

**TOWN OF AVONDALE  
RESOLUTION TO APPROVE  
MUNICIPAL PLAN (2019-2029)**

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

- a) Adopted the Town of Avondale Municipal Plan (2019-2029) on the 21st day of April, 2020;
- b) Gave notice of the adoption of Municipal Plan (2019-2029) by advertisement inserted on the 30th day of April and the 7th day of May, 2020 in the newspaper, The Shoreline News; and,
- c) Scheduled the 19th day of May, 2020 at the Avondale Town Hall, for the holding of a public hearing to consider objections and submissions to the Municipal Plan (2019-2029).

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Avondale approves the Municipal Plan (2019-2029).

SIGNED AND SEALED this 6<sup>th</sup> day of August, 2020.

Mayor:

Owen Mahoney

Clerk:

Karen McGrath



(Council Seal)

Municipal Plan/Amendment	
<b>REGISTERED</b>	
Number	<u>0125-2020-001</u>
Date	<u>December 10, 2020</u>
Signature	<u>Mary Clay</u>

THE  
OFFICE OF THE  
ATTORNEY GENERAL

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the State of New York, at Albany, this 1st day of January, 1900.

JOHN C. COVILLO, Attorney General

JOHN C. COVILLO, Attorney General

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JOHN C. COVILLO, Attorney General

JOHN C. COVILLO, Attorney General



**TOWN OF AVONDALE  
RESOLUTION TO ADOPT  
MUNICIPAL PLAN (2019-2029)**

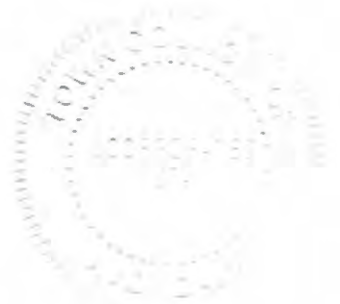
Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of Avondale adopts the Town of Avondale Municipal Plan.

Adopted by the Town Council of the Town of Avondale on the 21st day of April, 2020.

Signed and sealed this 16<sup>th</sup> day of August, 2020.

Mayor: Owen Mahoney

Clerk: Karen McGrath



(Council Seal)

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

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

MCIP: Myers

Member, Canadian Institute of Planners (MCIP)



(MCIP Seal)

TO THE HONORABLE  
MEMBERS OF THE  
HOUSE OF REPRESENTATIVES

AND TO THE SENATE OF THE UNITED STATES  
IN SENATE

REPORT OF THE

COMMISSIONERS OF THE

LAND OFFICE  
IN RESPONSE TO A RESOLUTION  
PASSED BY THE SENATE



WASHINGTON

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## 1.0 INTRODUCTION

### 1.1 The Purpose of the Municipal Plan and Community Vision

The purpose of the Municipal Plan is to enable the community to pursue sustainable choices to meet the environmental, economic, social, cultural and quality of life needs and desires of local residents, today and tomorrow. This updated Plan provides an up to date, future-looking comprehensive policy framework to influence, manage, and regulate future growth and change in the Town of Avondale.

The Town of Avondale initiated the Municipal Plan Review which builds on its' Vision as set out the Town's Integrated Community Sustainability Plan:

*Avondale will maintain its attractive, traditional small-town character while supporting development, rural living, and respect for local heritage to ensure its future as a self-sustaining community.*

This Vision statement is based on the following community values that were summarized eloquently in the Integrated Community Sustainability Plan and the text is included here:

- "We the residents, cherish and protect the ways of our forefathers. With a strong sense of pride, they carved from the landscape of this beautiful valley, a livelihood built on the core industries of farming; the fishery and the lumber trade creating a heritage legacy and determination which will shape our future and futures to come.
- We are a closely-knit community in scale and nature; we are physically small enough to maintain a strong sense of community closeness and from which we can develop a shared understanding and vision or our community.
- We endeavour to protect and preserve our sensitive natural resources
- We possess many natural scenic spots engulfed in cultural richness yet to be documented.
- We have a culture of community inclusiveness; yet, we willingly open our community to visitors and newcomers from near and far.
- Economic conditions of the past brought about a necessity for residents to diversify their skills from the traditional ways of their forefathers and to forge into new areas. Today, the men and women of our Community are members of the iron-workers and boiler makers trades and are recognized internationally for their high level of skill.
- Today we take pride in the Community's leadership, restoring and managing our resources responsibly and sustainably, ensuring that, like our forefathers, we leave a vibrant and resilient community legacy like our forefathers to those that follow us."



## **1.2 Authority**

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

The Plan guides the future growth and physical improvement of the Town by identifying locations and policies for various types of land use development. The Municipal Plan provides the basis for the Development Regulations which provide development control standards, more refined zoning within the land use designations (shown on the Future Land Use mapping – Appendix A), and criteria for the evaluation of subdivision and development permit applications.

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

The Act requires the preparation of Development Regulations to ensure that land is controlled and used in compliance with the Plan (Section 35). The Development Regulations enable the Council to administer the policies of the Municipal Plan.

The 2008 Municipal Plan is repealed and replaced by the comprehensive policy document Municipal Plan (2019-2029) that comes into legal effect upon publication of the registered documents in the Newfoundland and Labrador Gazette.

## **1.3 The Planning Process**

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

A comprehensive Background Report was prepared to inform the Municipal Plan review (note that the Background Report is not a legal document). The Background Report provides the key findings of statistical research, community site visits and discussions with the Town, Provincial agencies and with community representatives, including public consultation. This research provides the foundation for preparation of the Plan update.

After consultations were completed to the satisfaction of Council and met the requirements of Section 14 of the Act, Council accepts (by Resolution) the draft Plan and Development Regulations recommends submission to the Provincial government for (Section 15) review and release from Provincial legislative and regulatory requirements. Upon release, there is further opportunity for public input through a formal Public Hearing chaired by a qualified

Commissioner appointed by Council to consider objections and representations from the public, either opposing or in favour of the Municipal Plan. The Commissioner formally reports his findings to Council as a result of the public hearing. Council may adopt the Commissioner report in whole, in part or reject the report in its entirety.

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

Amendments can be made the Municipal Plan and Development Regulations at any time; however, they must follow the procedure (sections 14-25) set out in the Act (section 25).

Note that a *Resolution of Council alone* cannot amend (or circumvent) a requirement contained in the Municipal Plan or Development Regulations.

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

#### **1.4 Organization of the Plan**

The Municipal Plan is organized into four chapters:

- Chapter 1 sets the legal context and the organization structure requested by Council;
- Chapter 2 sets out the overarching policies that potentially affect development in all land use designations and the zones created within each designation;
- Chapter 3 sets out the goals, objectives and policies by land use classification (as required under Section 13 of the Act; and,
- Chapter 4 addresses Implementation of the Plan.

The Background Report, which provides the community context for the plan is contained in Appendix B.



