

TOWN OF BISHOP'S FALLS
MUNICIPAL PLAN
2015-2025

| MARCH, 2016 |



CONTACT INFORMATION:
100 LEMARCHANT ROAD | ST. JOHN'S, NL | A1C 2H2 |
CANADA
P. (709) 738-2500 | F. (709) 738-2499
www.tractconsulting.com

URBAN AND RURAL PLANNING ACT (2000) RESOLUTION TO ADOPT

Town of Bishop's Falls Municipal Plan (2015-2025)

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Bishop's Falls adopts the Town of Bishop's Falls Municipal Plan, (2015-2025).

Adopted by Town Council of Bishop's Falls on the ____ day of _____, 2016.

Signed and sealed this ____ day of _____, 2016.

Mayor: _____

Robert Hobbs

Clerk: _____

Dan Oldford

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Bishop's Falls Municipal Plan 2015-2025 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP: _____

Member of Institute of Planners (MCIP)
Robert Ross, MCIP



Robert I.L. Ross

URBAN AND RURAL PLANNING ACT (2000) RESOLUTION TO APPROVE

Town of Bishop's Falls Municipal Plan (2015-2025)

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Bishop's Falls:

- a) adopted the Bishop's Falls Municipal Plan on the ___ day of _____, 2016.
- b) gave notice of the adoption of the Bishop's Falls Municipal Plan by advertisement inserted on the ___ day and the ___ day of _____, 2016 in the _____ newspaper[s].
- c) set the ___ day of _____, at _____ a.m./ p.m. at the Town Hall, 2016, for the holding of a public hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Bishop's Falls approves the Bishop's Falls Municipal Plan as adopted.

SIGNED AND SEALED this ___ day of _____, 2016.

Mayor: _____
Robert Hobbs

(Council Seal)

Clerk: _____
Dan Oldford

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Map 1 - Future Land Use Map

Map 2 - Flood Plain Management

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Appendix 1 - Land Use Visioning Information Map

EXECUTIVE SUMMARY

Community land use planning is often viewed as ‘an organized way to look at the future.’ This Municipal Plan has been prepared to provide the Town of Bishop’s Falls with new land use planning considerations to help manage future change in a manner that will assist the community to achieve more effective economic, environmental, social and sustainable success over the next ten year period and beyond.

The Plan evaluates various demographic, economic and land use development background of the Town, and identifies a diverse range of community planning challenges of aging of the local population, seniors and affordable housing, out migration of young adults, diminished local shopping opportunities, limited comprehensive public access to the Exploits River, lack of serviced residential land, the need for expanded industrial growth and the need for revitalization of the community’s downtown commercial core area.

To address these local planning challenges, the Municipal Plan provides for a new community vision statement and complimentary land use planning objectives to serve as the template to identify land use policy statements for:

- An approach of more economically efficient use of the land base through a greater choice of residential housing types and densities;
- An emphasis on land development applicants providing for more detailed site planning information for Council’s review and consideration;
- Creation of general design guidelines within the Development Regulations to help manage site and building developments;
- Attention to enhancement of sense of place, livability and quality of life considerations;
- Improvements to the Town’s parks, recreation and open space amenities;
- Increased regional and external agency partnerships to achieve economic development opportunities; and,
- Suggestions for changes in local governance to more fully engage the local building community, business owners and local residents.

The Municipal Plan further identifies a number of ‘actions’ and studies that should be pursued to assemble the critical building blocks to enable the community to make bigger strides in the future.

The implementation success of the Municipal Plan will be largely dependent upon the support provided by members of Council, and through consultation comments from local residents, business owners and various community organizations.

1.0 INTRODUCTION

1.1 LAND USE PLANNING WITHIN THE TOWN OF BISHOP'S FALLS

Overview

Bishop's Falls, similar to other municipalities in Newfoundland and Labrador, undertakes land use planning in accordance with the provisions of the *Urban and Rural Planning Act, 2000*. The Act provides for the designation of boundaries for a Planning Area to enable Municipal Council to prepare a Municipal Plan to guide and shape growth and development within the community over the next ten-year period. The land use policy intent of the Municipal Plan is complemented and supported by land use and zoning regulations of the companion Development Regulations.

The Urban and Rural Planning Act, 2000 (i.e. the Act) defines the mandatory and permissive content of the Municipal Plan, including the Plan's objectives wherein Town Council identifies its priorities for managing the land base and the built environment.

