

**TOWN OF STEPHENVILLE  
MUNICIPAL PLAN 2014**

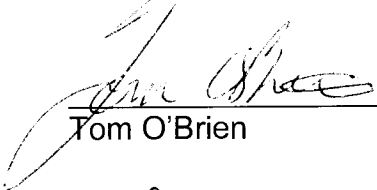
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**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF STEPHENVILLE MUNICIPAL PLAN 2014**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of Stephenville adopts the Town of Stephenville Municipal Plan 2014.

Adopted by the Town Council of Town of Stephenville on the 16<sup>th</sup> day of June, 2016.

Signed and sealed this 4<sup>th</sup> day of November, 2016.

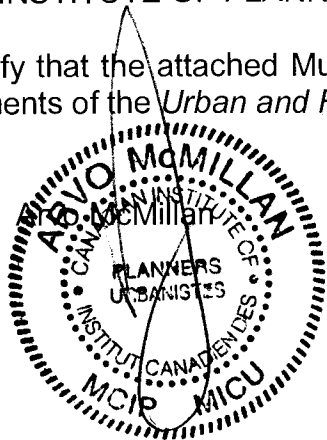
Mayor:   
Tom O'Brien

Clerk:   
Carolyn Lidstone

**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:



**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF STEPHENVILLE  
MUNICIPAL PLAN 2014**

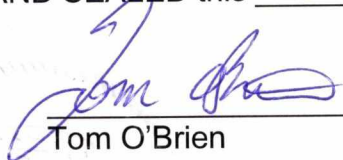
Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of Stephenville

- a) adopted the Town of Stephenville Municipal Plan 2014 on the 16<sup>th</sup> day of June, 2016.
- b) gave notice of the adoption of the Town of Stephenville Municipal Plan 2014 by advertisement inserted on the 19<sup>th</sup> day of July, 2016 and the 30<sup>th</sup> day of July, 2016 in the Western Star Newspaper.
- c) set the 4<sup>th</sup> day of August, 2016 at 7:00 p.m. at the Town Hall, Town of Stephenville for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Stephenville approves the Town of Stephenville Municipal Plan 2014 on the 3<sup>rd</sup> day of November, 2016.

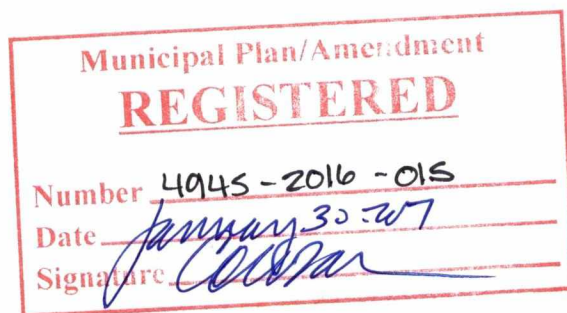
SIGNED AND SEALED this 4<sup>th</sup> day of November, 2016

Mayor:

  
Tom O'Brien

Clerk:

  
Carolyn Lidstone



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**TOWN OF  
STEPHENVILLE  
MUNICIPAL PLAN 2014**

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## **1 INTRODUCTION**

### **1.1 *The Plan***

The Stephenville Municipal Plan is designed to ensure that development occurs in an orderly and transparent fashion in a manner that reflects the wishes of the Town and its residents. However, the plan and regulations must also comply with provincial and federal policies and not conflict with matters of provincial interest.

Prepared pursuant to the Urban and Rural Planning Act 2000, the Stephenville Municipal Plan contains policy statements and maps approved by Council and registered by the Minister of Municipal Intergovernmental Affairs to guide community growth and development for the next 10 years within the Stephenville Municipal Planning Area ('Planning Area'), the area set out under the Urban and Rural Planning Act 2000 for planning and regulatory purposes.

The Municipal Plan is binding upon the Town and upon all other persons, corporations and organizations within the Planning Area. The Plan must be reviewed by the Town every five years and, if necessary, revised to take account of development that cannot be foreseen during the next ten year period.

When a Municipal Plan comes into effect, Council is required to develop regulations for the control of the use of land, in strict conformity with the Municipal Plan, in the form of Land Use Zoning, Subdivision and Advertisement Regulations – 'Development Regulations'. These are prepared at the same time as the Municipal Plan, and like the Plan, may be amended at any time to include new land uses and specific regulations. The Development Regulations shall deal with matters relating to development and buildings as defined under the Urban and Rural Planning Act 2000, which include in addition to permitted and discretionary land uses, matters such as backlot development, non-conforming uses, advertisements, subdivisions and permitting requirements.

