it once and then it’s done forever” attitude. In that regard it is similar to all municipal government administrative tools and procedures. Councils must cope with ever-changing circumstances and visions of what might be. This Municipal Plan will eventually become out of date, calling for a general review, and from time to time sudden circumstances will necessitate a carefully considered ad hoc amendment.

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2.3 Purpose and Effect of a Municipal Plan

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 or in a manner adversely affecting the social and economic development objectives of Council. It directs future growth so that it occurs in a manner whereby social and economic development efforts are supported and municipal services and land resources are used most efficiently. By doing so, it should minimize or prevent unnecessary increases in servicing costs that can result from development becoming needlessly spread out, and ensures that aspects of land development such as safety, aesthetics and environmental protection are given proper consideration when administering applications for development approval.

This Municipal Plan has been prepared subsequent to the preparation in 2010 of a special purpose document, an Integrated Community Sustainability Plan (ICSP). That Plan is a document prepared in accordance with a requirement that municipalities prepare an ICSP in order to qualify for revenue from the Gasoline Gas Tax Fund, pursuant to the Gas Tax Agreement signed between the Province and Local Governments. The results of the research and public consultation processes involved in preparing the ICSP were very useful in developing this Municipal Plan, as many topics and interests are common to both. However, the Integrated Community Sustainability Plan is not part of this Municipal Plan, nor is it subject to the statutory status and procedures affecting Municipal Plans.

The Municipal Plan presents legally binding statements regarding the Town'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 upon which it comes into effect.

When a Municipal Plan comes into effect, the Council is required to provide for its administration in conjunction with the town's Development Regulations. The Development Regulations are written in conformity with the Municipal Plan in the form of land use zoning, subdivision, and advertisement (signage) regulations. After adoption by the Council, these

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regulations must be submitted to the Minister for approval in like manner to the process for Municipal Plans.

Development Regulations must comply with the requirements of the *Urban and Rural Planning Act, 2000*, and standard Provincial Regulations have been developed to form the basis of certain parts of these regulations for uniformity across the province. The standard regulations currently are Newfoundland Regulation 3/01, which came into force on January 1, 2001.

2.4 Administration

The day-to-day administration of the Municipal Plan and the associated Development Regulations is in the hands of staff members, as authorized by the Council. Staff have the duty of issuing all necessary permits approved by Council and providing advice to Council in accordance with the Municipal Plan policies and Development Regulations regarding all development in the Municipal Planning Area.

Before any land development can take place, an application must first be made to Council for permission. Development may take place only after Council has reviewed the application and granted approval. Anyone who fails to follow the required application process or who otherwise violates the Municipal Plan or 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.

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. Some proposed developments will fall in the “permitted” category of approvals, in which case if it conforms Council will approve the application and inform the applicant and state any conditions that may apply. Other proposed developments may fall in the “discretionary approval” approval, where Council can exercise its discretion in deciding whether to approve. In either case, if the proposed development does not conform to the Municipal Plan or Development Regulations, the application must be refused.

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Any applicant who is dissatisfied with the decision of Council may appeal to an Appeal Board as specified in the *Urban and Rural Planning Act, 2000*. Approvals can also be appealed by interested parties. The Appeal Board will either confirm the decision or require that Council's decision be varied or reversed.

Council has 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.

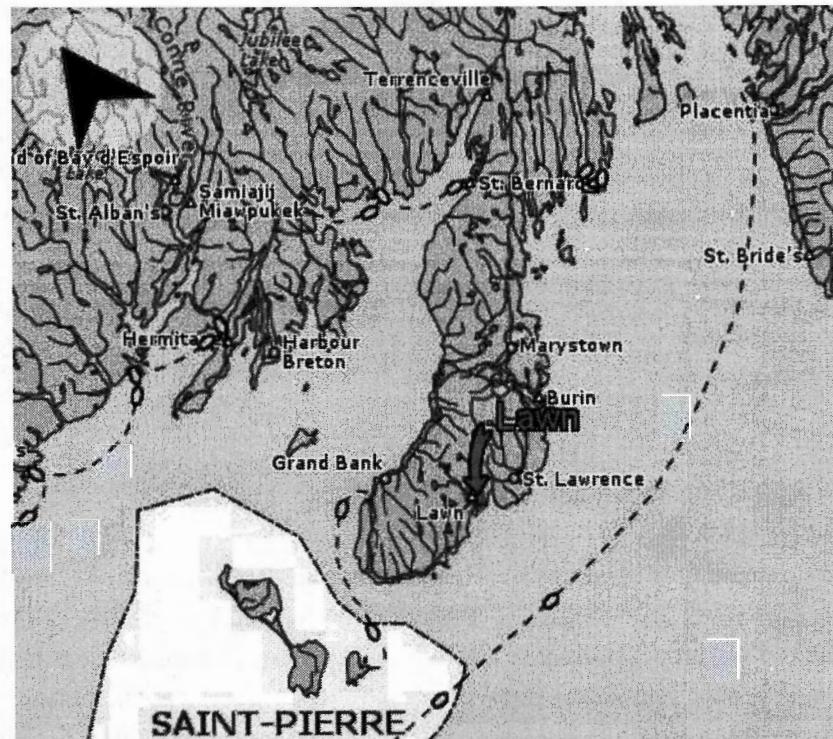
Further to observing the role of Council, readers are reminded that permits or approvals may also be required from the Province of Newfoundland and Labrador. This function is administered by Service NL, a provincial government agency. Prospective builders are encouraged to inquire at their nearest office to determine requirements, if any.

3.0 HISTORY AND ECONOMIC DEVELOPMENT

Planning for a community should be respectful of, and knowledgeable of, the history and the economic development of the place. More comprehensive accounts of economic and social conditions and prospects are given in the ICSP, which could be read as a companion document to this report.

3.1 History

Lawn is a small community located on the Burin Peninsula, which projects from the southeast part of the island of Newfoundland. It is well over a three hour drive from the provincial capital of St. John's. The nearest principal town is Marystow, about 50 km distance, less than an hour's drive. The location relative to other communities on the Burin Peninsula and the French islands of St. Pierre et Miquelon may be appreciated in the map appearing below:



Source: Natural Resources Canada website

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As there is not a great deal of written material concerning the origins of the community, the following has been drawn from Wikipedia, and this account is similar to other descriptions in the provincial tourism guide website.

The community is spread around a small harbour in a relatively lush valley. According to one local tradition it was this lushness that inspired Captain James Cook during his Newfoundland explorations to name the place Lawn Harbour. But it has also been speculated that a Frenchman named the community after a doe caribou that he spotted there.

Prior to 1763 the English and French were constantly at war with each other. These wars took a toll on both nations as they fought for control of various colonial possessions, including Newfoundland. They agreed to divide the island into two zones in which they were permitted to prosecute a summer fishery. The Burin Peninsula was part of the “French Shore” in which the French had exclusive fishing rights. In the 1760s the British gained the upper hand and finally in 1763 the French were defeated.

The Treaty of Utrecht signed in 1763 forced the French to abandon all territorial claims on the island of Newfoundland. The only possessions they were permitted to keep were the islands of St. Pierre and Miquelon. The banishment of the French made permanent settlement much more attractive in Burin Peninsula communities such as Lawn.

The most important factor in the community’s economic base was the cod fishery which made Lawn a very viable fishing settlement. The demise of the cod fishery came in the 1992 moratorium on commercial fishing of that species, and the impact on communities all around the province was profound. The subsequent years saw struggles throughout the province to preserve employment opportunities in all fishing communities, and the quest to diversify and strengthen the economy continues.

3.2 Economic Development

It is important to understand the relationship between the state of the local economy and demographics, as these are the fundamental matters affecting the future of the community. It is well known that the populations of most areas of Newfoundland island outside the capital city are declining in numbers and generally aging. The Town of Lawn is no exception: the latest available numerical data is from the 2016 Canadian Census, wherein the population for the town was determined to be 624, a decline of 7.1% since 2011.

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It is helpful to see a longer time line and what other communities in the broader area are experiencing. The following data for the Burin Peninsula is drawn from Statistics Canada census data:

Burin Peninsula Census Populations 1991-2011						
Community	1991	2001	2006	2011	2016	
					% change 2011 - 2016	
Lawn	1,005	790	705	672	624	-7.1%
Grand Bank	3,528	2,841	2,580	2,415	2,310	-4.3%
Marystown	6,739	5,908	5,436	5,506	5,316	-3.5%
Burin (Town)	3,259	2,712	2,483	2,424	2,315	-4.5%
St. Bernard's-Jacques Fontaine	852	657	525	470	433	-7.9%
Fortune	2,177	1,615	1,458	1,442	1,401	-2.8%
St. Lawrence	1,743	1,558	1,349	1,244	1,192	-4.2%
Census Division 2	28,495	24,371	22,298	21,351	20,372	-4.6%
Note: Census Division 2 is all of the Burin Peninsula up to but not including Clarenville.						