Preparation of the Plan and subsequent land use management is intended to be an inclusive process wherein local residents, business persons, community organizations and external agencies are provided with opportunity to partake in the Plan preparation process and to provide comment, objections and representations.

Once the Plan has been prepared and comes into effect, where new opportunities and unforeseen circumstances within the community arise, the planning process defined by the Act allows for amendment consideration to the Plan. The Act also stipulates the process to be followed to review the Municipal Plan every five years, and to update and modify where deemed necessary by Town Council.

Local History of Planning

The Town of Bishop's Falls has a long history of municipal land use planning. Since 1976, the Town has had three Municipal Plans prepared. Council views the current Municipal Plan 1990-2000, as no longer able to meet the challenges, opportunities and emerging requirements of the community. With the creation of a new Municipal Plan and Development Regulations, and their companion land use and zoning maps, the Town will be positioned to be more responsive to current growth trends and anticipated future land use development needs.

Background Report

The initial component of the Municipal Plan update was the preparation of a background report to identify the following elements:

- Preliminary findings and existing circumstances;
- Proposed planning direction for the Town;
- Local land use planning priorities; and,
- Implementation strategy.

Community Vision Statement and Planning Objectives

The subsequent steps of the Plan preparation process included utilization of the findings of the background report, concurrent with comments gleaned from the initial public consultation sessions, and from further planning research and from direction of Council:

- To develop a community vision statement; and
- To define the Town’s primary land use planning objectives.

Upon articulation of the community vision and planning objectives, the preferred policy direction and land use designation approach for the community has been captured within the Municipal Plan and accompanying map schedules.

1.2 ROLE AND PURPOSE OF MUNICIPAL PLAN

The primary purpose of the Municipal Plan (2015-2025) is to outline the land use intent and supportive land use policies for property located within the Town of Bishop’s Falls Planning Area so as to encourage and provide for the effective management of land development within the community. Land use policy attention is to be extensive, and is to apply to the environment and to the conservation of land, flood plain considerations, housing choices and location of future residential uses, commercial businesses and employment generating industrial growth, mixed development, parks, recreation and open space, public uses, agricultural land and governance, as well as specific policy focus to municipal infrastructure, alternative mobility options and active living, housing for seniors and other emerging local issues.

The Plan represents opportunity to pursue new and resourceful approaches to managing future change in the community through considerations of sustainability, a comprehensive understanding of the land base and its potential, meaningful and achievable policy objectives and enhanced community partnerships.

The Municipal Plan will serve as the principal land use planning framework for Town Council to follow in managing the community’s land base. The Municipal Plan is intended to provide for positive support and opportunity to local residents, businesses, community organizations, land developers and external agencies and departments, in protecting and preserving what is valued,

and in identifying locations and the methodology for considering where, what density, and what specific types and uses of land and building development may occur.

1.3 MUNICIPAL BOUNDARY AND MUNICIPAL PLANNING AREA

Potential Municipal Boundary Expansion

The Town's Municipal Boundary includes lands located to the north of the Exploits River, and lands located to the north of the Trans Canada Highway, as identified by attached **Map 1** to this Municipal Plan. The Town has expressed a desire through the Plan preparation process to outline a Council objective to subsequently pursue expansion of its western Municipal Boundary to include lands located north of the Exploits River and to the north of the Trans Canada Highway to the Town of Grand Falls-Windsor's easterly municipal boundary within the Grenfell Heights area. In this manner, the Town's Municipal Boundary will match the Town's Planning Area in the western sector of the community.

Existing Planning Area

The Municipal Planning Area of Bishop's Falls includes the Town's Municipal Boundary Area, and additionally lands located to the north, west and east of the Town's boundary, as identified by the Municipal Plan maps that accompany this document. The total area size of the Planning Area is an estimated 28.12 square kilometers (10.86 sq. miles), or approximately 6,950 acres.

Potential Planning Area Expansion

Through the Municipal Plan update process, the Council of the Town of Bishop's Falls wishes to explore the opportunity to extend its Planning Boundary Area to include property situated on the south side of the Exploits River so as to more effectively control and manage land use development activity therein, to preserve the natural environment and to control future aesthetics and views.