Development Regulations must comply with the requirements of the Urban and Rural Planning Act 2000, regulations under the Urban and Rural Planning Act 2000 and any other pertinent statutes, regulations and policies enacted by the Province, including legislation relating to environment, health and safety, agriculture, mines and mineral workings, highways, and forestry.

Development schemes (amendment to the Municipal Plan), design concepts, comprehensive plans, subdivision agreements and concept plans, further

implement the Municipal Plan and Development Regulations with more detailed designs, design strategies and policies for roads and other facilities and development.

The Town may reserve land for future acquisition as the site of any public roadway, service or building, or for a school, park or other open space, and may make such agreement with owners of the land as well permit its acquisition and use of these purposes. The Town may also specify the manner in which any particular area of land is to be used subdivided or developed, and may regulate the construction of buildings which would interfere with the carrying out of any development project.

## **1.2 Stephenville and the Municipal Planning Area**

Located in scenic Bay St. George, the Town of Stephenville is the service centre for a catchment area of about 25,000 people. Stephenville has a sound economic infrastructure based on long-time commercial interests and industries. The Town has a 42 bed hospital, a thriving education system that includes the Provincial Headquarters of the College of the North Atlantic, and a multitude of recreational activities. In Stephenville, visitors will discover a wonderful blend of intriguing natural beauty, fascinating history, warm hospitality, and rich cultural tradition. The area is home to a a blend of French, English, Scottish and Mi'kmaw Indian ancestries, combining to form a unique mixture of culture and tradition. Centred on Stephenville.

It is ideally located in respect of road, air and water transport to service the region and the Island with excellent deep water port, airport, and road transportation facilities.

The Trans Canada Highway is 18 kilometres distance from Stephenville. The two thoroughfares which exit and enter the town are routes 460 (also known as the Hansen Highway) and 490. Stephenville is approximately 85 kilometres from Corner Brook and 859 kilometres from St. John's, the capital city of Newfoundland.

Stephenville is only 200 kilometres from the Port aux Basques Marine Atlantic Ferry Services terminal for passengers and motor vehicles en route from North Sydney, Nova Scotia and other mainland points.

Adjacent towns are Stephenville Crossing and Kippens.

The total Municipal Planning Area comprises some 165 square kilometres, while the Town of Stephenville takes in approximately 35 square kilometres.

This extended Planning Area enables the Town of Stephenville to exercise development control over the sources of its sub-surface and surface water supplies, certain mineral resources, agricultural resources, forestry resources, and the unincorporated settlements of Noel's Pond, Cold Brook, and the cottage area of Long Gull Pond adjacent Highway 460.

Despite the loss of the Abitibi Price Paper Mill, Stephenville has managed to grow between 2006 and 2011 to 6,719 persons, an increase of 2.0%. The number of building permits issued for new dwellings from about 2005 to December 31<sup>st</sup> 2013 has been approximately 110.

In part this housing activity can be attributed to the major flooding that took place on September 27<sup>th</sup> 2005 which, among other things, triggered a demand for replacement housing.

Including the 92 serviced single dwelling building lots still available for development as of early 2015, depending on assumptions concerning services and zoning, in the Hillier Road and Ned's Pond areas approximately an additional 180 to 230 single dwelling lots can be made available for development.

Practically the entire Town has access to municipal water and sewer services.

A system of wells provides water to the Town's businesses and inhabitants. A surface water supply system is under review. Outside the municipal boundary, in places such as Long Gull Pond, Noel's Pond and Cold Brook, municipal water and sewer services are not available.

Sewage is treated at the Stephenville Wastewater Treatment Facility, an Abydoz Engineered Wetland located on Stephenville Airport property. This facility was commissioned in 2009-2010.

Garbage is taken to the Regional Landfill in St. George's.

Further information about Stephenville can be obtained from various sources, including the Stephenville Integrated Community Sustainability Plan 2011 which was adopted by the Town on May 11<sup>th</sup>, 2011.

### **1.3 Lifestyle, Housing, Downtown, Recreation and Environment**

The inhabitants of Stephenville can enjoy a very pleasant lifestyle that includes:

- a wide array of housing options that includes a good supply of rental and lower cost accommodation;

- ready access to recreational trails (Blanche Brook, Warm Brook, Noel's Pond, etc. Appalachian Trail, and indoor and outdoor recreational facilities;
- cultural and community facilities;
- high quality medical services, and ready access to higher level services an hour's drive away;
- an attractive traditional downtown (Business Improvement Area) that contains a shopping mall and several hotels;
- a beautiful natural environment within and near the community.