## **2.0 SUSTAINABILITY FRAMEWORK FOR THE PLAN**

### **2.1 ENVIRONMENTAL SUSTAINABILITY**

#### **2.1.1 Goal**

1. To protect the natural environment, including natural drainage systems, wetlands, wildlife, plant and fish habitats, and responsibly manage community-related and natural resource development for the health, aesthetic, economic and recreational benefit of the Town of Avondale.

#### **2.1.2 Objectives**

The objectives for environmental sustainability include:

- A. *Environmental Protection:*  
Protection of the natural environment, such as the soil, water, vegetation, air, wildlife habitats and ecosystem integrity. More specific policies are found in the Conservation Land Use Class (Section 3.7);
- B. *Sustainable Development:*  
Promotion of sustainable development activities, such as, waste management, zero net runoff with respect to on-site storm water runoff, renewable energy production. More specific policies are found in the section on land use and development policies (Section 3.1);
- C. *Natural Resource Management:*  
Responsible management of natural resources, such as, forestry, mineral resources, wildlife and fish, water, agriculture. More specific policies are found in the Resource Land Use Class (Section 3.8);

#### **2.1.3 Environmental Protection Policies**

It is the policy of Council to:

##### **Protected Water Supply Areas**

1. Ensure that development and land use activities in any Protected Water Supply Area within the Planning Area of the Town of Avondale are compliant with the regulations and policies administered by the Provincial Water Resources Management Division under the *Water Resources Act, 2002*;
2. In a Protected Water Supply Area, the following minimum buffers apply and any development applications must be referred to the Water Resources Management Division for review as part of the application evaluation process:

<b>Buffers related to Protected Water Supply Areas</b> (in accordance with Provincial policy and amended concurrently)	
<b>Watercourse</b> <b>(Body of water)</b>	<b>Buffer</b> <b>Minimum width</b>
• Intake pond or lake	150 metres
• Intake river	150 metres for 1 kilometre upstream and 100 metres downstream of a water supply intake
• Main river channel	75 metres
• Major tributaries, lakes or ponds	50 metres
• Other watercourses	30 metres*
Source: Water Resources Management Division website: <a href="http://www.mae.gov.nl.ca/waterres/regulations/policies/water_related.html">http://www.mae.gov.nl.ca/waterres/regulations/policies/water_related.html</a>	

- Subject to the appropriate approvals and reviews, only the following uses are permitted in the 30 m buffer areas: roads, public services and utilities, trails and accessory uses, and uses requiring direct access to a body of water may be permitted, such as wharves, boathouses, slipways and breakwaters which adhere to the guidelines provided in the “Land and Water Developments Policy for Land and Water Related Developments in Protected Public Water Supply Area” of the Water Resources Management Division,  
(<https://www.mae.gov.nl.ca/waterres/regulations/policies/index.html>);

### Water bodies

3. Protect rivers, streams, ponds, wetlands, and shorelines from pollution and development by implementing measures such as:
  - Maintaining, where possible, existing vegetation along banks and shorelines;
  - Ensuring conformance with requirements of the Water Resources Management Division of the Provincial government under the Water Resources Act and the Environmental Protection Act including Policy Directives: W.R.91-1-Infilling Bodies of Water, W.R. 97-1-Development in Shore Water Zones and W.R. 97-2-Development in Wetlands;
  - Where fish habitat is affected, requiring appropriate approvals from Fisheries and Oceans Canada;
  - Prohibit on-site sewerage disposal system within 30 metres from a waterbody or watercourse;
  - Recognize the 15 m buffer along waterbodies and ensure that such as wharves, boathouses, slipways and breakwaters which adhere to the guidelines provided by the



Water Resources Management Division,  
(<https://www.mae.gov.nl.ca/waterres/regulations/policies/index.html>);

#### **Environmental Awareness**

4. Encourage partnerships and initiatives aimed at enhancing positive environmental attitudes and awareness; and promoting projects which will enhance the built environment, for example, fostering a community/family environment by promoting greenbelts, passive parks and walking/hiking trails; and to promote a regular community “clean-up” program;

#### **Climate Change Impacts**

5. Take into consideration available data regarding climate change when allocating land for future developments that are in close proximity to a river, floodplain or coastline. Climate change is expected to result in more precipitation and more frequent extreme weather events that may result in increased flooding, sea surge and coastal erosion.
6. Consider seeking funding to assess climate change impacts on the Town of Avondale;

#### **Natural Heritage Landscape Preservation**

7. Consider the development of built heritage and natural heritage landscape preservation guidelines to preserve these valuable and eroding assets in the community.

### **2.1.4- Sustainable Development Policies**

It is the policy of Council to:

#### **Inter-governmental compliance and cooperation**

1. Provide municipal services at environmentally acceptable standards, which may require referrals to Federal and Provincial departments and agencies having jurisdiction for the protection of such environmental considerations as, emissions, effluents, vegetation, habitat, wildlife, fish, waterfowl, public health and safety;
2. Maintain a Tangible Assets Inventory of water/sewer systems and other Municipal infrastructure as required under Public Sector Accounting Board (PSAB);

#### **Waste Management**

3. Consider initiating recycling and community composting;

#### **Renewable energy**

4. Promote residential, commercial and industrial developments that use clean renewable sources of energy;



5. Consider private (not commercial) renewable energy sources at the discretion of Council subject to meeting Provincial and Federal regulatory requirements, in particular those applying to safety and environmental concerns, such as ice loads and assessment of potential hazards or negative impacts for adjacent or nearby property owner and specific development conditions for development of wind turbine(s) for private use may include, but not be limited to the following; size of the wind turbine or its generating capacity, height of tower; number of wind turbines; setbacks from existing structures, side yard and rear yard standards; requirements for screening or buffering; and scale of development;

#### **Storm water**

6. Require development applications to include information regarding grading, ditching, and landscaping;
7. Evaluate impacts of significant alterations to the natural environment (such as changing the drainage pattern or removing vegetation) during the evaluation of development proposals/permitting;
8. Prohibit alterations which will adversely affect adjacent property where there is concern that development may contribute to excessive storm-water increases, Council may require developers and landowners to:
  - (a) Set aside land where storm-water can be discharged to naturally infiltrate into the soil;
  - (b) Maintain vegetated buffers (bio-swales) between storm-water drainage outlets and watercourses to minimize direct discharges into watercourses;
  - (c) Preserve existing trees or plant additional trees and shrubs to promote soil infiltration and capture sediments;
  - (d) Channel runoff to gardens and low-lying areas on the development site and on individual lots (rainwater harvesting);
  - (e) Take advantage of the topography to reduce storm drainage, for example, retain natural depressions in the landscape to accumulate runoff and promote soil infiltration;
  - (f) Re-establish vegetative cover immediately on gravel surfaces, banks, drainage ditches, and other areas disturbed by construction activity;
  - (g) Reduce parking and driveway footprint or utilize permeable pavement to reduce runoff; and,
9. Maintain storm drainage ditches and facilities in good working order;

#### **Water**

10. Maintain adequate fire flows in all areas served by Municipal water;

11. Ensure that the costs of installing water services and connecting new lots to the Municipal system does not create a financial liability to the Town, and ultimately the taxpayers;