The Urban and Rural Planning Act, 2000, allows for an application to be submitted to the Minister to request an expansion of the Town's current Planning Area boundaries for lands that are located outside of the municipality where it is deemed that the identified land area is required to enable Council to achieve development control and to preserve local view amenities over land that is located on the south side of the Exploits River, and that is currently beyond its municipal boundaries.

Potential Municipal Boundary and Planning Area Expansion Map

Council will explore the western portion of the community, with the desire to extend its Municipal Boundary to align with the Town of Grand Falls-Windsor's eastern municipal boundary in the Grenfell Heights area. The Council of the Town of Bishop's Falls wishes to be

able to exercise more effective governance and housing development management in this location.

An information map, **Appendix 1** as attached to this Plan, shows the proposed expansions of the Municipal and Planning Area boundaries. While the attached map does not represent an official map to this Municipal Plan, the map provides additional planning information that Council and local residents may consider.

1.4 PLAN CONTENT

Required Content

Section 13.0 of the *Urban and Rural Planning Act, 2000* identifies the required content of a Municipal Plan as follows:

- Statement of objectives of the Plan;
- Policies to be implemented under the Plan;
- Provision for a 10 year planning horizon;
- The division of land into various land use classes and permitted uses within; and,
- How the Plan will be implemented.

Permissive Content

The Urban and Rural Planning Act also identifies the permissive content that may be considered for inclusion within the Municipal Plan; some of the provisions are briefly noted as follows:

- Describe the physical, economic and social environment of the planning area;
- Provide for the protection, use and development of environmentally sensitive lands;
- Provide for the protection, use and development of natural resources;
- Establish areas for comprehensive development;
- Establish locations, provisions for and policies with respect to housing and facilities for senior citizens;
- Provide for and recommend the attraction, location, development and diversification of economic activity;
- Describe existing and proposed transportation and street networks;
- Provide for the use and conservation of energy;
- Provide for the non-removal of trees and vegetation... and require that environmental studies be carried out prior to undertaking specified developments;
- Provide for storm water and erosion control;
- Provide for garden suites and back lot development;
- Propose the phasing in of a development; and
- Make other proposals that in the opinion of Council are necessary.

Intended Content

The intent of the Bishop's Falls Municipal Plan (2015-2025) is to utilize the planning direction identified by the Urban and Rural Planning Act, and to complement this content with additional policy statements that will help to further strengthen the long term environmental, economic and social sustainability of the community, and that are financially affordable to the Town.

1.5 CONSULTATION AND COMMENTS

Town Council provides the primary influence to the character, content and policy direction of the Municipal Plan. The Municipal Plan also reflects the desires and needs of local residents, businesses, community groups and organizations, government agencies and departments, and is responsive to regional considerations. As part of the Plan preparation process, various opportunities to engage and to receive comment from members of the local public and larger community have been, or are to be, pursued, as illustrated below:

- Initial meeting with members of Town Council;
- Initial public open house meeting;
- Circulation and receipt of public comment sheets;
- Creation of project *face-book* page and reception of public opinions;
- Referral to adjacent municipalities of Grand Falls-Windsor and Botwood;
- External agency review and input;
- Circulation of the Draft Municipal Plan for review and comments; and
- Revisions to the Draft Plan Municipal.

As the Municipal Plan (2015-2025) is implemented, community and regional partnerships, and public involvement, is intended to be ongoing.

1.6 PROCESS FOR ADOPTION, APPROVAL AND REGISTRATION OF THE PLAN

Following initial public consultation, submission of the proposed Plan to the Province for review and upon formal adoption of the Municipal Plan (2054-2054) through a resolution by Bishop's Falls Town Council under Section 16 (1) of the Urban and Rural Planning Act, a notice of Public Hearing is to be advertised. At the Public Hearing, a Commissioner who is appointed by Town Council, shall hear and receive any representations and objections to the Municipal Plan, and submit a report with recommendations to Council for consideration.

Council may approve the Municipal Plan, or approve the Plan with the revisions that may be recommended by the Commissioner, or through other amendments as deemed necessary. The Plan is thereafter submitted to the Minister of Municipal and Intergovernmental Affairs (MIGA)

for review to ensure conformance to all applicable provincial law and policy, prior to registration of the Municipal Plan within the provincial planning registry.