#### **1.4 Environment, Flooding, Climate Change**

It is a given by now that weather patterns are changing in this Province and that severe weather occurrences – high winds, storm surges, heavy precipitation and so forth – are now more frequent and severe than they were previously. The forecast gradual rise in the mean sea level of St. George's Bay increases the impacts of storms.

Approximately ten years ago in 2005 Stephenville experienced severe flooding which damaged or destroyed a significant number of dwellings and other buildings along Blanche Brook. Rather than repairing damaged structures, the Province acquired residential properties in the most heavily flooded area which enabled people to acquire dwellings in safer areas.

This same storm cut off access to the Trans Canada Highway from Highway 460.

While the 2005 storm was the most severe, it was only one of many that have done significant damage over the years and which could occur more frequently and with more severity over the coming years.

In March 2009 the Final Report of the Hydrotechnical Study of Stephenville was published by the Department of Environment and Conservation, Water Resource Management Division. One of the outcomes of the study, was the adoption of revised flood risk areas, including a climate changed flood zone, which were more extensive in area than the already extensive flood areas noted in the flood risk mapping published in 1997.

The Town lies over glacial gravels and sands, and is therefore susceptible to a certain level of shoreline erosion through wave impact and land based water infiltration and runoff.



## **2 GENERAL OBJECTIVES AND IMPLEMENTATION**

### Objectives

The general objective is to enable Stephenville to remain a stable community by building on its strengths, enhancing its regional service centre role and by evolving into a more sustainable community where local residents are increasingly able to live in a variety of housing types, to shop, to pursue education and recreation, and to work locally, and where opportunities for business and economic growth, community pride and preservation of the natural environment represent the pillars of future growth and prosperity.

### Implementation

This Municipal Plan is implemented through the Development Regulations and the land use policies and other provisions of the Plan itself.

All development within the Town of Stephenville Planning Area shall be managed in accordance with the general development policies and designations set out in the ensuing sections. These designations are shown on the Future Land Use Maps.

### **2.1 General Development Policies**

#### **2.1.1 General**

In addition to any other considerations under this Municipal Plan, the Town may refuse permission for a development where in its opinion services are inadequate or it is uneconomical to provide and maintain these services or where in its opinion such development could create an environmental hazard or cause damage to persons and property.

#### **2.1.2 Coastline and Harbour Areas, Streams**

In order to protect lives and property and the natural environment, the Town shall review development proposals for sites adjacent or near streams and lakes or ponds and the marine coast line and harbours to ensure that unless it is a use requiring direct access to the body of water, potential damage to persons and property is avoided or minimized.

The Town shall pay particular attention to the safety of vulnerable populations and the provision of emergency services when reviewing a development at or near areas likely to be affected by storms and floods.

The Town in its discretion may refuse to issue a permit for a development that could be affected by a storm event based upon previous events, local knowledge and/or other appropriate research.

### **2.1.3 Compatibility of Development**

The Town shall ensure as much as possible that existing and new development will not negatively affect existing and proposed land uses by creating a hazard or nuisance such as noise, dust, odour or unsightly appearance. The Town may require a developer to provide appropriate screening and to undertake other measures to minimize negative effects and to ensure a clean and tidy town.

### **2.1.4 Comprehensive Development**

A Comprehensive Development is designed to achieve a higher quality of development than would otherwise be obtained under the standard requirements of the Town's Development Regulations and/or that would allow for the development of a property which has unusual site constraints – such as steep slopes, rock outcrops and wetlands.

The Town may permit a fully serviced Comprehensive Development on a large parcel of land that except for overall density and use classes does not otherwise comply with the lot size, frontage, and minimum front, rear and side yard requirements set out under the Development Regulations.

The Comprehensive Development must be compatible with adjacent development and have frontage on a publicly owned and maintained road.

Comprehensive Developments in areas designated Residential under Section 3.1 of the Municipal Plan must be provided with municipal water and sewer services.

### **2.1.5 Coordination of Development/Comprehensive Plan/Comprehensive Development Area Plan**

In order to ensure that development occurs in an orderly manner and that appropriate development opportunities are maximized, subdivisions and other major developments shall be co-ordinated with other existing and proposed developments and the Planning Area's road system and services. These developments may be required to provide for public access to adjacent undeveloped lands.