#### **Infrastructure Renewal**

12. Ensure local infrastructure meets community needs, improves communications and accessibility, and contributes to health and wellness;

#### **2.1.5 Natural Resource Management Policies**

It is the policy of Council to:

1. Protect the natural resources of the Town for the best use in an environmentally responsible manner;
2. Ensure that development of resource lands does not block future access for other future opportunities for land use and development;
3. Protect and enhance agricultural enterprises in consultation with the Land Resource Stewardship Division of the Department of Fisheries and Land Resources and ensure compatible adjacent development in order to minimize potential conflicts;
4. To work with the Land Resource Stewardship Division of the Department of Fisheries and Land Resources to respect the designation of Blueberry Management areas and determine the best and highest use for these areas given the uncertainty of the designations and change in land use since the program was initiated;
5. Ensure that forestry activities, including harvesting, road building and silviculture, are compatible with the other uses in the Resource zone;
6. Comply with Provincial government authority regarding mineral exploration and mineral lands development opportunities providing that:
  - a. that appropriate environmental, public health and safety and fencing/landscaping measures are provided to avoid land use conflict; and,
  - b. parties comply with the requirements of the Department of Natural Resources regarding the Mineral Working buffer which will be identified as an overlay on the Land Use zoning mapping and regulations regarding buffers are to be included in the text of the Development Regulations.



## **2.2 PLANNING FOR ECONOMY VIBRANCY**

### **2.2.1 Goal**

1. To grow the economy in the Town of Avondale by providing opportunities for commercial, industrial, tourism and residential development;

### **2.2.2 Objectives**

The objectives for the economic pillar of sustainability include:

1. Attract new business to the Town of Avondale building on its strategic location in relation to the Trans-Canada Highway and the scenic Route #60 connecting the historic communities along the coast of Conception Bay;
2. Promote Avondale as 'tourism accommodation/service hub' for people attending events at the Eastbound International Speedway facility or the RV Parks in the region, or travelers enjoying the scenic drive around Conception Bay;
3. Designate, zone and set aside lands in the vicinity of the Avondale Access Road to ensure future opportunities for business development including housing for seniors, business and retail services, tourism-related attractions and services;

### **2.2.3 Policies**

It is the policy of Council to:

1. Ensure that the land base is available to promote the strategic position of Avondale in the Conception Bay Region;
2. Rezone a portion of the land adjacent to the Roncalli Central High School that is currently occupied by a large un-used building and allow for Mixed Development to occur in this area which is close to the centre of the community;
3. Rezone land from residential to mixed development near the core intersection at the heart of the Town (Route 63 and Avondale Access Road) to create a 'hub' centrally within the community;
4. Rezone land near the TCH/Avondale Access Road and the former Avondale Access Road for Mixed Development in order to encourage commercial development to serve nearby developments and provide an increased tax base for the community;

5. Support the development of tourism facilities and attractions in order to attract and retain visitors to the Town and surrounding tourism amenities;

6. Work with the Heritage Foundation to initiate tourism development at the old wharf and slipway in Healeys Cove. This is important as this is the only opportunity for public access to the waterfront. The wharf area was previously identified as a sheltered area suitable for family recreational activities, both on land and water. It provides sheltered kayaking and boating, as well as a launching location for small motor boats.



7. Explore opportunities for economic development associated with the the Newfoundland T'Railway Provincial Park. It transects the Town and provides recreational and economic opportunities. This can tie into the Avondale Railway Museum.



8. Consider the development of a variety of interconnected or complementary Trail development opportunities that could make Avondale a place to 'stay awhile'. Some of these include:
  - a. **Lees Mountain** in the heart of the community provides a panoramic view over the valley and represents a very notable landmark against the town skyline. Residents are familiar with 'heritage trails' that can take hikers to the top. While these trails have grown over, there are enough people who know where they were to find them if there was an initiative to revive the trails.
  - b. Development of **trails along Salmon River** from Route 60 to the Old Mill RV Park. The scenic river offers a variety of activities in addition to walking/hiking, such as, quality salmon fishing and one of nature's finest traditional swimming areas. All these features have interpretive value that is of interest to tourists and residents alike.
  - c. Another community initiative is located on the Blue Hills, the walking trails in the wetlands of the **Hennessey Nature Park**. These have not been kept up and they are located quite far from the centre of the community and other features.



## **2.3 QUALITY OF LIFE**

### **2.3.1 Goals**

1. To provide for the health, safety and well-being of the residents of Avondale;

### **2.3.2 Objectives**

The objectives for the social pillar of sustainability include:

1. To foster community spirit and a 'sense of place' for the residents of the Town of Avondale by:
  - a. Creating a Town Centre to provide a focus for the community;
  - b. developing a 'brand' for the community which identifies it as the leading northern community in Labrador;
  - c. reach out to include all residents in municipal events and activities;
2. To promote the health of the community by enhancing active living opportunities, such as trails and walkways, and particularly increase mobility for a growing population of seniors (65+) and families (35-39-year olds with children);

### **2.3.3 Policies**

It is a policy of Council to:

1. Enhance healthy community objectives preparing a recreation plan that involves strong public involvement to determine the best options for development and/or expansion of trails, walkways, outdoor gathering places, community gardens, neighbourhood parks, and other active living initiatives including recreation programming and community events (festivals, sporting events);
2. To encourage the establishment a Town Square or park to provide an identity for the Town of Avondale to foster civic pride.
3. Continue to support the growth and maintenance of playgrounds and sports fields for both local and regional use;
4. Enhance public access to natural areas and open space that are a key attraction to living in Avondale, particularly for the 35-39-year-old group which grew between 2006-2016;
5. Enhance the Town of Avondale as a 'place to live' by developing lifestyle amenities, such as, providing access to the outdoors (trail networks connecting all neighbourhoods), creating more parks and recreation facilities for people of all ages;



## **2.4 CULTURAL AND HERITAGE PROTECTION AND CELEBRATION**

### **2.4.1 Goal**

To develop physical interpretative facilities to share the cultural heritage of the Town of Avondale.

### **2.4.2 Objectives**

The objectives for the cultural pillar of sustainability include:

1. To develop cultural resources that can provide a foundation for tourism product;

### **2.4.3 Policies**

It is a policy of Council to:

1. To develop a strategy for a cultural tourism and programming including a festival or arts and crafts themes that would bring in participants from the region and beyond;
2. To identify the heritage resources of the community in both built and oral history and develop a plan to recognize these assets for interpretive purposes;

## **2.5 SUSTAINABLE GOVERNANCE**

### **2.5.1 Goals**

1. The Town of Avondale will provide open, accountable, fiscally responsible, Municipal governance that continues to embrace changes needed to build a healthy community all its residents.
2. The Town will strive to provides the quality of life amenities and infrastructure services to promote a vibrant economy and secure future for the community.