It can be seen that Lawn is experiencing somewhat greater population losses compared to other communities in the region. The larger centres of Marystown, Grand Bank and Fortune are declining at a lesser rate than the regional average. Lawn and St. Bernard's-Jacques Fontaine are losing the most. Nevertheless, there are good numbers of other small communities around the province who are declining more rapidly, and the comparisons vary from one census period to the next—the 2011 numbers were about average in comparing Lawn to others.

The reasons for the demographic trends are well known: declining birth rate, outmigration to other areas in search of employment in one's skill, young people leaving for education and not returning, and limited job growth in emerging businesses and institutions. These factors operate throughout the rural areas of the province, and vary only in degree. The general trend is that employment and population are concentrating in the larger urban centres.

It must also be recognized that factors influencing population change and the local economy do not operate on the scale of a community alone but rather in a larger regional setting. The economic factors affecting the Town of Lawn do not operate in isolation from its neighbours on

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the Burin Peninsula, as it is feasible for community residents to commute daily to employment anywhere on the Burin Peninsula.

Although the fishery continues in a diminished form and is focused on different species and processing methods, its future strength and structure are evolving in an uncertain path. The community of Lawn and similar places on the Burin Peninsula are within commuting distance of the marine industrial centre at Marystown and the remaining fish processing plants such as the plant in Grand Bank. Lawn does have a number of diverse local enterprises in addition to the fishery: construction, education, business and personal services, though lacking are manufacturing, finance and real estate, and wholesale trade.

Industrial development unrelated to the fishery or indeed any natural resources is taking place, such as the Dynamic Air Shelters Ltd factories opened in Grand Bank and Fortune. There is also discussion of re-opening the mine in St. Lawrence and the continued strength of the offshore hydrocarbon industry and marine activity speak well for the future of the marine industrial activity in Marystown.

There is recognition that the proximity to the French islands of St. Pierre et Miquelon and ecotourism assets represent real opportunities to draw more visitors to the area. Also, among other assets in the Lawn area is that of the only known North American colony of Manx Shearwater, a nocturnal seabird, which has been declared a Provisional Ecological Reserve. The colony, about 100 birds on Middle Island off the coast of the Burin Peninsula near Lawn, now falls under the protection of the Lawn Islands Archipelago Provisional Ecological Reserve. Other assets related to ecotourism, such as development and promotion of hiking trails and heritage sites, are found on the southern half of the Burin Peninsula, which represent a potent resource upon which to build.

Finally, and very importantly, a substantial number of people work away from their home communities, commuting on a longer work cycle to opportunities outside the province and in the capital region. Although the incomes brought to the home communities is very important, an unfortunate side effect is that the social fabric of the community is weakened, as some adults who travel away become naturally not much connected to the events and organizations at home.

Though these factors and examples give reason for optimism, the fact is that the local economy has never recovered from the decimation of the fishery, but has stabilized in a different form. Local efforts in each community and the efforts of regional economic development groups and

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senior governments will need to be vigorous and sustained in order to maximize opportunities that do exist.

The forward look in the short run is not likely going to be much different—it will be a matter of degree and not of general trend. So much depends on the continuation or improvement of employment opportunities in existing industries and services, and that is difficult to forecast other than to say that there is some reason to be optimistic.

4.0 KEY FACTORS INFLUENCING MUNICIPAL PLAN POLICIES

Successive Councils have to date not set in place a Municipal Plan and Development Regulations. The availability of some land in the town for development and a limited demand for building lots for many years created a situation in which land use planning and servicing were not seen to be particularly important or feasible. General economic conditions and other factors resulted in only a limited amount of development, and it was largely accommodated on existing streets and services.

As the desirability of municipal water systems and sanitary sewerage became evident for public health reasons, and resources for these systems became available, many communities installed central water and sewer services. In the case of the Town of Lawn, practically all of the built-up area of the Town was serviced with central water and about 60% with central sewer. Although this enabled development of new housing and other land uses on water and sewer services by way of infilling, the demand for new housing or business development was not great. However, recent years have seen a somewhat different situation emerge.

More recently, the demand for residential building lots and serviced lands for other uses, such as a new school, has almost exceeded the potential for infilling on existing streets and services. The Town has become involved in acquisition and servicing of land for a residential subdivision on a newly constructed street, Shamrock Drive, and it is quickly being developed.

Demand for lots which may be now serviced with water but not with sewer is likely, and there needs to be a plan for dealing with extending and improving sewer service to complement existing water service, or alternatively, to consider development served by only one or the other, or neither, of the central services. There are credible reasons to expect that the Town will feel more pressure to support and regulate new development within the serviced limits of the Town, and failure to plan ahead for servicing will lead to uncertainty and ad hoc decision making.

Over the years, economic conditions steadily improved and the feasibility of commuting to nearby communities was facilitated by good roads. The recent evolution of the potential for residents to maintain a home in Lawn and work at places far away on long rotations has enabled a number of people to be able to live in Lawn and work away. These factors have made it more attractive to live in Lawn and the evidence is at hand that these factors are resulting in genuine demand for more serviced land. Also, there is a substantial potential to operate home businesses,

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and residents should be encouraged to do so. However, the balancing act which must be decided upon is that of maximizing that development potential while at the same time not allowing development which would significantly take away from the peaceful enjoyment of residential living in the community.

The continued improvement of existing properties and buildings in the town is seeing more development of secondary buildings, outdoor storage, fences, and parking of motor vehicles in a form more intense than has been experienced in earlier years. There has been some pressure to deal with these matters through development control of the type best addressed by Development Regulation provisions for things such as setbacks from streets, off street parking, home businesses, and outdoor storage of commercial commodities including scrapyards.

The Town has recently improved its water supply by development of a new water supply area, the Brazil Pond water supply area. Although that area is already under provincial government regulation controlling activities and development in that area, there is a felt need to add municipal controls to strengthen the protection of the supply. However, water quality is an ongoing issue, which the Town is endeavouring to address through measures such as the installation of a Potable Water Dispensing Unit (PWDU) to provide high quality potable water to those who wish to avail themselves by means of collecting it from a central dispensing point.

Though at present there are no registered heritage properties in the community, it would be desirable to consider the possibility. If and when registrations may be made, Council should consider the impact which proposed new development may have on those in close proximity.

All these considerations call for the systematic and professional planning and control of development through the readily available mechanism for doing so, ie: through a Municipal Plan and Development Regulations.

5.0 GOALS AND OBJECTIVES

5.1 Council's Vision, Goals, Objectives and Policies

The ICSP indicates that a suitable vision for Council of the Town of Lawn is as follows:

"Lawn will be a family-oriented community that provides for all its citizens, equally. It will be a town whose citizens will be engaged in the protection of their heritage, natural resources and sensitive areas. Council will provide essential and affordable services, opportunities for economic diversity and stability, and continued personal development. The social and cultural networks within the community will strive towards full cultural appreciation for the rich heritage of the town by engaging residents in conservation and awareness practices."

While a vision is a useful statement in that it expresses the most basic motivation of the visioner, it is not much use unless it leads to a systematic scheme in which its broad spirit is translated into specific actions. This is accomplished in a hierarchy of subordinate statements, descending through goals, objectives and policies.

Goals are frequently employed as the essential foundation for any planning endeavour, whether it is a personal career, a community plan, or a corporation's growth and facility strategy. It is the "big picture" statement to which objectives relate. Objectives are the broad statements of intended actions which will be taken to achieve the objective. Policies are the specific actions that are taken to achieve the objective.

By way of example in the Lawn case, one goal is to enhance the quality of the environment and natural resources in rural areas, and an objective to follow from this goal is to recognize only agriculture, forestry and conservation uses as properly located there. The complementary policy is to be willing to neither encourage nor discourage development and use of lands in rural areas outside of the urban core, and consider a wide variety of other possible uses in the rural area as subject to special scrutiny, ie: to evaluate each development proposal to determine environmental effects and set development standards to reduce or eliminate any negative impacts and protect public safety and all amenities.

5.2 Goals and Objectives for the Town of Lawn

The Town of Lawn's goals and objectives in this Municipal Plan are as follows:

A) Employment and Economic Development

Goal: To encourage institutional, commercial and industrial activities that will meet and sustain the community's employment needs and provide needed goods and services, and in particular to press for strengthening the economic base and employment opportunities in the Town.

Objective:

- a) To generally use the *Regional Strategic Economic Plan for 2011-2014*, by the Schooner Regional Development Corporation, as the strategic plan for social and economic development of the Town of Lawn, and further to work constructively with all available agencies whose role includes fostering economic development of the community, to that end.
- b) To support and promote the development and improvement of the fishery and all other local businesses and institutions, by advocating for policies and actions by senior governments and businesses which would support and strengthen the position of local fishers and shore based employers of all kinds.
- f) To provide for considerable flexibility in, and prompt administration of, the Development Regulations affecting the built-up area of the community, such that opportunities for home businesses and commercial and light industrial activities of all sizes can be accommodated, while providing for scrutiny of each case to prevent unacceptable outcomes.