The Town may require that a Comprehensive Plan or Comprehensive Development Area Plan (see also Sections 3.1 and 3.2 for Comprehensive

Development Area Residential and Comprehensive Development Area Community Services) be prepared and adopted before any development applications are considered for approval.

The Comprehensive Plan or Comprehensive Development Area Plan shall be prepared by the applicant, and/or by the Town, and approved by the Town after consultation with other agencies and the public.

Once the Comprehensive Plan or Comprehensive Development Area Plan has been approved by the Town, the developer can apply for the necessary approvals (including approval in principle) and permits in accordance with the provisions of the Development Regulations.

Prepared by a competent professional and in a format acceptable to the Town the Comprehensive Plan or Comprehensive Development Area Plan shall include at the minimum:

- a) Roads and Services
- b) Land Use
- c) General Lot Layout
- d) Historic Resources and Trails
- e) Waterways and Wetlands
- f) Public consultation and consultation with affected property owners
- g) And other matters deemed necessary by the Town.

### **2.1.6 Historic Resources**

Within the boundaries of the municipal planning area for the Town of Stephenville there is an aircraft wreck which is located at 391999E//5384163N (NAD 1927). The AOA Crash Site (DdBo-02) consists of the remains of the 1946 American Overseas Airline (AOA) and is protected under the Historic Resources Act.

There is also a registered paleontological site located at Blanche Brook which is protected due to the presence of a well-preserved tree and other plant fossils. The location of the site is as follows:

*Beginning at a point on Blanche Brook, Stephenville, where Route 460 crosses Blanche Brook, that point having coordinates of north 5,379,970 metres and east 383,290 metres, Zone 21, North American Datum 1983; • Then running in a northerly direction along the river for a distance of 3,360 metres, more or less, to a point in the centre of Blanche Brook, that point having coordinates north 5,382,250 metres, and east 383,177 metres, Zone 21, North American Datum 1983; • And including the area within 50 metres of the centre of Blanche Brook.*

Historic Resources are protected under the Historic Resources Act, RSNL. 1990 CHAPTER H-4. In the event that such resources are discovered within the Town and Planning Area all work must cease in the area and contact made immediately with the Provincial Archaeology Office (PAO) of the Department of Business, Tourism, Culture and Rural Development at 729-2462 or 729-4142.

The PAO shall be consulted on any proposed major development and approval obtained from the PAO before an approval is granted by the Town. This is to ensure that historic resources will not be negatively impacted upon.

### **2.1.7 Non-Conforming Uses**

In accordance with the *Urban and Rural Planning Act 2000*, a use of land that legally existed at the time of the registration of this Municipal Plan will be allowed to continue irrespective of its conformity to the Plan or Development Regulations. Specific provisions concerning legal non-conforming uses shall be set out in the Development Regulations.

### **2.1.8 Site Development**

When reviewing a development proposal, the Town shall consider the suitability of a site in terms of steepness of grades, soils and geology, location of waterways and wetlands and shall, when considering approval, ensure that the development has minimal or no negative effects on other properties and bodies of water.

If in its opinion, the development of the site having certain characteristics, such as steep or unstable slopes, poor drainage, high water table and so forth, could create problems for the development of the site or nearby properties, the Town can require the submission of a review of the development proposal by a certified engineer, landscape architect or similar professional.

Among other matters, 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 properties and bodies of water.

### **2.1.9 Site Services and Access**

Services and access must be appropriate to the type and scale of development.

The Town shall ensure that new development makes efficient use of existing roads and infrastructure. The Town shall further ensure that new development will not create unreasonable servicing demands or costs.

Development lacking municipal water and/or municipal sewer services shall be approved by Service NL, and where necessary, the Department of Environment and Conservation, before a permit is issued by the Town.

#### **2.1.10 Site Services – Residential Designation**

All development except for non-building uses within the Residential Designation (Section 3.1) shall be connected to the Town's municipal water and sewer system. However, dwellings accessory to or associated with non-building uses shall be connected to the municipal water and sewer systems in the Residential Designation.

#### **2.1.11 Subdivisions – Groundwater Assessment**

The approval of new unserviced subdivisions containing five or more lots or the addition of unserviced lots to existing unserviced subdivisions require that a groundwater assessment be done to determine with high probability that acceptable quality and quantity drinking water will be available to homeowners for both the short and long term. This shall be done in accordance with the Provincial Land Use Policy – 'Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells' as from time to time amended and administered by the Department of Environment and Conservation, Water Resources Management Division.

This policy provides the administrative and technical guidance to developers applying for subdivision approval and to ensure that the development proposals are submitted with the required technical support.