### **2.5.2 Objectives**

The objectives for the Municipal governance pillar of sustainability include:

1. To provide Municipal administration and services effectively, openly, efficiently, and equitably to all residents, in a transparent manner and within the fiscal capacity of the Town;
2. To administer the existing built community and manage future growth in a manner that ensures land use compatibility, orderly development and the economic use of Municipal services;
3. Encourage strong public interest and participation in Municipal governing processes, including Council elections, committee activities, and public participation in decision-making by increasing community awareness;

### 2.5.3 Policies

It is the policy of Council to:

1. Administer Municipal expenditures and revenues with restraint aiming for maximum return on investment so as to provide necessary Municipal services within a framework of long-term financial stability and manage the Municipal debt, considering the Town's ability to meet its expenditures over the long term;
2. Collaborate with other Municipalities in the region, government, community organizations, and the business community to facilitate opportunities to improve local governance and Municipal services;
3. Develop and maintain an Asset Management Plan;
4. Develop a website or Facebook page to inform residents of Town news and events.
5. Ensure that development in the municipal planning area is governed in compliance with relevant legislation such as the *Municipalities Act, 1999* and the *Urban and Rural Planning Act, 2000*;
6. To adopt Development Regulations to implement this plan which will address the following:
  - a. Authorities and responsibilities;
  - b. Administration of the regulations, including when a permit is required, options if the proposal does not fit the land use zone of development conditions or standards, special conditions, appeal, enforcement authority;
  - c. Land Use zones, including development standards that apply in all zones, and Land use zone tables, Development standard tables, and conditions specific to that zone;
  - d. Land Use and development definitions and conditions: These are intended to meet the needs of the community for the 10-year duration of the Municipal Plan and Development Regulations and they are organized by land use class;
  - e. Accessory uses & buildings and home businesses;
  - f. Buildings, lot siting, landscaping and services;
  - g. Off-street loading, parking, driveways, and signs; and,
  - h. Subdivision of land.
7. Where an application for development or an application for an amendment to the Municipal Plan or Development Regulations is considered by Council to potentially have a significant effect on the community, Council may require that a Planning Impact Analysis be undertaken to address Council concerns;

8. In considering an application for a permit to carry out development, Council shall take into account the policies expressed in the Municipal Plan and any further scheme, plan or Regulations pursuant thereto, and shall assess the general appearance of the development of the area, the amenity of the surroundings, availability of utilities, public safety and convenience, and any other considerations which are, in its opinion, material, and notwithstanding the conformity of the application with the requirements of these Regulations, Council may, in its discretion, and as a result of its consideration of the matters set out in this Regulation, conditionally approve or refuse the application;
9. Develop a Policies and Procedures Manual in order to facilitate timely decision-making; and,
10. Undertake regular review of Municipal Plan and Development Regulations (5 years and 10 years) to provide a flexible, clear and fair planning process, and monitor compliance.;



### **3.0 LAND USE CLASSES: GOALS, OBJECTIVE AND POLICIES**

#### **3.1 GENERAL LAND USE AND DEVELOPMENT POLICIES**

The following policies apply to all land use classes throughout the Municipal Planning Area for the Town of Avondale.

##### **3.1.1 Compliance**

1. Ensure compliance of land use and development within the Municipal Planning Area boundary with the policies of the Municipal Plan and designations on the Future Land Use Map, and the conditions and standards set out in the Development Regulations and the zones set out on the Land Use zoning map;
2. Ensure that the Development Regulations state the applicant's responsibility with regard to compliance with all relevant Federal and Provincial legislation, regulations, policies and guidelines, including but not limited to, the National Building Code and associated codes, the *Endangered Species Act, 2001*, *Historic Resources Act, 1990*, etc.;
3. Establish a revised development application review process to enable Council to more comprehensively evaluate proposed development, involve the public, and consider alternatives during the review process of development proposals;

##### **3.1.2 Existing Non-Conforming Use**

1. Protect and control existing non-conforming uses: Nothing in the Plan shall affect the continuation of a use which was legally existing on the day that this Plan is registered by the Minister of Municipal Affairs and Environment except as outlined in Section 108 of the Act regarding discontinuance and resumption of use, alterations, repair;

##### **3.1.3 Municipal Services and Public Utilities**

1. Facilitate access for Municipal and public utility works: Municipal services and utilities, such as telecommunications, pollution control and electric utilities, Nalcor Transmission Corridor, are permitted uses in all use designations, provided no adverse effect on adjacent land uses is created. In this regard, the size and appearance of such works must be in keeping with adjacent uses and provision shall be made for buffering in the form of landscaped areas between uses.

#### **3.1.4 Development to Front on a Publicly Maintained Road**

1. Require all development to have front onto a publicly-maintained road: All development must front onto a publicly maintained road (Provincial or Municipal) and have independent, approved access; however, with the exception of development within a Comprehensive Development where there may be an internal road plan;

#### **3.1.5 Infill Development**

1. Infill development will be allowed as a discretionary use in the residential zone only.

#### **3.1.6 Comprehensive Development**

1. Provide development standards for comprehensive development in the Development Regulations, including:
  - a. A residential, commercial or industrial development containing one or more single or individual developments (i.e., condominium or townhouses which can be sold as separate units or a shopping complex containing separate retail units which are leased as individual spaces) may be treated as a single development where services are to be provided and maintained privately and internally. It must front on to a public road and meet the Town standards for roads and servicing.
  - b. Where Municipal services are not economically or physically feasible, the provision of on-site services must meet requirement of the Town and Provincial agencies, in particular, Water Resource Management Division and Service NL;

#### **3.1.7 Character of town and compatible development**

1. Require that non-residential land uses located near and/or within residential areas will be laid out and designed in a manner that is:
  - a. compatible with the neighbourhood; and,
  - b. minimizes potential nuisance factors such as, the impact of traffic, noise, lighting, and signs on adjacent residential areas. Where necessary, screening will be required through the provision of trees, shrubs, banks and berms, landscaping or fencing.

#### **3.1.8 Signs**

1. Include standards and conditions in the Development Regulations pertaining to the design and location of advertisements and signs that promote the amenities, natural and cultural resources and businesses of the community.
2. Ensure that signs will enable people to quickly and easily locate services and contribute to the overall attractiveness and distinctiveness of Avondale;



### **3.1.9 Permitted Uses and Discretionary Uses**

1. Set out permitted uses in each zone that can be approved, with or without conditions; note that any decision of Council is subject to section 2.5.3 (7);
2. Set out discretionary uses in each zone where Council determines that:
  - a. the use may negatively affect the predominant uses of the zone and that in order to mitigate this impact, it is desirable to consult with the public and possible affected parties prior to issuing (with or without conditions) or refusing a permit; and/or,
  - b. it is necessary to attach conditions to an approval that differ from the standard conditions under the Development Regulations to ensure that the discretionary use is compatible with nearby uses and the predominant uses of the zone;
3. When accepting or refusing a discretionary use and attaching conditions to a discretionary use, have regard to the following considerations:
  - a. whether these is appropriate for the site and the immediate surrounding area;
  - b. the policies of the Municipal Plan as it pertains to the Town in general and as they pertain to the designation show shown on the Future Land Use Maps in which the use is located – for example, development within areas affected by the noise exposure forecast contours of the Airport and whether the developments likely to be affected by pollution or other matters.
4. The following uses will be permitted in any land use zone: All Conservation Land Uses Class uses (environmental protections and open space, parks and trails), Mineral exploration not classed as 'Development'; and Municipal and public utilities; and Discretionary use in all zones includes Mineral exploration that is classified as 'development';
5. The Development Regulations will contain definitions of land uses and developments that may be used by the Council in the 10-year life span of the Municipal Plan and Development Regulations.