B) Valued Natural Areas and Heritage Properties

Goal: To establish, preserve and improve valued natural spaces, heritage properties and interpretation of local history and culture, and recreational trails and areas, to sustain and enhance the natural and cultural resources related to economic development and to preserve and improve the same as amenities and to sustain Lawn's cultural legacy.

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- Objective:**
- a) To consider any proposals to register heritage properties which may come forward in the future, and to support those deemed to have merit.
 - b) To respect the value of archaeological resources which can be revealed or damaged during development, and to require proper notification to authorities for review before applications are approved.
 - c) To ensure ready public access to, and accord protective status and support to, local interpretation centres, museums, valued trails and natural landscapes, and other heritage and cultural assets when considering development applications.

C) Urban Growth and Services

- Goal:** To provide for orderly growth and development within the Municipal Planning Area, and safeguarding the social, physical and economic well-being of its residents.
- Objectives:**
- a) To use this Municipal Plan to guide Council's exercise of powers and responsibilities for the provision of services, the allocation of land uses, and the general development of the Town.
 - c) To regulate new development so as to encourage economic development and to preserve and enhance positive features reflecting the heritage and amenities of the community, while also recognizing natural constraints and limitations, in order to improve quality of life in the community and protect life and property, and to minimize effects on the natural environment.
 - d) To ensure that buildings and structures of new construction will be built to today's codes and good practices. Derelict buildings or substandard structures will not be tolerated. Town water and sewer services will not be connected to derelict buildings nor will driveways onto town streets be permitted to provide on-going access to them.
 - e) To promote compact development of the community within a defined urban area, including areas designated for expansion of the current network of streets and services.

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- f) To use the engineering report *Town of Lawn: Report on Water and Sewer System Improvements, 1999/2000* by Newfoundland and Labrador Consulting Engineers Ltd. as a guide for prioritizing public works and developing capital works plans, and to diligently accomplish the numerous components recommended, as resources permit.
- g) To provide for efficient and prompt decision making on development applications by making the Development Regulations concisely written and so as to deal with as many development decisions by way of standard requirements and discretionary approvals as possible, which enables quick approval where conditions are met.

D) Housing and Social Conditions

Goal: To endeavour to alleviate barriers to the wellbeing of residents and the overall quality of life in the community, with respect to health, education, justice, public safety and recreation.

- Objectives:**
- a) To support and encourage development of suitable programs to assist individuals who are at risk of adoption of undesirable lifestyles.
 - b) To endeavour to provide selected recreation activities and facilities as municipal programs, and to encourage and where possible assist other publicly available recreation programs operated by others. Recognizing that there is a heavy reliance on volunteers to staff most organized activities, whether at Town facilities or otherwise, the Town will encourage and support these efforts in any way possible.
 - c) To recognize the need for alternative housing for seniors who are in unsuitable housing or require some level of assisted living, to make it possible for seniors to remain as independent and in their own community as is feasible, and to advocate this need with senior governments and agencies who can assist.
 - d) To act to ensure that housing is designed, sited and constructed to meet the particular local conditions and needs of residents of the Town and to facilitate efficient development of available

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land resources through a wide variety of housing forms. Further, to develop flexible regulatory requirements to facilitate subdivision to maximize the potential of available lands for development, such as providing for flag lots and bare land condominium and perpetual lease and easement arrangements to provide legal access to developable land lying behind existing structures or in physically restricted locations.

- e) To support local health and social services agencies in their work to provide proper and timely care.
- f) The Town will work toward having and maintaining a high quality emergency response services in the form of the local fire department and regional ambulance and RCMP services.

E) Environment and Natural Resources

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

Objectives:

- a) To limit development and use of lands in areas outside the urban core, or which are in protected water supply areas, to those uses which are better located in rural areas. Further, to neither encourage nor discourage development in rural areas, but to consider at Council's discretion a wide variety of other possible uses there such as tall antennas, tall wind turbines, scrapyards, mineral workings, and aviation facilities.
- b) To take part in the evolution of the solid waste management system now underway through the solid waste management authority, in which the Town and neighboring municipal governments are partners.
- c) To work with relevant agencies to establish progressive and responsible programs so as to minimize environmental impact and maximize waste diversion and recovery of the resource values in solid waste and encouragement of backyard composting, community gardening, and energy efficiency.

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- d) To systematically investigate the opportunities to improve energy efficiency in Town buildings, water and sewer system mechanical equipment, street lighting and mobile equipment.
- d) To continue the vigilance and development control related to the area falling under Protected Water Area regulations, ie: the Brazil Pond water supply area.
- e) To encourage and support the efforts of local development groups to develop the geo-tourism and environmental ethic themes by good stewardship and publicizing of efforts and successes in this regard.
- f) To prohibit infilling of water bodies except for the purpose of carefully regulated wharves, stages and similar marine structures for which the design will minimize their footprints.
- g) To include requirements in the Development Regulations concerning natural hazards such as landslides and concerning the effects of climate change, such as sea level rise and coastal erosion.

F) Transportation and Highway Safety

Goal: To work 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 and work toward maintaining the public streets and highways in good condition.
 - b) To seek improvements in existing traffic safety, such as traffic signs and clearing sight line obstructions at intersections.
 - c) To study the street lighting provided by the Town to identify areas where lighting is insufficient to enable safe and convenient pedestrian traffic.

G) Electrical and Telecommunications Services

- Goal:** To strive to have high quality, economical electrical and telecommunications services which meet local needs effectively and efficiently.
- Objectives:**
- a) To advocate to carrier companies the need for modern telecommunications services for all community households and businesses, including upgrades as needed to provide them with services on an equal basis with other areas.
 - b) To value the presence of the local hydroelectric generation plant, as it adds to the sustainability of electrical services for the community and all electricity customers served by the utility.

H) Municipal Finance

- Goal:** To effectively manage the financial resources and commitments of the Town.
- Objectives:**
- a) To implement municipal improvements which match both the policies and priorities of the Municipal Plan and the financial capabilities of the Town.
 - b) To improve the cost effectiveness of municipal servicing by encouraging compact, carefully planned serviced development, through infill and proximity to existing services where capacity for extension exists.

6.0 DEVELOPMENT CONCEPT AND POLICIES

This section presents the policies concerning development in the Planning Area, including descriptions of reasons for the selected approaches to key issues, all of which is to implement the statements of goals and objectives in Part 5.0 of this Municipal Plan. The first part describes the general approach to regulation of development, followed by more detailed descriptions and policy statements applicable to the several areas designated on the Future Land Use Maps which form part of the Municipal Plan, plus policies applicable to all areas.

The great majority of existing development in the Town is found in a fairly compactly developed form around the harbour. The limits to the developed area were defined in the early days by challenging topography and the presence of the water supply area immediately on the outskirts of the community, and by the sea. In the days before heavy earth moving equipment and blasting enabled economical levelling and drainage of land, much of the development of structures occupied the constrained area where structures could be set up and yet have convenient access to the harbour. The reason is easily understood, as the early fishers selected places where natural marine and onshore features enabled both safe harbouring of boats and sufficient land for the related onshore activities to do with the fishery, as well as for residential settlement. Only in later years when roads were developed between communities, in conjunction with the coming of motor vehicle, did the reliance on transportation by water cease.

In the economic conditions expected to prevail over the next decade, creation of employment and attraction of investment are essential to the sustainability of the community. In order to encourage and put minimal barriers in the way of economic development opportunities, the planning policies will provide for considerable flexibility in considering light industrial, institutional and commercial development in the built up area of the community, excluding only those uses which would generally be seen as obnoxious or disturbing uses such as scrapyards or livestock feedlots, or, development which would be aesthetically out of place in certain locations, such as very large scale structures. As such, most the built up area of the community will be designated as Mixed Development to reflect the intended approach to development. That area is expected to develop through infilling of development on available lots and the subdivision of new lots both within the core of the area and on its periphery as streets are extended.

Further to that general approach to most of the built up area, the area along Highway 220 which is suitable for larger scale or more obtrusive industrial, institutional and commercial development will be reserved primarily for those uses. That area represents practically the only area in the community where those uses can develop somewhat separately from the rest of the

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community, and that area will therefore be designated Commercial-Industrial-Institutional. In much the same light, the Sandy Point marine industrial area will be designated as Marine Industrial, and used only for marine uses, as there is no other land in the community which is or can be available for those uses that require direct access to salt water, if and when they present themselves.

The Brazil Pond Protected Water Supply Area will be designated as such, and extremely protective requirements will be imposed to protect it as much as possible. The reason is obvious, as water supply is a fragile and critically important resource for most communities. The community has already switched from one water supply area (the North East Brook watershed) to the current one, and there are no other readily available catchment areas to substitute for Brazil Pond.

The remaining areas in the Planning Area will be designated Rural. Development in these areas will be limited to those uses which should be located in rural areas, such as commercial farms, tall antennas, and tall wind turbines. In addition, there will be some demand for development of remote cabins (or permanent dwellings) and other uses away from the built up area of the community. Though the Town has no objection to these developments in the Rural area, it is not the Town's intention to provide municipal services or assistance outside the core of the community, ie: outside the Mixed Development, the Commercial-Industrial-Institutional, and Marine Industrial areas.