#### **2.1.12 Unserved and Semi-Served Development**

Development on individual parcels of land with onsite sewage disposal and/or onsite water supply requires the approval of the Department of Government Services under the Sanitation Regulations of the Health and Community Services Act. In addition to the standards regarding onsite sewage disposal and water supply, the Department also sets out minimum lot area and frontage requirements for unserved and semi-served development pursuant to the Sanitation Regulations. See also Section 2.1.11 – Subdivisions – Groundwater Supply Assessment.

#### **2.1.13 Uses Allowed in All Designations**

Accessory buildings and uses, conservation, public services and public utilities, recreational open space including recreational trails and roads can be allowed in

all designations subject to the other provisions of this Municipal Plan and the Town's Development Regulations..

## **2.2 *Agriculture and Forestry***

Higher intensity livestock and related agricultural uses shall be separated by an adequate buffer between existing and proposed residential developments. These agricultural uses shall conform to Provincial Government policies and guidelines with respect to such operations.

In general, all agricultural operations shall be approved by the Agrifoods Development Branch.

Domestic and commercial forestry shall be approved by the Forestry and Agrifoods Agency before a permit is issued by the Town.

## **2.3 *Airport***

The Stephenville Airport Corporation owns and administers Stephenville Airport and assets related to the Airport.

In order to ensure that the Airport is able to function at a high level there is a restriction on new residential development within the 35 NEF contour. Furthermore the Airport Corporation and is consulted on developments within and adjacent the glide-path of runway 02-20, and, on other developments that could affect the operations of the Airport.

## **2.4 *Business Improvement Area and Overlay***

The Stephenville Downtown Business Improvement Association was established more than twenty years ago to maintain the downtown core as a vital commercial and community centre through appropriate streetscape improvements and building design. In order to do this, a Business Improvement Area was established.

The Business Improvement Area is an overlay designation which overlays other designations in the Stephenville downtown. Within this Area the Stephenville Downtown Business Improvement Association can carry out streetscape design and improvements and advise the Town on development applications.

As shown on Future Land Use Map 1 the Business Improvement Area extends along Main Street from West Street to Blanche Brook, extends south to include businesses fronting on Prince Rupert Drive.

Together with and/or in consultation with the Business Improvement Association

the Town can adopt policies regarding the design of buildings and properties and provide for design initiatives and works that will foster the appropriate development of this area for the benefit of the entire community as well as the businesses and residents of this area.

## **2.5 *Mineral Exploration and Mineral Workings***

Mineral exploration and mineral workings may be allowed within the Planning Area under certain designations and zones.

Higher intensity forms of mineral exploration are to be suitably buffered from other developments, and the sites remediated upon completion.

The Town may provide for mineral workings in areas where there are known aggregate supplies and where there is less likely to be conflict between mineral workings and other uses. Such mineral workings shall be accommodated under designations and zones specifically designed to accommodate mineral workings and certain compatible uses, and/or they can be accommodated in the rural portions of the Planning Area, subject to controls that will minimize environmental damage and conflict with other land uses.

Permits and leases for mineral workings are to be issued by the Department of Natural Resources. However, in accordance with the Urban and Rural Planning Act a permit for a mineral working must also be issued by the Town.

The renewal of licences and leases is subject to the relevant statutes and regulations administered by the Department of Natural Resources.

Permits for mineral workings which were legally in operation at the time of the gazetting this Municipal Plan and the Town's Development Regulations may be renewed by the Town notwithstanding the designation and zone in which the mineral workings are located, provided that the Town is satisfied that such mineral workings will not have a deleterious effect on nearby land uses and environment. See also Section 108 of the Urban and Rural Planning Act – Non-Conforming Uses and Sections 15 and 16 of Newfoundland Regulations 3/01 – Development Regulations under the Urban and Rural Planning Act 2000 – Notice and hearings on change of use and Non-conformance with standards

## **2.6 *Pending Protected Public Water Supply Area Overlay***

The Pending Protected Water Supply Area Overlay designation is applied to an area currently under review by the Provincial Government as a future long term protected public water supply area for Stephenville and Kippens which would supplant the wells currently being used. Notwithstanding the underlying or primary designations, within the Pending Protected Public Water Supply Area

Overlay as indicated on the Future Land Use and Land Use Zoning Maps all development must be reviewed and approved by the Department of Environment and Conservation before a permit issued by the Town.

## **2.7 Port Harmon/ Port Harmon Authority**

The Port Harmon Authority Limited is responsible for the management of Port Harmon, the use of the waters and shoreline within the Port up to the highwater mark, along with certain shore-based facilities.