The Municipal Plan becomes effective on the published date of notice of registration of the Plan within the Newfoundland Gazette. The Town Council shall also proceed to have published a notice of registration within the local Advertiser newspaper.

1.7 ADMINISTRATION, LEGAL EFFECT AND AUTHORITY OF MUNICIPAL PLAN

The Municipal Plan is a land use policy document of Council that shall be administered by the designated staff members of the Town of Bishop's Falls such as the Town Manager/Clerk and the Assistant Town Manager and as per the direction of Town Council.

Upon provincial registration of a Municipal Plan by the Minister of Municipal and Intergovernmental Affairs (i.e. the Minister), the Plan is deemed to be a legal and binding document on Council's land use planning decisions and consideration of development application proposals, and binding on all other persons, property owners, businesses, corporations and organizations.

No Compensation

Section 5 of the Act additionally identifies in part that:

"A person is not entitled to compensation for a reduction in the value of that person's interest in land nor for a loss or damage to that person's interest in land resulting from application of this Plan."

In other words, the greater public good of the planning direction and land use designations adopted by Council through the Municipal Plan supersedes the Plan's potential effect on individual property.

1.8 RELATIONSHIP TO OTHER PLANS AND LEGISLATION

The policy statements of the Municipal Plan do not exist in isolation to other planning initiatives of the Town. Under Section 29 of the *Urban and Rural Planning Act*, Town Council may prepare and adopt more detailed development or local improvement schemes, or land and/or building acquisition proposals, for the purpose of pursuing specific strategies identified within the Plan. Other land use planning documents and regional/provincial influences also impact local growth and development.

Development Regulations

The Municipal Plan has been updated in concert with the companion Development Regulations, the land use regulatory document that specifies the more detailed permitted, accessory, prohibited and discretionary uses of land, conditions of use, land development standards, and other requirements that are applicable to property located within the Town's Planning Area. The content of the Development Regulations is various, and includes land use zone categories for all properties located within the Planning Area, subdivision requirements, advertising and signage regulations, the minimum and/or maximum land use density of specific locations within the community, and general development design guidelines that may apply to new and expanded land and building developments and related activities within the community.

Integrated Community Sustainability Plan

The Town's recently completed Collaborative Integrated Community Sustainability Plan (2007) and its various identified strategy initiatives are additionally intended to complement the policy actions recommended within the Municipal Plan.

Regional and Provincial Influences

The updated Municipal Plan is also intended to work generally in concert with the applicable strategic regional initiatives of the Rural Secretariat. Bishop's Falls location near the larger community of Grand Falls-Windsor also has significant effects on the Town's land base development, employment trends and commercial shopping patterns. Local land use management direction is to further be in alignment with the supply and distribution capacity of the Exploits Regional Services Board regional water system. Provincial policy and regulations related to environmental protection, flood plain management, highway requirements, archaeological protection, farmland preservation through the Agrifoods Development Branch and in conjunction with the Wooddale Land Development Advisory Authority, and other considerations of provincial and regional interest are also applicable to the Municipal Plan.

Municipal Affairs

Successful ongoing implementation of the Municipal Plan (2015-2025) will further entail coordination with the Land Use Planning Branch of the Department of Municipal Affairs, and for specific projects, referral to various provincial and federal agencies for comment.

Other Legislation

Beyond the *Urban and Rural Planning Act*, there are numerous additional Acts and legislation that must be taken into consideration in the management of land use planning and land development activity, noted in part as follows:

- Water Resources Act;
- Endangered Species Act;

- Historic Resources Act;
- Forestry Act;
- Mineral Act; and
- Quarry Materials Act.

1.9 PLAN ORGANIZATION

The Town of Bishop's Falls Municipal Plan (2015-2025) provides for land use planning and policy discussion in the following Sections:

- Section 1 Introduction
- Section 2 Understanding the Community
- Section 3 Summary of Background Report
- Section 4 Land Use Planning Definitions
- Section 5 Community Vision Statement and Planning Objectives
- Section 6 General Policies
- Section 7 Land Use Designations
- Section 8 Natural Environments and Flood Plain Policies
- Section 9 Residential Growth and Housing Choices
- Section 10 Commercial and Employment Growth
- Section 11 Managing Agricultural and Forestry Lands
- Section 12 Institutional and Civic Uses
- Section 13 Parks, Recreation and Open Spaces
- Section 14 Municipal Infrastructure
- Section 15 Governance
- Section 16 Implementation

The following additional background information and maps are also provided within the Municipal Plan. The Land Use Visioning Map is provided as information, and is not deemed to be an official map schedule of the Plan. It is located in the Appendix.