Regulation of wind turbines and antennas is needed to ensure that appropriate locational criteria are in place to mitigate environmental and other concerns, such as aesthetic acceptability related to proximity to residential areas. Briefly, the concerns essentially focus on noise, safety and aesthetics. Wind turbine noise is related to the sounds of the machinery in the wind turbines as well as the sound of the wind impacting the blades and towers. A typical science-based approach is to require that the noise from wind turbines should not exceed normal background levels. Safety concerns relate mainly to small units, as safety is largely related to ice shedding from the blades, and large turbines are generally required to be set back a safe distance because of noise considerations.

Aesthetic considerations for wind turbines and antennas are quite subjective, but not to be discounted: some wind turbines can reach as high as 100 metres from ground to the tip of the top blade when they are vertical (tower height of 50 or more metres plus blade length currently of up to 42 metres), and antennas can be considerably higher than that. The Development Regulations should include provisions which provide for the opportunity for development of

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wind turbines and antennas, in view of renewable energy benefits and a need for modern telecommunications infrastructure, while also respecting the desire to mitigate or minimize substantial intrusion. The different treatment of tall versus short units will be provided in the Development Regulations.

Very little of the Rural area abuts Highway 220, which is a protected road under regulations promulgated by the provincial government. However, once such a protected road comes under municipal planning jurisdiction, ie: inside a Planning Area, the protected road regulations no longer apply. This means that development of any type permitted by the Town of Lawn can take place there. In keeping with the “no objection, but no assistance” approach, this will require that the proponents themselves must deal with permits and costs for on-site water and sewer systems, driveway access to the highway, electrical service, and the like.

6.1 Mixed Development Area

The following policies will guide growth and development in the Mixed Development area (see Section 9.3 for an explanation of the use of the terms “group”, “division” and “class” when referring to types of development):

- 1) It is the intention in this Plan to permit development in this area, in the:
 - a) single dwellings (which includes home businesses) class,
 - b) business and personal service group, up to a moderate size,

and to consider, on a discretionary basis, all other uses except for those in the agriculture, forestry, mineral working, scrapyard, solid waste, and animal classes.
- 2) The Mixed Development area boundaries are designated on the Future Land Use Maps. For clarity, this area includes all of the built up areas in the community other than the Commercial-Industrial-Institutional area on Highway 220 and the Marine Industrial area at Sandy Point. As it is expected that new streets and development will be extended into surrounding areas, the boundaries of the Mixed Development area may be revised by amendments to the Development Regulations without necessity of amendment to the Municipal Plan itself.

- 3) Policies for consideration of discretionary approvals in the Mixed Development area include:
- i. A full range of residential uses will be considered. Higher density residential type uses will be required to fit in with the scale of the existing low density residential uses. Specialized housing for seniors and group homes, as well as development of residential uses in more than one building on a lot, or subsidiary apartments in a dwelling, may also be permitted at Council's discretion.
 - ii. Non-residential uses must be comparable in floor area and building mass to surrounding residences where they are in very close proximity to them, and will be limited to those that will not be a hazard or aesthetically offensive to residences and will be separated an adequate distance from residences. Limited outdoor storage and other similar activity related to the main use may be permitted provided it is adequately screened from sight. Larger scale developments of these types will be subject to a more rigorous scrutiny and higher standards of mitigating features, as they have the potential to introduce significant adverse effects in the area.
 - iii. Although this is not a mandatory direction, large scale industrial developments of any type would generally be more favourably viewed if located in the Commercial-Industrial-Institutional area unless their purpose requires transport access directly to the ocean, in which case the Marine Industrial area would be preferred.
 - iv. Tall wind turbines and tall antennas will not be approved (definition of sizes will be detailed in the Development Regulations).

6.2 Commercial-Industrial-Institutional Area

The Commercial-Industrial-Institutional area designation is applied to lands as shown on the Future Land Use Maps. Regulation of that area is intended to permit commercial and industrial land uses of a wider variety than those listed as permitted uses in the Mixed Development area, and to limit development of low density residential uses to sites which would not be practical for development of permitted uses.

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The following policies will guide growth and development in the Commercial-Industrial-Institutional area (see Section 9.3 for an explanation of the use of the terms “group”, “division” and “class” when referring to types of development):

- 1) It is the intention in this Plan to permit development in this area in the:
 - a) assembly group,
 - b) institutional group,
 - c) residential dwelling division if the proposed site is not practically useful for non-residential uses
 - d) general residential division
 - e) business and personal service group,
 - f) mercantile group
 - g) industrial group

and to consider, on a discretionary basis, all other uses except for development in the mineral working, scrapyard, and solid waste classes. Tall wind turbines and tall antennas will also not be approved (definition of sizes will be detailed in the Development Regulations).
- 2) Boundaries of the Commercial-Industrial-Institutional area may be revised by “stand alone” amendments to the Zoning Maps in the Development Regulations, having the effect of changing the Zone applied to lands in some of the abutting Mixed Development area to the Commercial-Industrial-Institutional Zone concurrently, without necessity of amendment to the Municipal Plan, to enable development in said abutting lands of uses permitted in the Commercial-Industrial-Institutional area, where there are negligible adverse effects in the vicinity of the area so rezoned.

6.3 Marine Industrial Area

The Marine Industrial area designation is applied to lands at Sandy Point as shown on the Future Land Use Maps. Those lands are owned or controlled by the Harbour Authority and have been

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serviced and infrastructure has been constructed to support marine industry. Those lands thus are intended to function as the primary location for industries related to marine activity, ie: which require direct access to salt water, including but not limited to the fishery, shipping, boat building and repair, small craft berthing, and ocean-oriented recreation and tourism.

The following policy will guide growth and development in the Commercial-Industrial-Institutional area (see Section 9.3 for an explanation of the use of the terms “group”, “division” and “class” when referring to types of development):

1) It is the intention in this Plan to permit development in this area in the:

- a) transportation class,
- b) industrial group,
- c) mercantile group if the specific use is related to marine tourism or chandlery,

and to consider, on a discretionary basis, the wind turbines and antennas class of the short type (definition of sizes will be detailed in the Development Regulations), and developments where the maximum permitted height would be exceeded.

6.4 Brazil Pond Protected Water Supply Area

Protected public water supply areas are subject to provincial government regulations which severely restrict development in surface water catchments or groundwater recharge zones related to community water supplies. The Brazil Pond Protected Water Supply area is so protected and will be so designated in this Municipal Plan and complementary requirements will be made in the Development Regulations.

Only conservation uses shall be permitted. The only discretionary uses permitted shall be public works and forestry uses related to management and use of the water supply. Forestry activity must be in accordance with a professionally prepared and approved forestry management plan.

6.5 Rural Area

Rural lands that surround the community are used extensively by local residents for recreational purposes and provide a source of aggregate material used by the community for construction. The area includes lands fronting directly on Highway 220 for about one kilometre as well as properties which are remote from any public highway or street. A number of residential uses have developed along Highway 220 and on side roads.

The following policy will guide growth and development in the Rural area (see Section 9.3 for an explanation of the use of the terms “group”, “division” and “class” when referring to types of development):

- 1) Undeveloped lands surrounding the built up area of the community and within the Planning Area boundary (other than the Brazil Pond Protected Water Supply area) shall be designated Rural as indicated on the Future Land Use Maps.
- 2) Lands designated Rural shall be developed primarily for uses utilizing the area's natural resources and land uses not compatible with the urban environment. Council will neither encourage nor discourage development of other uses.
- 3) It is the intention in this Plan to permit development in this area in the agriculture, forestry and conservation classes, and to consider, on a discretionary basis, development of any other uses except for scrapyard and solid waste classes of uses.
- 4) Council will evaluate each development proposal to seek assurance that the subject development would have no more than minimal environmental effect and that conditions associated with specific cases will mitigate or eliminate any negative impacts and protect public safety and amenities. The excluded uses are viewed as not compatible with the attractive appearance and amenity of the rural areas surrounding the town core.
- 5) Council shall not extend municipal services to any development located in areas designated Rural. However, a developer may connect to municipal services if they should be available and have capacity, at his own expense.
- 6) Regulation of forestry operations, including issuance of fire wood harvesting permits or participation in resource management more broadly, is a function which the Town wishes

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to undertake, and the Town will over time research the ways and means and develop procedures and a permitting system to control forestry operations in the Rural area.

- 7) Wind turbines and antennas are permitted at Council's discretion, but tall wind turbines and tall antennas shall be located at least 1.5 kilometres from the boundaries of other designated areas (definition of sizes will be detailed in the Development Regulations).