Development within and adjacent the Port shall be compatible with the operations of a port and its support functions. See also Section 3.3.

## **2.8 Road Access – Kippens Gaudon’s Brook, Highways 460-490**

In order to:

- a) alleviate concerns about access to the Port Au Port Peninsula and Kippens and, Stephenville during flood and other extreme weather events;
- b) and to generally improve access within the region,

this Municipal Plan shows a Proposed Connector Road to Kippens coming off Hillier Road and crossing Gaudon’s Brook at the transmission line, and, a Proposed Connector Road joining Highway 460 and Highway 490 in the vicinity of the west of Long Gull Pond.

The exact location and design of these roads is subject to final design.

**To facilitate the implementation of these road proposals any development near these proposed roads is to be reviewed by the Department of Transportation and Works and other appropriate agencies before an approval is granted by the Town.**

## **2.9 Trails and T’Railway Provincial Park**

Well known, historical and/or traditional and/or designated trails such as the Walk-a-Ways Parks and Trails, the T’Railway and the Appalachian Trail are protected from non-compatible development.

Wherever possible, protective buffers are established along trails.



T'Railway Provincial Park – The T'Railway Provincial Park falls within the jurisdiction of the Parks and Natural Areas Division. Any development affecting the T'Railway, such as a culvert or an access must be approved by the Parks and Natural Areas Division before approval is granted by the Town.

## **2.10 Waterways and Wetlands**

Sound environmental and engineering practice and protection of the Town's amenities make it the general policy of the Town to protect most waterways and wetlands ('water bodies') of the Town of Stephenville Municipal Planning Area. Even minor water bodies can have a significant role to play in the management of drainage and plant and wildlife habitat.

A protective buffer of undisturbed soil and vegetation shall be preserved insofar possible along the shoreline of the ocean and most water bodies. The buffer shall be sufficient to prevent erosion, retain natural drainage features, prevent siltation, preserve public access and protect plant and animal habitat.

Wetlands can only be developed in such a way as to minimize damage and impacts on the hydrology and environment of the area.

If a body of water is deemed to be minor, wherever possible such water bodies shall remain undeveloped and protected by a buffer. If a site is to be developed, alternatives to covering over or eliminating such water bodies shall be explored, including relocation of the water bodies and/or redesign of the development.

Where applicable development in or near water bodies and their buffers shall be approved by the Department of Environment and Conservation and other Provincial and Government of Canada agencies before a permit is issued by the Town.

*Development up to the highwater mark of Port Harmon, which includes Little Port Harmon and the breakwaters protecting the entrance to the Port must receive the approval of the Port Harmon Authority Limited (PHAL) along with the Town and other relevant agencies.*

## **2.11 Well Field Protection Area Private Overlay**

Northern Harvest Sea Farms has developed a land based fish hatchery in Port Harmon. In order ensure an adequate and good quality water supply for this fish hatchery a Well Field Protection Area as established by the Company has been incorporated as an overlay designation on Future Land Use Map 2.

Within this overlay designation as indicated on certain Future Land Use Maps development must be reviewed by the Town and other relevant agencies and stakeholders before a permit issued by the Town.

**2.12 *Windmills, Wind Turbines, Other Alternative Energy Sources***

Wind mills, wind turbines and other alternative sources such as solar panels ('Utilities' under Schedule B of the Development Regulations), which are not classed as public utilities can be approved by the Town in suitable locations provided that all necessary approvals are obtained from the appropriate Provincial and Federal agencies, and the Town is satisfied that such development will not create a hazard or nuisance to nearby land uses nor negatively affect the views of historic and/or culturally significant landscapes.

### **3 DESIGNATIONS**

Use Classes and Groups referred to in the designations of Section 3 are the use classes and use groups set out in Schedule B of the Development Regulations.

The boundaries between the land use designations set out on the Future Land Use maps are general only and, except in the case of roads or other physical barriers, are not intended to define exact limits. Therefore, minor adjustments may be made to these boundaries for the purpose of implementing the Plan.

#### **3.1 Residential**

The Residential designation is designed protect existing and future residential areas occurring within the municipal or town boundary while still accommodating certain residential compatible non-residential uses.

Permitted and Discretionary Uses in this designation include Uses under Section 2.1.13 of this Municipal Plan, various dwelling types and densities, and uses compatible with residential uses, including businesses carried out on residential properties and other low impact non-residential uses including recreational open space. See also references to the Country Living Zone and Comprehensive Development Area Residential Zone below.