### **3.1.10 Subdivision Development**

1. Prioritize new subdivision development in areas that can be easily and economically connected to Municipal services provided that the existing service have sufficient capacity;
2. Require that the groundwater assessments are carried out for proposed residential, cottage/cabin and other development in unserved areas as required by the Water Resources Management Division of the Provincial Government;
3. Ensure that new development makes efficient use of existing roads and infrastructure. Council shall further ensure that new development will not create unreasonable servicing demands or costs; for example, by allowing un-served development that may in the future demand servicing at the expense of the Town, or by developing services that will place an unsustainable maintenance burden on the Town;

4. Provide requirements for the subdivision of land and the standards of development in the Development Regulations in order to achieve compliance with the policies of the Municipal Plan.

#### **3.1.11 Roads, Parking and Off-Street Loading**

1. Undertake continued improvements to the Municipal roads through a regular maintenance program;
2. Consider the development of 'complete street' design standards for all new streets and street repairs in order to facilitate both vehicular and pedestrian safety and provide for healthy, active lifestyle activities.
3. Require adequate building setback from roads in order to maintain road standards. Setbacks should be sufficient to allow for landscaping of front yards, vehicle off-street parking and take into consideration Town service obligations, such as, snow clearing;
4. Ensure that the local transportation system adequately and safely provides access to meet the needs of residents and businesses;
5. Address the issue of shared driveways;
6. Aim for a proper road system with connecting streets by ensuring that streets do not exceed the maximum length before providing a second access for emergency access purposes; and,
7. Adequate off-street parking and loading facilities shall be set out in the Development Regulations.

#### **3.1.12 Municipal servicing versus onsite servicing for development**

1. In the urban built-up area of the town where servicing is available, development must utilize these services;
2. In areas where it is uneconomic to provide municipal servicing, ensure that on-site services meet the standards of the Service NL and the Water Resources Management Division (Government of Newfoundland and Labrador) with respect to un-serviced residential or cabin lots; where unserviced development is greater than 5 lots, a groundwater assessment is required;

#### **3.1.13 Landscaping/Vegetation and Screening**

1. Develop landscaping provisions in the Development Regulations for residential, commercial and industrial development to enhance the appearance of the community and instil community pride and stewardship values, including standards for property maintenance;
3. For public realm areas such as streets and publicly owned lands and buildings: undertake beautification measures such as landscaping, signs and street furniture;



4. Consider option of implementing Town/landowner agreements for Town trees/landscaping on private property;
5. Include regulations regarding outdoor storage and open storage in the Development Regulations.

#### **3.1.14 Slopes and Site Suitability**

1. Restrict development on steep slopes and areas prone to landslides and rockfall;
2. Discourage development in areas with slopes greater than 15 percent, recognizing that development in such areas can result in environmental damage and higher costs for servicing and maintenance. Before approving development of a site having a slope greater than 25 percent, the Authority may require the submission of a review of the development proposal by a certified engineer, landscape architect or similar professional. The review shall evaluate the adequacy of site grading, drainage and landscaping and the potential of the development to cause erosion onto and pollution of adjacent development and lands and bodies of water receiving run-off from the site, and other similar matters;
3. Permit development only on lands having soil and drainage conditions which are suitable for the proposed uses.

#### **3.1.15 Cost/Benefit analysis for development proposals**

1. In considering proposals for development, Council will consider the costs and benefits to the Town and:
  - a. Support development consistent with this Plan, where it is determined to have a net positive fiscal impact on the Town;
  - b. May refuse development that is premature, or that adds unnecessary financial burden to the Town where public costs exceed public benefits; and,
  - c. Will review and revise development cost charges so that they adequately reflect the public costs of development and are fairly and equitably applied.

#### **3.1.16 Work near Control Monuments**

1. The Town will inform the Surveys and Mapping Division of the Department of Fisheries and Lands Resources when a proposed development is proposed in the vicinity of a Survey Control Monument.

### **3.1.17 Accessory Uses and Buildings**

1. Accessory uses and buildings, as defined in the Minister's Development Regulations shall be addressed in the Development Regulations and considered a discretionary use to the primary permitted use in a development.

## **3.2 INTERPRETATION**

In accordance with Section 13 (2) (c) of the Act, the land in the Planning Area of the Town of Avondale is divided into land use classes. Each class of land use is described by the objectives for this class of use that reflect the vision of the community. Each land use class is further refined into zones which set out the permitted land uses that reflect the various desired outcomes for each zone. These land use categories (with examples) are defined in the Development Regulations.

The policies and guidelines provide direction for the development controls and development design guidelines for the uses in each zone contained in the Development Regulations. Council shall establish in the Development Regulations the uses, standards and conditions for development in each land use zone.

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

The Town of Avondale's Future Land Use designations are organized in the following land use classes:

- Residential Land Use Class: residential designation
- Commercial Land Use Class: commercial designation
- Mixed Development Land Use Class: Mixed development designation
- Industrial Land Use Class: industrial designation
- Public/ Institutional Land Use Class: public/institutional designation
- Conservation Land Use Class will include the following:
  - Environmental Protection zone
  - Open Space, Parks and Trails zone
  - Protected Water Supply zone
- Resource Land Use Class: Resource designation

The Future Land Use designations are illustrated on the Future Land Use Map. The boundaries between land uses classes are meant to be general, except where they coincide with roads or other prominent physical features, where they are intended to define the exact limits. Note



that the paper copy of this map with the signed registration stamp is the legal version. One copy of the registered map is kept at the Council Office, Town of Avondale and a second copy is in the Minister's Registry with the Department of Municipal Affairs and Environment.

### **3.3 RESIDENTIAL LAND USE CLASS**

The Town wishes to have housing that maintains Avondale as a family-friendly town for all ages and incomes. However, in recent years, home prices are beyond the reach of moderate-income families and newcomers cannot find suitable housing which makes it difficult to attract and retain new residents, many who are single or smaller families. As well, the current housing stock is not suitable to seniors seeking to downsize yet remain in/move to Avondale. There is limited land available for housing which means that what is available should be developed to its best potential.