7.0 GENERAL REQUIREMENTS

7.1 Areas Affected

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

7.1.1 Natural Hazards to Building

The following policies are intended to prevent or mitigate exposure to hazards of landslides, rock falls, avalanches, flooding, coastal erosion and climate change:

- 1) Professional review and advice will be required for Council to evaluate any proposal for the erection of a structure on a site which is potentially subject to natural hazards including flooding, sea level rise, coastal erosion or any other physical hazard near watercourses and the sea;
- 2) The specific requirement concerning sea level rise and coastal erosion is that new development must be above the current 2 metre contour, and set back at least 30 metres from the seashore to provide a buffer against coastal erosion, except development needing direct access to salt water and the following may be approved at Council's discretion:
 - a. public works and utilities;
 - b. municipal park;
 - c. mineral exploration.
- 3) Any proposal for development of a site having a slope in excess of 15% must be certified by a geotechnical professional engineer as having low risk of landslide, avalanche, and rockfall;

The Development Regulations will detail the specific requirements in regard to the policies.

7.1.2 Municipal Services

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

1. Vacant land and sites made suitable for infilling due to installation of municipal water and sewer servicing are intended to be almost fully utilized before public infrastructure services may be extended to new areas.
2. All new streets must connect to another street where possible, preferably in a loop pattern, and dead end streets shall terminate in a cul-de-sac.
3. An industrial or non-building use presently located in a predominantly residential area or along a serviced road, and which does not require municipal services, shall be encouraged to relocate to an area that is not serviced, so that land that is, or will be, serviced can be used for more appropriate urban development.
4. Extensions to the water, sewer and road system which are not part of the Town's capital works program shall be the financial responsibility of the developer. Nevertheless, any such infrastructure which is intended to be conveyed to the Town shall be designed and constructed to modern engineering requirements, and shall be subject to approval by Council.

7.1.3 Servicing Requirements

1. All buildings that have or are required to have plumbing systems will connect to the municipal water and sewer system where available. This requirement does not apply to redevelopment of uses on lots that are not connected to available municipal water and sewer system unless Council determines the development should not be permitted unless it connects to the municipal water and sewer system.
2. With the exception of land uses associated with agriculture, forestry, saw milling, mineral workings or other resource or similar uses for which street frontage would be unnecessary or

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undesirable, all buildings shall have the appropriate frontage on a publicly owned and maintained street, unless other policies and requirements of this Plan specify otherwise.

7.1.4 Streets

1. Local streets will be designed to maximize the safety and efficiency of vehicular and pedestrian traffic
2. After installation of water and sewer services it is intended that all public streets will be maintained in good condition by the Town.

7.1.5 Property Maintenance

1. All properties shall be maintained in clean and orderly appearance. The exteriors of buildings, particularly commercial properties and any business catering to tourists, as well as yards and grounds, shall be properly finished and maintained to the satisfaction of Council. Owners of dilapidated structures shall be required to repair them or remove them if they present a safety hazard, on Council order pursuant to the *Municipalities Act*, Section 404.
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.
3. Wrecked or inoperable vehicles, machinery, debris, or equipment of any kind shall not be stored or abandoned where it may be in general public view. Any vehicles or other machines that have value as a source of replacement parts shall be stored out of sight from streets or adjacent development, and only at the rear of any buildings on the properties. Owners of such property shall be required to remedy the offence or remove the items, on Council order pursuant to the *Municipalities Act*, Section 404.

7.1.6 Negative Effects of Development

Where a proposed permitted 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 an advertised public briefing to ensure interested persons are aware of the potential effects and that their concerns are taken into consideration before a decision is made on a development application. Screening through such

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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.

7.1.7 Development Near Waterbodies

The Development Regulations will require that development will not be permitted within 15 metres of the high water mark of the seashore or any permanent or semi—permanent watercourse or waterbody within the Planning Area except for the following, and then only with the approval from the Water Resources Division, Department of Municipal Affairs and Environment or Federal Department of Fisheries and Oceans:

1. Wharves and docks, boathouses, and sheds to allow for traditional marine operations;
2. Public works and utilities.

7.1.8 Protection of the Natural Environment

Protection of the natural environment is a high priority. The quality of air, land, and water in and around the community, and aesthetic considerations, are important to the health, culture, and economy of the area. The role of a Council in this regard is intertwined with roles and authorities of the governments of Canada and the Province of Newfoundland and Labrador.

The provincial government regulates or provides guidelines for numerous activities concerning pollution prevention or environmental impact on topics including but not limited to the following:

- a) Development within 15 metres of a waterbody or watercourse if in a Crown land reservation;
- b) Discharge of any effluent off the subject property;
- c) Work in any body of water;
- d) Infilling of water bodies or diversion of streams (usually not approvable if for residential development);
- e) Construction of wharves, breakwaters, slipways and boathouses as noted earlier;
- f) Infilling or dredging associated with marine structures or other works;
- g) Any development in a protected public water supply area;
- h) Providing waste receptacles in work areas;
- i) Waste diversion actions including recycling, reuse or resale programs;
- j) Open burning of waste;

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- k) Pesticide and halocarbons use, purchase and storage;
- l) Petroleum (including used oil) storage and dispensing;
- m) Effects of climate change; and,
- n) Energy efficiency in buildings.

These matters will be identified in the Development Regulations as a reminder that such requirements may apply to proposed developments.

Where Council is in a position to act or intervene or make submissions on proposed projects or policies of senior governments, the following policies will be observed:

1. A proposed development shall not pollute any part of the community. Permission or consent to develop may be conditional upon measures to prevent pollution. In cases where expert advice is needed to deal with large or special types of projects where environmental protection concerns are complex, the proposals will be carefully studied and as well brought to the attention of the appropriate provincial or federal authorities, or both, for review and comment.
2. Garbage, refuse, abandoned vehicles and any other discarded materials of any kind shall be disposed of only at the waste disposal site approved by the Department of Municipal Affairs and Environment. Such material shall not under any circumstances be used as fill for buildings and lots.
3. All development shall be landscaped where possible. 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.
4. 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 production or creation of noise, smoke, dust, fumes or unsightliness) Council shall 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.

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5. 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.

7.1.9 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 community provided due consideration is given to potential danger and nuisance, the effect on aesthetics, and provided there are no reasonable alternatives and then only subject to such conditions as Council sees fit to secure an acceptable development.

7.1.10 Archaeology Sites

It is important that archaeological findings are to be respected as they form a key part of the community's and province's heritage. All applications for development within the community must therefore be referred to the Provincial Government Archaeology Office for review before permits for development are approved.

Further, should any artifacts be discovered while approved construction is underway, work is to stop until the assessment has been conducted. This will be specified in the Development Regulations.

7.1.11 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, and must be approved by Council. Obsolete or dilapidated signs may be ordered to be removed.

7.1.12 Fuel Storage Tanks

All fuel storage tanks (larger than 2500 litres) located within the Planning Area shall be required to have adequate containment and dyking. Council shall require that all new fuel storage tank installations be approved by the Department of Municipal Affairs and Environment. Council shall also demand that such fuel storage tanks be inspected annually by the said Department and a copy of the inspection certificate be submitted to the Town.

7.1.13 Non-conforming Uses

Existing development which does not conform with the requirements of the Municipal Plan and Development Regulations may be continued as a nonconforming 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.

7.1.14 Home Based Business

Council's policy is to provide for the development of home based businesses to provide an opportunity for small businesses to be established in conjunction with the residence of the small business owner-operator.

Home based businesses are small scale businesses that are operated in or from the home or on the same lot as the home by the home occupant. They are compatible with the home, surrounding residential character, and surrounding land uses, and can be conducted without any significantly adverse effect on the surrounding neighbourhood.

The acceptability of a home based business will also depend on the type of dwelling from which it is proposed to operate. A single dwelling will be able to accommodate the widest range of home based businesses while an individual apartment dwelling will be able to accommodate only a limited range of home based businesses.

7.1.15 Mineral Exploration and Extraction

Undeveloped lands that surround the community core provide valuable resources and are used extensively by the local community for recreational purposes and resource uses, including aggregates. They are also the lands where minerals may be found, and the impacts of exploration and mining may be substantial.

The following policies will apply to mineral exploration and workings:

1. Council shall prohibit all but very small scale mineral workings and related activities from taking place within general view of developed areas of the community. Unless

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absolutely necessary, existing quarry sites should be exhausted before new sites are developed.

2. Mineral extraction operations shall be conducted in a manner which will minimize the adverse effects on water quality, fish and wildlife, and be buffered from adjacent water supply areas and the Mixed Development areas. All mineral operations will be required to complete a site rehabilitation plan as a part of the development application. Council, when issuing a permit for any mineral extraction or mining operation, may attach such conditions as are in its opinion necessary to properly regulate the operation. Such conditions in particular may refer to the following subjects and matters:
 - Landscaping, screening and fencing;
 - Rehabilitation;
 - Noise, dust and pollution control.

7.1.16 Uses Related to Keeping of Animals

People keep animals for a variety of reasons: as pets for the company and enjoyment of the animals, practically as members of the household, and as economic assets providing food, fur and other materials as well as labour for the benefit of the owner.

Keeping of pets is rarely a matter of concern in a Municipal Plan, as the activity tends to be self-regulating; when there is a concern, it generally arises out of public health and nuisance effects where pets are not properly housed or given appropriate care. In those cases, public health regulations and other laws enable authorities to deal with the sanitary and nuisance effects, and municipal planning laws such as the Development Regulations are not intended to be used as tools to deal with the situation.