Tables

Table 1 – Bishop's Falls Population 1991-2011

Table 2 – Age Distribution of Local Residents 1991-2011

Table 3 – 2011 Population Density of Various NL Communities

Municipal Plan Maps

Map 1 Future Land Use Map

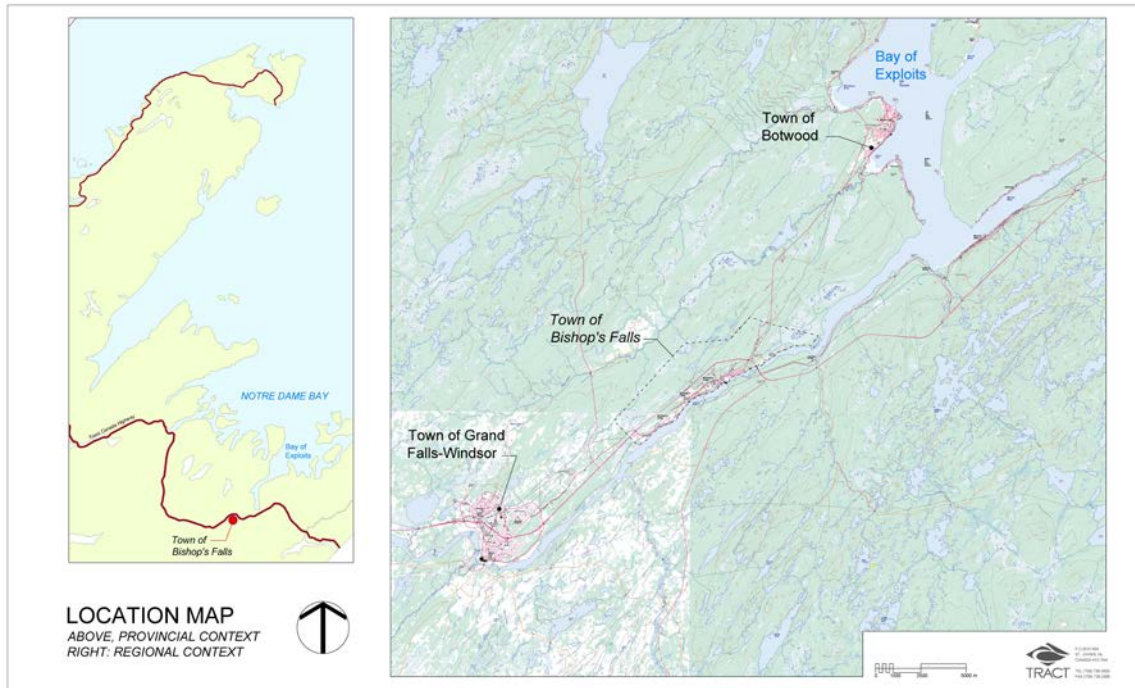
Map 2 Flood Plain Management Map

2.0 UNDERSTANDING THE COMMUNITY

A successful municipal plan is dependent upon an informed understanding of the sense of place of the community; local geography; the dynamics of the economy; current population, demographic and residential growth trends; infrastructure challenges; constraints and opportunities of the land base; and current demands for the local planning area. This Section of the Municipal Plan begins to delve into this level of background detail of Bishop's Falls by briefly reviewing the Town's history and evolution, evaluating the best available statistical data of the local population, considering recent land development activity, and by discussing likely future scenarios for the community.

2.1 LOCATION

The Town of Bishop's Falls is located in the north central region of the Province of Newfoundland and Labrador, approximately 400 km to the west of the capital city of St. John's. The Town's populated community core, which is developed in a linear fashion adjacent to the Exploits River, is situated to the south of an elevated plateau area and the Trans Canada Highway (TCH). Forest and agricultural lands dominate the geography to the north of the TCH.



The Town's setting within the Exploits River valley, and in close proximity to the ocean waters of the Bay of Exploits, provides for a significant natural environment 'sense of place' for the community. The Town's motto (translated from Latin) of "*In the centre of the forest, I remain*" substantiates the community's close relationship with the natural environment.