#### **3.3.1 Goals**

1. To provide for an adequate quality, quantity and mix of housing to serve the needs of the present and future population;
2. Ensure that land uses are properly allocated so that conflicts between non-compatible uses are avoided;

#### **3.3.2 Objectives**

The objectives of the residential land use class are to:

1. Accommodate housing needs for all residents for a range of age, income, abilities, and family status and a range of housing types to satisfy market needs;
2. Preserve and enhance the amenity of existing residential areas and protect residential quality of life and property values;
3. Allocate sufficient residential land to meet anticipated requirements for the next ten years;

#### **3.3.3 Policies**

It is the policy of Council to:

1. Provide for a residential land use designation on the Future Land Use mapping;
2. Provide for a Residential zone within the residential Future Land Use designation in order to provide a range of housing options to meet the needs and desires of all residents;
3. To address the leading-edge planning policies for a healthy, smart, complete city by providing for:
  - a. a range of housing in the Residential zone, including the option for a tiny home subdivision;

- b. providing for non-residential uses related to open space, parks and trails to increase community amenity;
- 4. To address housing affordability by including the following measures in the Development Regulations in the residential zones
  - a. Increasing the lot coverage in order to allow for more built form on the lot which reduces the amount of land needed per home and allows for larger accessory buildings for storage;
  - b. Provide for a range of discretionary uses that complement the concept of a complete community, such as home-based businesses and subsidiary apartments;
- 5. Provide regulations for backlot development for the residential designations and zones only in the Development Regulations. Backlot development in the Residential zones only may be considered, where:
  - a. the backlot development has access by an independent, approved access to a public road by means of a driveway that forms part of the backlot development;
  - b. underground Municipal sewer and water service hook-ups are located entirely on the backlot property;
  - c. the property is properly accessible to fire protection and other emergency services;
  - d. only one dwelling is located behind the other;
  - e. exclusive of the independent, approved access (6 m), the minimum lot area requirements of the zone are met and, adequate separations between the backlot development dwelling and other dwellings are maintained under the development regulations;
  - f. If there is potential for future development, a minimum right of way of 12.5 to 15 metres shall be provided and reserved as a future road, despite being in the ownership of the applicant, must be shown on the survey or site plan of the property.
- 6. Manage residential development in a manner that preserves and protects sensitive environments and natural areas by requiring protected areas to be zoned appropriately for 'environmental protection' or 'open space, parks and trails' in new developments;
- 7. To allow for varied building line setbacks to create interesting streetscape aesthetic;
- 8. To provide standards for residential lots with own servicing (water, sewer) or with water-only service which have sufficient land to access the back yard for shed/garage to store outdoor recreation vehicles and equipment and allow for a spacious, landscaped lot;



9. To increase lot coverage for single detached dwellings and multi-unit apartment buildings in order to encourage outbuildings large enough to store equipment and reduce outdoor storage and clutter;
10. To encourage a more interesting streetscape, allow for staggered building line setbacks in the Development Regulations;
11. Permitted uses in the Residential zone include Single Detached Dwelling, Semi-Detached (Double) Dwelling, Personal Care Home-Residential, Subsidiary apartments and Personal Care homes-residential;
12. Discretionary Residential Uses include Townhouse and apartment buildings.
13. Non-residential development must be compatible with the character of the residential neighbourhood and may include as Discretionary uses: convenience store, home business, urban agriculture in the form of community garden and limited livestock and poultry, outdoor market, marina, public gathering places-Indoor, energy generation facilities-residential only;
14. Accessory uses and buildings will be allowed as a discretionary use and conditions set out in the Development Regulations.
15. Encourage infill development in areas served by municipal services. Infill lots will be allowed as a discretionary use and development standards will be included in the Development Regulations for Council consideration. Council shall review infill development to ensure:
  - the type, scale, massing, and design of the development is generally appropriate to the neighbourhood;
  - preservation of side/back/front yards for public safety requirements;
  - Building line setbacks shall conform to the existing development pattern; and, adequate provision is made for light, privacy, and amenity.

### **3.4 COMMERCIAL LAND USE CLASS**

The Town of Avondale does not currently have a commercial core. There are only two designated commercial sites and other commercial activities occur in the Mixed Zone or as discretionary uses in the Residential zone.

#### **3.4.1 Goals**

1. To provide for an adequate quality, quantity and mix of commercial land to serve the present and future needs of the community;
2. Ensure that land uses are properly allocated so that conflicts between non-compatible uses are avoided;



3. To encourage diversified and balanced economic growth, promote development and diversify the local employment base; and,
4. To protect existing businesses and to ensure their continued operation.

#### **3.4.2 Objective**

The objective of the Commercial land use designation is intended to stimulate economic development in order for the Town of Avondale to provide local jobs and to facilitate growth of existing businesses and attracting new businesses;

#### **3.4.3 Policies**

It is the policy of Council to:

1. Provide for a commercial land use designation on the Future Land Use mapping;
2. Within the commercial designation, provide a 'Commercial' zone on the Land Use map of the Development Regulations, for businesses that provide retail, entertainment, office and limited manufacturing (light/cottage industry scale) services catering to local, regional and tourism markets;
3. Permitted uses include:
  - a. Commercial Land Use Class: All Uses, EXCEPT Amusement Park/Attraction, Campgrounds, Resort
  - b. Public/Institutional Land Use Class-All Uses except Cemetery, Public Gathering-Indoor, Sports and Recreation Facilities,
  - c. Discretionary uses include: Apartment building, with commercial on main floor; Public Gathering-Indoor;
4. Development standards will be set out in the Development Regulations;
5. Require that all proposals provide information regarding access/egress and onsite parking and loading details, where applicable.
6. Promote an aesthetically pleasing form and better pedestrian connectivity of commercial development by:
  - a. allowing buildings to be located close to the street;
  - b. Providing sidewalks, landscaping and streetscape amenities;

7. To create attractive and accessible commercial areas by discouraging front yard parking areas and encourage joint access within large commercial developments and the co-ordination of internal and external traffic movements.

### **3.5 MIXED DEVELOPMENT LAND USE CLASS**

Mixed use development refers to development projects that comprise a mixture of land uses, or more than just a single use, that is, different uses which fall into more than one Use Class. Mixed use developments can be 'vertical', in which a single building accommodates multiple uses, such as a terrace building that has an apartment flat on the second floor and a shop on the ground floor. Alternatively, they can be 'horizontal' mixed use development where a range of different buildings on the same site each fulfill a specific purpose, such as a community area that has accommodation as well as playing facilities, shops, parking and other amenities.

#### **3.5.1 Goal**

1. To provide for a mix of residential and commercial development, including residential/commercial mixed-use developments, distributed in a manner sensitive to the street environment and adjacent residential areas.

#### **3.5.2 Objective**

1. Create a Mixed Development designation with rural character which is inclusive and accessible;
2. Create opportunities for small-scale, attractive commercial buildings that have doors and windows facing streets and parking areas which encourage interconnected, walkable streets to create a sense of community;

#### **3.5.3 Policies**

It is the policy of Council to:

1. Provide for a mixed development land use designation on the Future Land Use mapping;
2. Provide a Mixed Development zone on the Land Use zoning map of the Development Regulations within the Mixed Development designation.
3. Provide for a mixed development designation zone in the mixed-use Future Land Use designation and expand the Mixed-use designation adjacent to Avondale Access Road and Route 60 and the Trans-Canada Highway;



4. The Mixed Development designation should be extended to include the lands to the west of the access road to the site in order to allow for a variety of uses that could be complementary to a future recreational marine facility.
5. Permitted uses include: Residential -all types (– see Condition regarding apartment building), Personal Care Homes-Residential, Amusement establishment/use, Business support service, Club and Lodge, Convenience store, General Service/repair, Medical or Dental Clinic, Personal Service, Offices, Restaurant (full, take-out, drive-through), Retail, Protective and Emergency Services, Public Gathering Place – indoor; and as a Discretionary use: bar, outdoor market, Home business;
6. Ensure that the non-residential uses allowed in this designation are compatible with the residential uses with due attention to hours of operations, noise levels, traffic levels, and other nuisance factors.