The Development Regulations will therefore consider keeping of pets to be an accessory use where applicable to the main use of a property.

However, when animals are bred, raised or kept for economic gain or in larger numbers than customarily recognized as accessory uses, it is appropriate to regulate this activity in the Development Regulations. The Development Regulations will therefore include requirements related to keeping of animals for agricultural purposes and for pounds, kennels, zoos, veterinary

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establishments, and sanctuaries. In most cases, keeping of animals for these purposes will be regulated as discretionary uses; the principal case where such a use will be permitted will be that an agricultural class and animal class use will be permitted at Council's discretion in the Mixed Development Use Zone. The Development Regulations will include a requirement that the land area requirements for such developments be based on the *Environmental Farm Practices Guidelines for Livestock and Poultry Producers in Newfoundland and Labrador*.

7.1.17 Removal of Quarry Materials

Quarry materials produced as a by-product of an approved development may be removed from the development site provided that royalties are paid to the province as required by the *Quarry Materials Act, 1998*. For example, site preparation to construct a building involves removing topsoil, overburden, and possibly rock from the footprint area; these materials may be retained or re-used on the development site (no royalties due) or removed from the site (royalties due). Quarry materials include but are not limited to aggregate, fill, rock, stone, gravel, sand, clay, borrow material, topsoil, overburden, subsoil, peat.

In order to ensure that royalties due the province are paid, it is necessary that the Department of Natural Resources be made aware of approved developments where the removal of quarry materials is taking place or may take place. The Development Regulations will contain a statement to the effect that Council will notify the Department when such is the case.

7.1.18 Non-conforming Uses

Existing development which does not conform with the requirements of the Municipal Plan and Development Regulations may be continued as non conforming uses. 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.

7.2 Policies Extra to Municipal Plan for Information

The policies set out in this Municipal Plan are set out as enabled by the *Urban and Rural Planning Act, 2000*. The Town has adopted other policies as enabled by other legislation, some

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of which relate to certain aspects of development. The administration and enforcement of those other policies do not arise from the Municipal Plan nor the Development Regulations.

In order to minimize the risk of overlooking those other policies when dealing with permitting under this Municipal Plan and the Development Regulations, the other policies will selectively be quoted in the part of the Development Regulations which indicate development requirements applicable to all zones. Amendment or repeal of those policies, or the introduction of new policies of like kind, do not involve amendment of the Municipal Plan or the Development Regulations.

8.0 IMPLEMENTATION

8.1 Implementation Policies

The policies and proposals of the Municipal Plan for the Lawn Planning Area will be implemented by the exercise of:

- (i) appropriate Development Regulations
- (ii) research to identify clusters of heritage properties in all communities, and to devise appropriate policies and actions concerning their preservation and use;
- (iii) site plan control for discretionary uses;
- (iv) a planned sequence of public works;
- (v) a development agreement for aggregate extraction;
- (vi) a development phasing policy; and,
- (vii) a public notice policy.

The day-to-day administration of the Municipal Plan and Development Regulations is in the hands of staff members authorized by the Council. Council staff have the duty of implementing the Regulations, including the issuing of all necessary permits approved by Council and making recommendations to Council in accordance with the Municipal Plan policies regarding development in the Municipal Planning Area.

8.2 Review of Land Use Zoning & Subdivision Regulations

When the Municipal Plan comes into effect, Council is required to develop a scheme for the control of the use of land in strict conformity with the Municipal Plan in the form of Development Regulations, which include land use zoning, subdivision and advertisement regulations. After adoption by Council these regulations must be submitted to the Minister for approval. Regulations must comply with the requirements of the *Urban and Rural Planning Act 2000* and the standard provincial regulations which have been promulgated by the Province of Newfoundland and Labrador.

8.3 Amendment of the Municipal Plan and Development Regulations

A Municipal Plan and Development Regulations are documents which can be altered in the light of the changing needs of the municipality. Council will be cautious to ensure that amendments are made only following careful consideration.

8.4 Site Plan Evaluation

Many of the land use conflicts associated with large or unusual developments can be avoided if sufficient concern for detailed design is incorporated into the development approval process. In addition to Council's powers to apply conditions to a development permit, Council will require a site plan to be prepared and approved by the Town prior to the issuance of a building permit for discretionary uses.

Appendix B to this Municipal Plan contains the site plan evaluation information required for the preparation of a site plan.

8.5 Public Works

Construction of all public works within the Municipal Planning Area shall be carried out in accordance with the policies of this Municipal Plan.

8.6 Appeals

The *Urban and Rural Planning Act, 2000*, provides for an appeal process concerning planning administration of the Municipal Plan and the Development Regulations which implement this Plan.

The applicant or any person or association of persons aggrieved of a decision may appeal that decision if it is, under the regulations, a decision that may be appealed. Appeals are considered and disposed by a board established by the Minister of Municipal Affairs and Environment. The

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appeal must be initiated within a short period of time, 14 days, beginning at the date on which the decision being appealed was received by the applicant for the development.

Matters which may be appealed include decisions made concerning an application to undertake a development, revocation of an approval or permit to undertake a development, issuance of a stop work order, or any other decision which legislation provides may be appealed. Refer to the *Act* for legal purposes.

8.7 Development Standards Policy

In-filling along existing public roads is encouraged, and the requirements for frontage, lot size and location of structures will be sensitive to the limited opportunities which infill may present.

Development which requires new roads and streets will be carefully reviewed to ensure that proper sewer and water facilities are provided in accordance with the policies of this Plan.

8.8 Enforcement of Plan and Regulations in Planning Area

Particular attention shall be paid to communicating the fact that the Development Regulations are enforced. Signs to this effect may be installed at the entrances to the Town, and the requirements will be noted in the Town's web site, brochures and the like.

8.9 Program of Public Works

In an effort to ensure that adequate funds are available at the appropriate time to implement each feature of the Municipal Plan, Council shall prepare and submit every year a five year forecast of their anticipated capital expenditure requirements, in the form of a capital works plan, and carefully review it periodically to keep it up to date.

9.0 INTERPRETATION

9.1 Land Use, Boundaries, and Roads

It is intended that the boundaries of the land use designations and location of roads and other features shown on the Future Land Use Maps and the maps in the Development Regulations be considered as approximate, as the available base mapping does not provide highly accurate information. Therefore, amendments to the Municipal Plan or Development Regulations will not be required to support reasonable interpretation by Council and staff concerning boundaries of zones and areas and the locations of roads and trails. The intent and policies of the Plan are to guide the interpretation of the mapped information.

Where feasible, the boundary lines of areas designated in this Municipal Plan are laid out to follow lot boundaries and prominent physical features, including roadways and shorelines, and shall be interpreted in that way. Where this does not apply, measurement from the maps and relative location on the ground shall be considered.

9.2 Figures and Quantities Approximate

All figures and quantities herein and in the Development Regulations, other than those for development standards for which variances may be considered only in accordance with the Urban and Rural Planning Act, 2000, shall be considered as approximate.

9.3 Classification of Uses

Reference in the Municipal Plan to classification of types of uses is related to the detailed table of classifications in the Development Regulations, and to its hierarchy of classifications by group, division and class. Where the permitted use is expressed by the heading of a “Group”, all of the uses in the divisions and classes of uses under that heading shall be permitted, and likewise where the permitted use is expressed by the heading of a “Division”, all of the uses in the classes of uses under that heading shall be permitted.

APPENDIX A

**PROCEDURE TO BRING MUNICIPAL PLAN INTO
EFFECT**

Municipal Plan for 2018-2028, Town of Lawn

Approved by Council 10 November 2020

PROCEDURE TO BRING MUNICIPAL PLAN INTO EFFECT

For the Municipal Plan to gain full legal effect, a specific procedure must be undertaken, pursuant to Sections 15 through 23 of the *Urban and Rural Planning Act, 2000*. The procedure is described below.

In brief, the process begins with the preparation of a draft Municipal Plan under the direction of Council. When a draft is prepared to the satisfaction of Council, it is submitted to the Department of Municipal Affairs and Environment for review. When the Department has reviewed the draft document and is satisfied that it is acceptable in light of provincial and other government agencies' interests, the Department officially releases it pursuant to Section 15 of the *Act*. Council then, by resolution, is able to adopt the document pursuant to Section 16 of the *Act*.

Council must then advertise and provide for a public hearing at which objections or representations to the adopted document are to be heard. The notice must appear twice in a newspaper circulating in the Municipal Planning Area, in which Council states its intention to approve the Municipal Plan. The first notice must appear at least fourteen days before the hearing date. The notice must state where and when the Municipal Plan can be inspected and clearly give the time and place for the Public Hearing.

The Hearing is conducted by a Commissioner appointed by the Council. A deadline date for the submission of any written objections or representations is specified in the *Act* (two days before the hearing). If no objections are received by the deadline, Council may cancel the hearing and proceed directly to approve the Plan. If the hearing proceeds, the Commissioner conducts the meeting and subsequently prepares a report including recommendations. Council then considers the report and either approves the Plan (with or without changes) or withdraws the proposed Plan. Council's approval is made pursuant to Section 23 of the *Act*.