##### **Country Living Zone (Development Regulations) – Agricultural Use**

Subject to the necessary approvals, within the Country Living Residential (CLR) Zone of the Development Regulations up to four horses may be accommodated on a property within this zone as a discretionary agricultural use.

##### **Comprehensive Development Area Residential (Development Regulations)**

Areas zoned Comprehensive Development Area Residential (CDA-R) under the Development Regulations are set aside for future planned residential and residential compatible development. Once the Town has approved a Comprehensive Development Area Plan (see Section 2.1.5) for the area so zoned then the area may be rezoned to one or more of the appropriate residential zones under the Development Regulations together with zones designed to protect the environment and accommodate recreational facilities.

Until such time as the Comprehensive Development Area Residential is rezoned, the only permitted uses are Conservation and Recreational Open Space along with Section 2.1.13 uses, and the only discretionary uses are Agriculture and Forestry. These agricultural and forestry uses must be relatively low impact and compatible with neighbouring residential uses.

Municipal Services

Development in this Designation shall be connected to municipal water and sewer services.

**3.2 Community Services**

The Community Services designation broadly establishes areas where public and institutional and private, commercial and non-commercial services, are to be provided at the town and regional scales.

The designation applies to the major and historic commercial and public service corridors that include:

- Main Street, West Street, Carolina Avenue;
- Hansen Highway; and,
- an extensive area along Minnesota Drive that includes the Sir Thomas Roddick Hospital and the regional Stephenville Dome.

Within this designation the Town may zone to permit the full range of mercantile, personal and business service, light industrial and relatively small scale fabrication, uses similar and compatible with the foregoing, institutional and public uses, conservation uses, recreational open space uses, and appropriate residential uses as either permitted or discretionary uses.

Comprehensive Development Area Community Services (Development Regulations)

Within the Community Services Designation major blocks of land deemed suitable for future community services types of development may be zoned Comprehensive Development Area - Community Services wherein community services types of development may be permitted only after a Comprehensive Development Area Plan (see Section 2.1.5) for the area has been approved by the Town and a rezoning has occurred.

Until such time as the Comprehensive Development Area Community Services Area is rezoned, the only permitted uses are Conservation and Recreational Open Space along with Section 2.1.13 uses.

Municipal Services

Development shall be connected to municipal water and sewer services where deemed necessary by the Town.

### **3.3 Industrial**

The purpose of this designation is to accommodate existing and future industrial and other development in selected areas of the Town – most notably around and including Port Harmon and on lands near the Airport. The broad range of allowable uses in these industrial areas reflects the development history of Stephenville.

Within this designation the Town may zone to permit the full range of industrial, transportation, mercantile, personal and business service, institutional, public, conservation uses, recreational open space uses, and appropriate residential uses and other compatible uses as either permitted or discretionary uses. However, Hazardous Industry, Mineral Exploration, Mineral Working and Scrap Yard shall be only be accommodated as Discretionary Uses.

Municipal Services

Development shall be connected to municipal water and sewer services where deemed necessary by the Town.

### **3.4 Airport**

The Airport Designation applies to the Stephenville Airport lands, and is designed to accommodate the uses that can contribute to the Airport's successful operation which include the primary transportation uses, various commercial, industrial and other compatible publicly and privately owned uses as permitted and discretionary uses. Section 2.1.13 uses are permitted uses along with recreational open space.

Development within this designation must be approved by the Airport Authority, along with the Town and other relevant agencies.

Municipal Services

Development shall be connected to municipal water and sewer services.

### **3.5 Open Space**

The Open Space Designation is applied to larger scale and linear open space recreational uses, including the Stephenville Golf Club, the Dome and also the trail system along Blanche Brook (where it lies outside the flood risk area).

Permitted and discretionary uses include Section 2.1.13 Uses (except for transportation), Indoor Assembly, Outdoor Assembly, Recreational Open Space

and other appropriate uses compatible with the primary assembly and recreational uses.

### **3.6 Environmental Protection**

The Environmental Protection designation is designed to identify and protect important or significant waterways and wetlands from inappropriate forms of development.

Including Recreational Open Space, permitted uses are uses set out under Section 2.1.13. Discretionary uses are agriculture, antenna and transportation.

Transportation uses are limited to uses requiring direct access to a body of water.

Along with the Town, all development in this Designation is where necessary subject to the approval of the Department of Environment and Conservation and other departments and agencies.