### **3.6 PUBLIC/INSTITUTIONAL LAND USE CLASS**

The Public/Institutional land use class includes the land uses and developments that provide services to the general public and have a community-wide or regional catchment area. Essentially existing Public/Institutional development has been captured in this designation.

#### **3.6.1 Goals**

1. To protect the Public/Institutional land areas to serve the present and future needs of the community; and,
2. Ensure that land uses are properly allocated so that conflicts between non-compatible uses are avoided.

#### **3.6.2 Objective**

1. The objective of the Public/Institutional land designation is to provide suitable locations to accommodate the level of pedestrian and vehicular traffic and activities associated with public and institutional uses in a safe, efficient manner with appropriate buffers to reduce potential impacts on adjacent land uses.

#### **3.6.3 Policies**

It is the policy of Council to:

1. Provide for a Public/Institutional Future Land Use designation on the Future Land Use mapping.



2. Provide for Public/Institutional zone on the Land Use Zoning mapping for the Development Regulations;
3. Encourage Public/Institutional land uses be located on arterial and collector roads that can accommodate the traffic generated by such uses;
4. In the Public/Institutional zone the following list indicates Permitted Uses: Institutional Land Use Class Uses – including but not limited to: hospitals, government offices, educational facilities, convention centres or major cultural centres, such as Provincial arts and culture centres, recreation complex, such as an arena, multi-use sports and entertainment centres, swimming pools; and, personal care facilities (larger than residential home), such as nursing or senior's homes, family and group care centres; Protective and Emergency Services;
5. In the Public/Institutional zone the following list indicates Discretionary Uses for consideration include: Club and lodge, Outdoor Market, Marina, Resort;
6. Ensure that Public/Institutional uses are compatible with surrounding development in terms of size, scale and layout of buildings by applying development design guidelines;
7. Ensure that development and operation of recreational facilities shall not impose adverse effects on adjacent residential and other uses in terms of noise, traffic and hours of operation through appropriate conditions to development approval;
8. Determine and implement appropriate buffers and provide signs along trails;
9. Establish separation buffers between Public/Institutional uses and adjacent uses to reduce potential conflicts and impact on surrounding community; and,
10. Require that all proposals provide information regarding access/egress and onsite parking and loading details, where applicable.

### **3.7 INDUSTRIAL LAND USE CLASS**

The Town of Avondale needs to develop more industrial land to promote economic development in the community.

#### **3.7.1 Goals**

1. To provide for an adequate quality, quantity and mix of industrial land to serve the present and future needs of the community; and,

2. Ensure that land uses are properly allocated so that conflicts between non-compatible uses are avoided.

### **3.7.2 Objectives**

The objective for Industrial land use designations are to:

1. Provide industrial land use zoning that reflects the needs of current and future industry needs and services to attract more economic activity;
2. To provide land areas suitable for general industrial uses that compatible with each other but would not be compatible with more urban uses;

### **3.7.3 Policies**

It is the policy of Council to:

1. Provide for an industrial Future Land Use designation on the Future Land Use mapping;
2. Provide for a general industrial zone on the Land Use Zoning map of the Development Regulations.
3. Minimize the impact of commercial traffic on adjacent land uses and, on the traffic, carrying capacity of adjacent roads by requiring a statement regarding traffic impact as part of the development application and review;
4. Permit industrial uses which have characteristics that may not be compatible with other land uses, such as resource-related industries or hazardous industry, to be located as a discretionary use in the Resource zone.
5. Permitted uses: Industrial-General, Industrial-Light, Natural Resource related Industries, Contractor-General, Composting Facility, Protective and Emergency Services, Solid Waste Recycling/Disposal/Composting Site; and Discretionary uses: Marina, Mineral exploration-development;

## **3.8 CONSERVATION LAND USE CLASS**

The Conservation land use designation may be comprised of public and private open space; water bodies including buffers around ponds, shorelines, and wetlands, and flood plain lands, recognized by Council as having natural significance; lands that contribute to important ecological functions and lands containing other natural physical features which are desirable for open space use or preservation in a natural state.



It is Council's objective to encourage provision of continuity and accessibility linkages using Conservation features throughout the Town and incorporating these values into new development, and in particular, the proposed Development Scheme Areas;

Council will try to provide for conservation areas in all parts of the Town to allow for a balanced distribution of locations for both active and passive recreational pursuits; and enhance the accessibility of publicly-owned Conservation areas, where there is no danger to public safety and where significant natural features and ecological functions can be protected;

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

#### **3.8.1 Goals**

1. To protect natural areas which by reason of their intrinsic character, are sensitive, vulnerable, or ecologically significant, or have natural or recreation values.
2. To provide appropriate public access and use of Conservation lands.

#### **3.8.2 Objective**

1. It is an objective to provide zoning in the Development Regulations with the appropriate level of protection and limitations on use in order to protect the integral value of these natural resources.

#### **3.8.3 Policies**

It is the policy of Council to:

1. Provide for following land use zones under the Conservation Land Use Class, as follows:
  - a. Environmental Protection (EP) to protect environmentally sensitive areas, such as steep slopes, areas susceptible to avalanches or geological hazards, waterbodies, wildlife and waterfowl habitat, shorelines;
  - b. Open Space, Parks & Trails (OSPT) to provide protect access to nature;
  - c. Protected Water Supply (PWS): To provide protection for the water supply area for the community as designated by the Water Resource Management Division of the Department of Municipal Affairs and Environment.



2. In the Environmental Protection zone include Permitted uses: Environmental Protection, and Forest activities; and for Discretionary uses include Open Space, Park and Trails; Marina;
3. In the Open Space, Parks and Trails zone include Permitted uses include: Open Space, Park and Trails; Environmental Protection; and Discretionary Uses include: Public Gathering Places-outdoor, Outdoor market, Restaurant-mobile takeout/street vendor only;
4. Development standards in the Open Space, Parks and Trails zone shall be at the discretion of Council pending recommendations generated through specific research regarding best practices for trail development, playground and park design and landscaping;
5. Any development proposed adjacent to or within the Protected Water Supply (PWS) areas of Lees Pond and Maloneys River:
  - a. Must adhere to the Policy Directive on Land and Water Development in Protected Public Water Supply Areas, Water Resource Management Divisions of the Department of Municipal Affairs and Environment;
  - b. A Section 39 permit under the Water Resources Act is required for any development adjacent to or within the Protected Water Supply areas of Lees Pond and Maloneys River;
  - c. No municipal services will be provided to any cottage development in the PWS.
  - d. Permitted uses include: environmental protection and open space, parks and trails; and Discretionary uses include Forestry, Commercial Agriculture, Mineral exploration-development, Communications and cottages.
6. Reduce the potential for property damage and loss of life due to flooding, by restricting development on lands known to flood, such as flood plain lands to conservation and non-building uses;
7. Provide public access to the shoreline of in appropriate locations where there is no danger to public safety, and where significant natural features and ecological functions are not impacted;
8. Respect the requirements regarding the T'Railway Provincial Park (such as, permits for road crossings) as administered by the Parks Division which will be shown on the mapping as a line overlay;
9. Require that development of passive recreation facilities such as walking or nature trails, and associated interpretation programs do not have an adverse impact on the natural environment and residential properties; and,

10. The Town may require that any development near a designated trail or water course be reviewed by the Town to ensure that development does not negatively impact such trail or watercourse. Where deemed necessary, the Town may require that the buffer be provided by the developer.