An approved Plan then is submitted to the Minister for review and registration, pursuant to Section 24 of the *Act*. For this, the Minister requires two copies of the Municipal Plan which have been certified by the Clerk as having been adopted and approved by Council, the Commissioner's report, and all written objections and representations that may have been submitted at the Hearing. After reviewing the document and determining that it is not contrary to law or a policy of the government of the province, the Minister will register the Plan in the Minister's planning registry and Council will publish a notice to that effect in the *Newfoundland and Labrador Gazette* and in a newspaper circulating in the Planning Area. The date of the publication of the notice in the *Newfoundland and Labrador Gazette* is the date upon which the Plan comes into effect.

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If the Minister chooses to not register the Plan, the document is returned to the Council with information as to the reason for its unacceptability, and Council may then make changes and resubmit the Plan in the same manner.

It is important to recognize that a new Plan does not come into legal effect until the notice of the Minister's registration appears in the *Newfoundland and Labrador Gazette*. Once in effect, 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.

A concurrent and parallel process is involved in the preparation, adoption, approval, and coming into effect of Development Regulations.

APPENDIX B

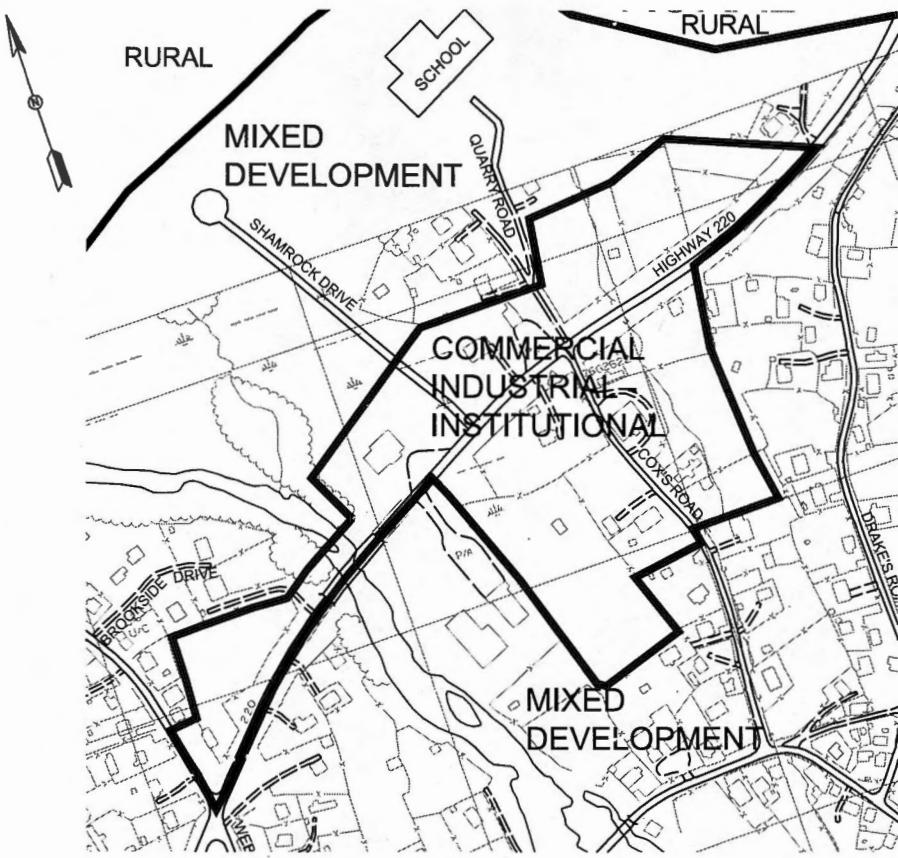
SITE PLAN EVALUATION INFORMATION

Site Plan Evaluation Information

When Site Plan approval is required, the owner or proponent shall prepare site development plans, including landscaping, parking, lighting, roads and any or all of the additional items listed below, according to the nature of the proposed development and directions of Council:

- (a) the dimension of the site;
- (b) the area of the site;
- (c) dimensions to indicate the location of all buildings;
- (d) dimensions of buildings to provide comprehensive information of their plan form, including future buildings or expansions;
- (e) the distance between buildings and all yards;
- (f) other uses, a breakdown of floor area by proposed use;
- (g) gross floor area of buildings;
- (h) dimensions of all parking areas, access roads and driveways;
- (i) function and type of landscaped areas;
- (j) landscaping plan and specifications including:
 - surface treatment (asphalt, grass etc.)
 - tree and shrub types and sizes
 - location and number of trees to be retained or planted
 - dimensions of buffer zones, driveways, etc.
 - number and size of parking spaces and location
 - location and size of signage
 - location and width of all walkways, footpaths
 - location of loading zones
- (k) proposed contours and drainage of surface runoff ditching;
- (l) surrounding land uses;
- (m) site constraints, e.g. right-of-ways which exist on site or adjacent to it, easements, fire routes;
- (n) location and intensity specifications for lighting;
- (o) location and use of outside storage areas;
- (p) perspective drawings and plans showing 4 point building elevations and 2-way cross sections of all buildings shown on the Site Plan
- (q) provisions for ongoing operation of features of the development which may involve commitments or obligations of the Town of Lawn or its departments and agencies.

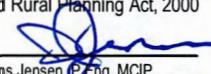
All site development plans shall be submitted to Council for approval.



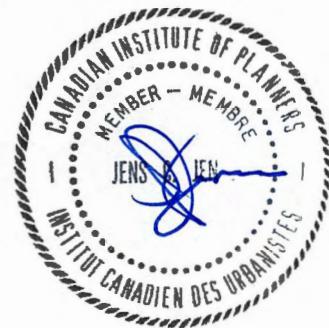
Town Seal



I, a Member of the Canadian Institute of Planners, certify that this map for the Municipal Plan document has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000


Jens Jensen, P.Eng., MCIP.

Dated 3rd of February 21
MCIP Seal



Municipal Plan/Amendment **REGISTERED**

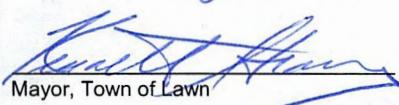
Number 2745-2021-000

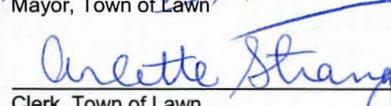
Date March 4, 2021

Signature Mary Okey

TOWN OF LAWN

Dated at Lawn this 12th day of
January A.D. 2021


Mayor, Town of Lawn


Clerk, Town of Lawn

LEGEND:

Future land use designations as shown

RURAL
MIXED DEVELOPMENT
COMMERCIAL-INDUSTRIAL-INSTITUTIONAL

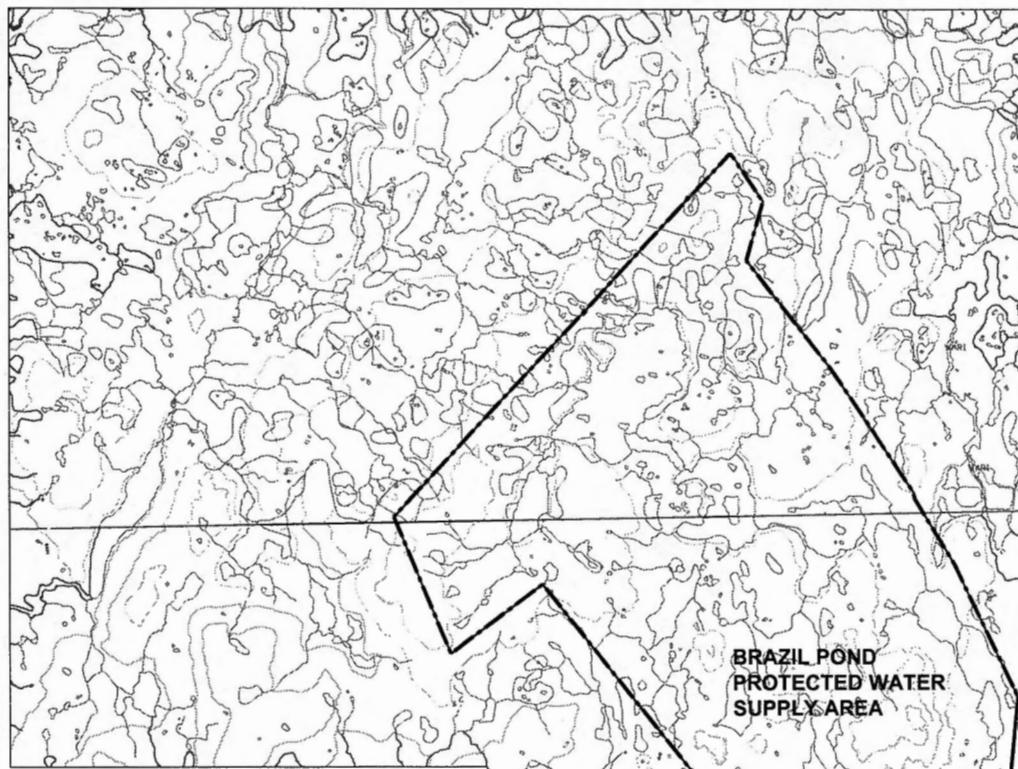
0 100 200 300 m
0 500 1000 ft
SCALE 1:5000 @ 8 1/2" x 11"