Bishop's Falls is also part of a regional area consisting of the larger municipality of Grand Falls-Windsor, located approximately 15 km. to the west, and the smaller community of Botwood to the north.

2.2 LOCAL HISTORY

Beothuk First Nation peoples are viewed as the earliest inhabitants of the local area as they traveled the length of the Exploits River from its source at Red Indian Lake, and established summer fishing camps along the River's banks and hunted for moose, caribou, bear and smaller game during the autumn and winter seasons. The Mi'kmaq also have history in the immediate area and represent an additional significant aspect of local heritage.

European settlement occurred centuries later. Early in the 1800s, the Anglican Bishop of the Diocese of Nova Scotia while visiting the area made note of a significant waterfall on the Exploits River, and thus the name 'Bishop's Falls' began. When the Newfoundland Railway constructed a bridge over the Exploits River in the early 1900s, the catalyst for more widespread industrial activity in the Exploits Valley region was planted.

Historical records convey that after the turn of the century, formal settlement slowly began in Bishop's Falls. By 1911, when a pulp mill and electric-generating station were built, the local population was estimated at 343 residents. The local mill, logging activity and power generation created economic opportunity for the local area, and the community continued to grow. Many new residents lived in 'company houses'.

When the paper mill in Grand Falls was constructed, local pulp was pumped through a plume to the paper mill; the practice continued until the early 1950s when equipment upgrades and processing efficiencies at the Grand Falls plant spelled the demise of the Bishop's Falls pulp industry. The local power generation facility however continued operations.

From the early 1920s and over the next six decades, the community also evolved into a central terminus for the trans-island rail service of Newfoundland Railway (later Canadian National Railway). The bustling railway community was formally incorporated as a Town in 1961.

Upon the closure of the railway in the late 1980s, a severe fiscal impact to the Town, a \$7 million economic diversification fund was awarded to the community to enable the local economy to

adjust. The Bishop's Falls Development Corporation (BFDC) was established to administer the fund. The manufacturing sector became the new economic development focus for Bishop's Falls, but by 2004, the diversification fund was exhausted and the BFDC was closed.

Despite the focus on more diversified economic growth, the community like many other municipalities throughout Atlantic Canada over the past 20 to 30 years, has had to endure out migration and a significant loss of its population base. Many local residents relocated to seek employment in urban centers, and in central and western Canada.

Today, the core strengths of the Town reside with its light manufacturing base, the potential and opportunity to provide for residential growth, the allure of the Exploits River and salmon fishing, and serving as a suburban community to the regional medical, government administration and commercial services found within the next door neighbouring community of Grand Falls-Windsor. The transportation locational advantages of Bishop's Falls being adjacent to the TCH corridor has additionally helped the community to expand and diversify its local economy and realize tourism opportunities.

A current significant challenge to the community is the provincially imposed land development restriction that limits any new growth from occurring that would increase the amount of untreated wastewater being discharged into the Exploits River. To address this challenge, the Town has undertaken the development of a new wastewater treatment system which is near completion.

2.3 RECENT POPULATION TRENDS

The following **Table 1** illustrates the shifting population base of Bishop's Falls over the past 20 years.

Table 1 – Bishop's Falls Population 1991-2011

Year	Population	Population Decrease (%)
1991	4,230	
1996	4,050	4.3%
2001	3,685	11%
2006	3,400	7.3%
2011	3,341	1.7

Source: 1991-2011 Statistics Canada

The approximate outflow of over 21% of the total local population over the past two decades is significant, yet during the most recent Statistics Canada Census period from 2006 to 2011; the net outflow of local residents leaving Bishop's Falls has decreased substantially, pointing to a trend of greater stability within the community. Recent and previous residential building activity within Bishop's Falls over the past five years also conveys investment confidence within the community, and strength in new residents choosing to move to Bishop's Falls.

Census Canada data identifies that the Town of Bishop's Falls 2011 population represents 0.65% of the total population of Newfoundland and Labrador. In 2006, the Town was the 21st most populous community within the Province.

2.4 NATURAL POPULATION

Natural population refers to the number of births that have occurred within a community over a specified period in relation to the total number of local deaths.

During 2010, 30 total births were recorded for Bishop's Falls residents; in 2011, 25 births occurred. The total birth rate for the community in 2011, as expressed by the number of births per 1,000 of local population, was 6.9. The Provincial birth rate was higher at 8.8.