### **3.9 RESOURCE LAND USE CLASS**

Lands designated as Resource lands are intended to be used primarily by natural resource industries such as agriculture, forestry and mineral working operations. The site suitability requirements for each of these industries is limited; therefore, it is important to reserve areas identified by both the public and private sector for these uses.

The Development Regulations will address the key issues related to the natural resource developments and associated industrial uses and incorporate the environmental protection values of the Municipal Plan, particularly regarding site rehabilitation;

The Development Regulations will indicate the development standards to be applied to these uses including fences or buffers to ensure separation of incompatible uses. Potential conflicts with surrounding land uses Must be identified and addressed during application processing.

#### **3.9.1 Goals**

1. To set aside Resource lands intended to be used primarily for resource and rural uses and associated development that needs a rural context or large areas of land, or are incompatible with the urban area; and,
2. Ensure that land uses are properly allocated so that conflicts between non-compatible uses are avoided.

#### **3.9.2 Objectives**

The objectives for the Resource Use designation are to:

1. Ensure coordinated and organized development of resource lands that may have significant economic and recreational value to the Town;
2. Retain the present rural character of the resource zone by limiting development permitted within this designation to those associated with agriculture, forestry, quarrying, outdoor recreation, cemetery or other uses such as cottage areas as may be outlined in this Plan;



### 3.9.3 Policies

It is the policy of Council to:

1. Provide for a Resource designation on the resource Future Land map;
2. Establish a Resource zone that will allow for agricultural, forestry, and mineral development. Council will consult with the natural resource agencies regarding agricultural applications, forestry management plans and quarry applications;
3. There are other uses which, by the nature of the activity, are not suitable to be located adjacent to other more urban uses or in industrial or commercial zones; therefore, they require the separation space that can be found in the Resource zone. These will be considered as Discretionary uses and range from resource-related industrial uses to resorts or amusement parks and campgrounds. Discretionary uses must be compatible with the primary natural resource values of the Resource zone;
4. Permitted uses: Commercial Agriculture, Forestry Activities, Mineral Working, Conservation; and Discretionary uses: Veterinary Clinic, Outdoor Market, Natural Resource Use, Natural Resource Related Uses, Industrial – General, Cemetery (including crematoria), Campground, Contractor General, Public Gathering – Indoor, Public Gathering – Outdoor, Amusement Park/Attraction, Salvage/scrap yard, Service Station, Kennel, Protective and Emergency Services, Resort, Marina, *Mineral exploration-development*, Residential: (1) Single dwelling only in association with a permitted use, and (2) Cottage (see Conditions related to Crown lands directive);
5. In the Resource zone a 30 m buffer on waterbodies is encouraged as natural green belts along wetlands and waterbodies (ponds, rivers, creeks etc.). A 30m minimum undisturbed natural vegetated green belt could be a standard requirement when dealing with any type of land use activity; wider green belts are suggested when bordering land uses include for example agricultural practices.
6. For developments requiring tree removal, Council will consider measures to maintain landscape connectivity, green belts should be connected to forested areas or other habitat patches to create travel corridors for various wildlife species.
7. Council will encourage vegetation clearing to be done outside the May 01 to July 31 period (note that some raptors start breeding in March) as disturbance can be most detrimental during that sensitive breeding/ young rearing period.
8. Remote cottages and cottage developments or subdivisions are permitted in the Resource zone outside of the Eastern Region Cottage Development Freeze Directive 0019-99-E (Amendment 2). The said directive was established as a result of a Minutes in Council. Sites



shall be carefully considered with regard to access and to prevent potential future demand for Municipal services or conversion to permanent homes.

9. Provincial government agencies, such as the Land Resource Stewardship Division, Forestry Resources Division, and the Mineral Lands Division each have jurisdiction under legislation to plan and control these resources. It is the objective of the Town to ensure that they are adequately consulted by these agencies, and that it is clear to any applicant to the provincial agencies that the applicant also needs to secure a development permits from the Town;
10. There are five aggregate resources located within the Planning Area boundary; therefore, the Development Regulations will contain standards and conditions related to such development in order to assist Council in reviewing any future applications that may be referred to them by the Mineral Lands Division. As well, the Development Regulations will address the requirements of a quarry buffer to minimize potential land use conflicts between incompatible development that may limit use of the quarry or the use and enjoyment of development located too close to valuable aggregate resources.
11. The Town recognizes that the Planning area includes areas of commercial core forest used to support the Avondale commercial timber supply.
12. The Town recognizes that there are Blueberry Management Areas administered by the Land Stewardship Division of the Department of Fisheries and Lands Resources and the Town wishes to support review of the status of these designations and identify those which require protection and those which no longer require such designation.
13. The Town recognizes that a large part of the Planning area is located within an Agricultural Development Area; however, there is very little agricultural activity within the community and Town will undertake to cooperate with the Land Resource Stewardship Division if and when agricultural activities are initiated within the Planning area.

## **4.0 IMPLEMENTATION**

### **4.1 DEVELOPMENT REGULATIONS**

In order for the Town of Avondale to achieve the Vision, Objectives and Policies articulated in this Municipal Plan, the Council will need to:

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

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

### **4.2 AMENDMENTS TO THE PLAN**

Council may consider amendments to the Municipal Plan when:

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

In considering any proposed amendment to the Plan, the Council should evaluate the proposal for consistency with the strategy for growth of the Town, as established in the goals, objectives and policies of the Municipal Plan.

An amendment to the Municipal Plan may also require an amendment to the Development Regulations. In considering requests for amendments, Council shall consider:

- all appropriate policies set out in this Plan;
- the provision of road, water and sanitary and storm sewer services and the impact on existing infrastructure;
- the fiscal impact of the development on the Town;

- community/neighbourhood context for the proposed development;
- environmental considerations, emissions, effluents, nuisance effects; and,
- site suitability: slope, groundwater, location of watercourses and wetlands.

#### **4.3 REVIEW OF THE PLAN**

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



## APPENDIX A: FUTURE LAND USE MAPS

## **APPENDIX B: BACKGROUND REPORT**