### **3.7 Flood**

The potential flood risk areas of the Town of Stephenville identified under the Province's Hydrotechnical Study of Stephenville, March, 2009 for Blanche Brook, Cold Brook and Warm Creek shall be designated as Flood on the Future Land Use Maps, and zoned on the Land Use Zoning Maps as Designated Floodway (1:20 year flood), Floodway Fringe (1:100 year flood) and Climate Change Flood (1:100 Climate Change Potential Flood Areas).

All development within the Flood Designation is subject to the Policy for Flood Plain Management, Policy Directive 96-1 Water Resources Management Division, Department of Environment and Conservation as amended, and other applicable policies and regulations.

Development within the Flood Designation and within fifteen (15) metres of this Designation, as well as within any area known to be subject to flooding must first obtain prior written approval of the Minister of Environment and Conservation in accordance with Section 48 of the Water Resources Act.

Any development proposed within the Flood Designation shall be designed in a manner so as not to not impede water flows or exacerbate flood risk elsewhere.

*The official Flood Risk mapping as derived from the latest flood risk mapping provided by the Department of Environment and Conservation on its website as of July 25, 2014 for the Town of Stephenville and its Planning Area has been*

*integrated into the Future Land Use and Land Use Zoning maps. Some minor line consolidation was done to allow for practical interpretation of the data. However, where land use decisions are required in the areas covered by these maps with the official Flood Risk mapping, it is incumbent upon the users that the original flood risk data as provided by the Department of Environment and Conservation be the ultimate reference document.*

### **3.8 Rural**

The Rural designation is primarily designed to accommodate rural and other compatible types of development in the Planning Area.

Zoning under the Development Regulations can accommodate both strictly rural resource based uses, and, in selected areas, rural residential development as in Cold Brook and Noel's Pond and seasonal residential development as along Long Gull Pond.

#### **Permitted and Discretionary Uses – Rural Zone**

Where zoned **Rural**, subject to the review and approval by appropriate Provincial agencies and departments, including the Forestry and Agrifoods Agency and Mines Branch of the Department of Natural Resources, and, Service NL, Permitted and Discretionary Uses in this designation can include Uses under Section 2.1.13 of this Municipal Plan and uses deemed to be appropriate to a rural setting including agricultural, forestry, mineral exploration and mineral workings, recreational open space, transportation (wharves and docks, float plane operations), remote cottages and wilderness campgrounds (seasonal residential and campground developments with no public road frontage and which can only be accessed by all terrain vehicles and snow-mobiles), together with processing, industrial and other uses that support the primary resource-based uses and scrap yards and transportation, including single dwellings accessory to a permitted agricultural, forestry, mineral working and/or scrap yard operation.

#### **Permitted and Discretionary Uses – Rural Residential and Seasonal Residential Zones**

Where zoned **Rural Residential** under the Development Regulations, Permitted Uses include Uses under Section 2.1.13, Recreational Open Space included, of this Municipal Plan, along with single dwellings, and single dwelling types (single dwellings, seasonal residences, mini-homes, mobile homes) and uses compatible with residential uses, including family and group centres, businesses carried out on residential properties and other low impact non-residential uses.

Discretionary Uses in this zone may include certain non-residential uses, including agriculture, forestry, tourist cabins and transportation and other appropriate uses.

Residential and Assembly uses can be permitted only as infilling within areas of existing development and elsewhere within the zone only in accordance with an approved development scheme.

Where zoned **Seasonal Residential** under the Development Regulations, Permitted Uses under the Development Regulations include Uses under Section 2.1.13 of this Municipal Plan, and seasonal residences.

Discretionary Uses in these zones may include certain appropriate non-seasonal residential uses.

Municipal Services

Development in this Designation shall not be connected to the municipal water and/or sewer services.

### **3.9 Wellhead Protected Water Supply Areas**

The Towns of Stephenville and Kippens obtain their municipal water supplies from three provincially and municipally protected well fields ("Wellhead Protected Water Supply Areas") within the Stephenville Municipal Planning Area.

The public water supplies are also designated and protected under the Water Resources Act administered by the Department of Environment and Conservation.

- (1) Permitted Uses – Only conservation is a permitted use class in this designation.
- (2) Discretionary Uses – Discretionary uses are antenna, mineral exploration, recreational open space and utilities.
- (3) All development within the Wellhead Protected Water Supply Area must be approved by the Minister of Environment and Conservation in accordance with the Department's policies.

#### **Well Head Protected Area**

No development or other activity shall be permitted within 200 metres of the well head except for maintenance and operation of the water supply system.