REV 3	APPROVED BY COUNCIL	10 NOV 2020
REV 2	AS ADOPTED	8 JUL 2020
REV 1	FOR DMAE REVIEW	9 AUG 2019

TOWN OF
LAWN

MUNICIPAL PLAN
FUTURE LAND USE
2018 - 2028
MAP 3





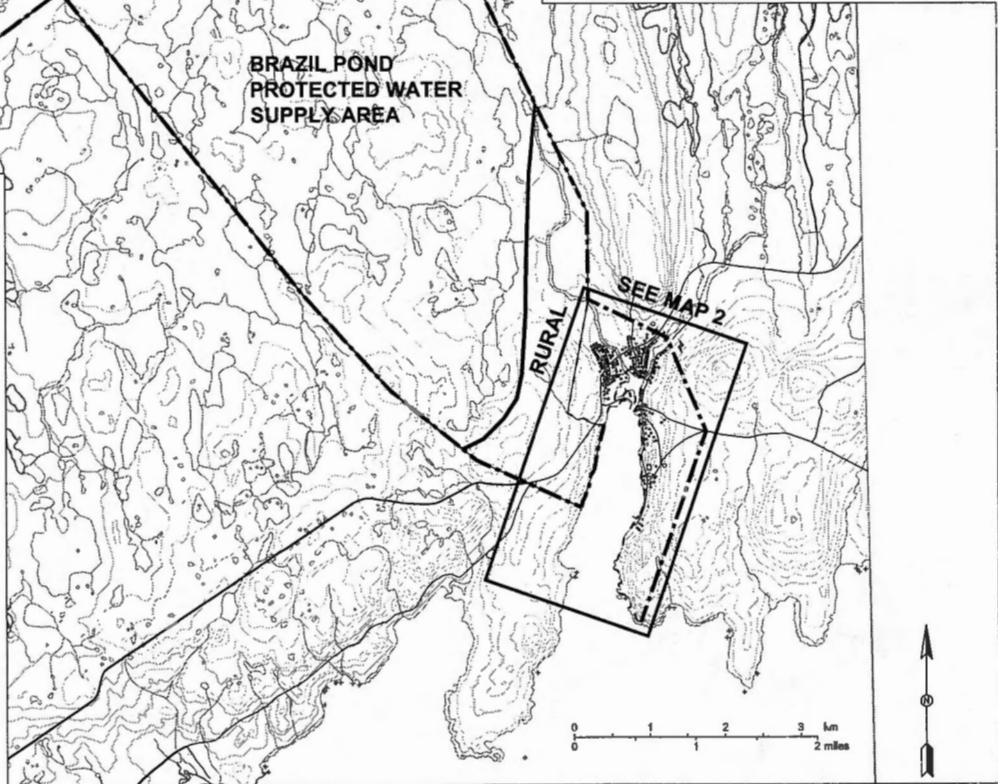
I, a Member of the Canadian Institute of Planners, certify that this map for the Municipal Plan document has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000

Jens Jensen, P. Eng., MCIP

Dated 3rd February 2021
MCIP Seal



Town Seal



NOTES:

1. See Map 2 for detail within Town Boundary.
2. All of the area between the Brazil Pond Protected Water Supply Area and the Town Boundary is zoned Rural.
3. The boundary of the Brazil Pond Protected Water Supply Area is the boundary determined in the Province of NL Regulation 36/99 under the Environment Act.

TOWN OF LAWN

Dated at Lawn this 12th day of
January A.D. 2021

Kathy Khan
Mayor, Town of Lawn

Arette Strange
Clerk, Town of Lawn

LEGEND:

Future Land Use designations as shown

RURAL

BRAZIL POND PROTECTED WATER SUPPLY AREA

SCALE 1:100000 @ 8 1/2" x 11"

— Planning Area Boundary

— Town Boundary

— Zone Boundary

Municipal Plan/Amendment

REGISTERED

Number 2745-2021-000

Date 1 March 11, 2021

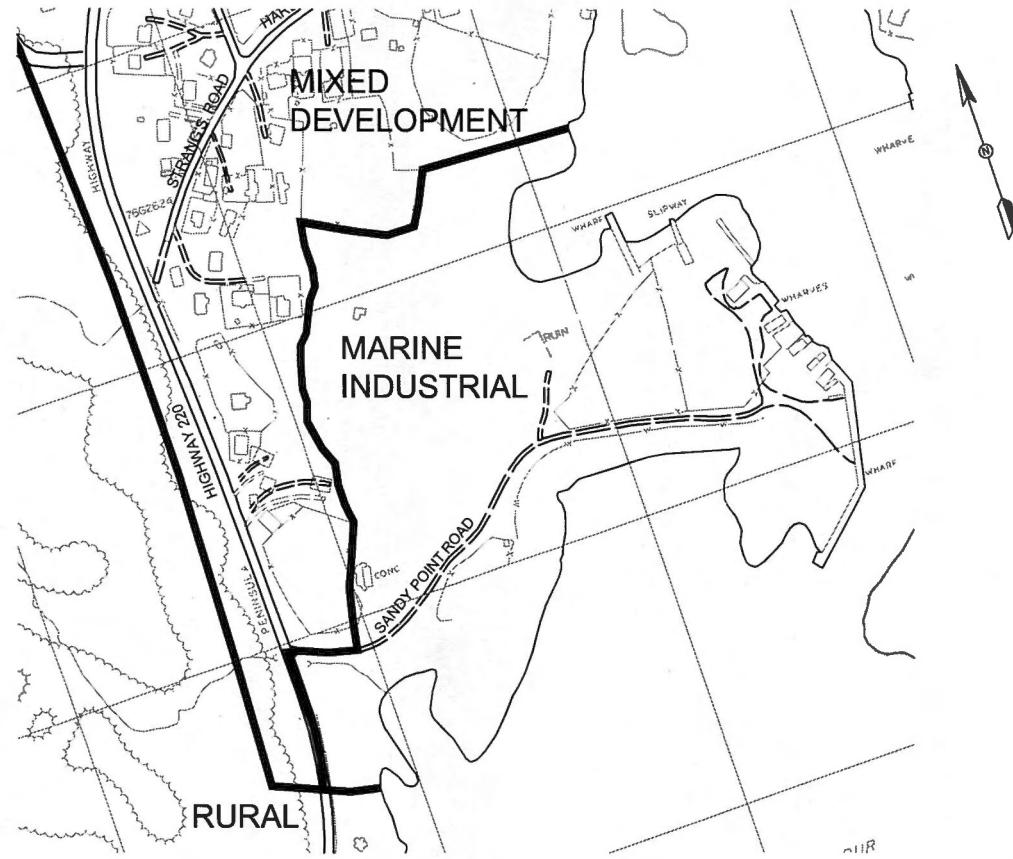
Signature *Mary Obay*

REV 3	APPROVED BY COUNCIL	10 NOV 2020
REV 2	AS ADOPTED	8 JUL 2020
REV 1	FOR DMAE REVIEW	9 AUG 2019

**TOWN OF
LAWN**

**MUNICIPAL PLAN
FUTURE LAND USE
2018 - 2028
MAP 1**





Town Seal



I, a Member of the Canadian Institute of Planners, certify that this map for the Municipal Plan document has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000


Jens Jensen, P.Eng., MCIP

Dated 3rd February of 2021
MCIP Seal

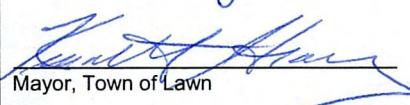


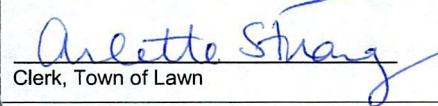
**Municipal Plan/Amendment
REGISTERED**

Number 2745-2021-000
Date March 11, 2021
Signature Mary Hayes

TOWN OF LAWN

Dated at Lawn this 12th day of
January A.D. 2021


Kristy Hanes
Mayor, Town of Lawn


Annette Strang
Clerk, Town of Lawn

LEGEND:

Future land use designations as shown

MARINE INDUSTRIAL
MIXED DEVELOPMENT
RURAL

NOTE:

Boundary of Marine Industrial (MI) Area to be
Interpreted as the area owned by or under the control
of the Lawn Harbour Authority.

0 100 200 300 m
0 500 1000 ft
SCALE 1:5000 @ 8 1/2" x 11"

REV 3	APPROVED BY COUNCIL	10 NOV 2020
REV 2	AS ADOPTED	8 JUL 2020
REV 1	FOR DMAE REVIEW	9 AUG 2019

TOWN OF
LAWN

MUNICIPAL PLAN
FUTURE LAND USE
2018 - 2028
MAP 4