In 2010, there were 35 local deaths in Bishop's Falls; in 2011, 30 deaths occurred. During the seven year period from 2004 to 2011, the median age of death in the community was 75. During the same timeframe, the median age of death throughout the entire province was 78 years.

The natural population data informs that over the past two years, there were more local deaths than births, and of the local residents that are passing away, they are of a younger age than the norm for the remainder of Newfoundland Labrador.

2.5 AGE DISTRIBUTION OF LOCAL RESIDENTS

Table 2, as follows, identifies the changing age profile of residents of Bishop's Falls over the past 20 year period, and identifies the land use planning challenges inherent in the age makeup of current residents.

Table 2 – Age Distribution of Bishop’s Falls Residents 1991-2011

	Census Year									
	1991		1996		2001		2006		2011	
	#	%	#	%	#	%	#	%	#	%
Total Males	2065	48.8	1965	48.5	1815	49.3	1655	48.7	1651	49.4
Total Females	2165	51.2	2085	51.5	1870	50.7	1745	51.3	1690	50.6
0-14 years	955	22.5	825	20.4	645	17.5	505	14.7	435	13.2
0-9 years									(265)	(8.0)
10-14 years									(170)	(5.2)
15-29 years	1125	26.5	905	22.4	690	18.7	550	16.3	505	15.1
15-19 years									(190)	(5.6)
20-24 years									(180)	(5.4)
25-29 years									(135)	(4.1)
30-64 years	1835	43.3	1950	48.3	1920	52.1	1825	53.8	1770	52.9
30-39 years									(330)	(9.0)
40-49 years									(505)	(15.0)
50-59 years									(605)	(18.1)
60-69 years									(375)	(11.2)
65 years +	325	7.7	355	8.9	430	11.7	510	15.2	625	18.8
70-79 years									(310)	(9.3)
80 years +									(110)	(3.3)
Population	4230		4050		3685		3400		3341	

Source: 1991-2011 Statistics Canada Census

The age distribution patterns of Bishop’s Falls residents over the previous 20 years reveal significant demographic trends that have an influence on land use planning considerations for the community, noted in part as follows:

- The number of young children (0-14 years) has fallen by 54% since 1991;
- The number of young adults (15-29 years) has decreased by 55% since 1991;
- While the total number of adults aged 30 to 64 years has marginally decreased over the past 20 years, the proportion of this age grouping as part of the overall local population has increased by nearly 10% since 1991;
- The 2006 median age in the community was 44 years – by 2011, the median has increased to over 48.2 years of age – the median age of the province in 2011 was younger than Bishop’s Falls at 44 years;
- Local residents over 40 years of age represent over 57% of the total local population, whereas the provincial rate is 55.8%;

- The three largest 10 year age groupings of the local population are those 50-59 years (18.1%); 40-49 years (15.0%); and 60-69 years (11.2%);
- The number of local residents aged 50 to 64 years in 2011 comprises approximately 28% of the local population, and based upon current trends projected over the next 10 to 15 years, an increasing proportion of the local population will continue to become seniors;
- The number of local residents of seniors age (65 years+) has increased by 48% over the past 20 years;
- The proportion of seniors as a component of the total local population has increased by 145% since 1991– in effect, the younger age segment of the local population has decreased in a proportionate amount generally equivalent to the skewed larger representation of local seniors’ in the community today; and,
- The proportion of local residents who became seniors over the past five years equates into approximately two new seniors each month.

The demographic trends highlight significant aging of the local population, and convey the need, and as identified by Town Council, for a greater land use planning emphasis on providing for a more diverse supply of seniors housing choices, and to address various community needs for seniors such as to provide for expanded amenities for active living and enhanced pedestrian mobility opportunities.

The ongoing loss of youth and young adults of childbearing age is a similar significant population dynamic; it will only take one-generation period of time for the community not to be able to sustain itself. In other words, without an increased number of young families and new residents moving into the community, the local population will continue to decrease.

A land use planning challenge for Bishop’s Falls will not only be to address the pronounced needs of the growing number of local seniors, but also for the Town to take a long term view to the future and work towards becoming more attractive, more unique, more appealing and offering more housing choices for young adults with children, and others, to move to the community. In this manner, the local population may be maintained and replenished as it continues to age, and the community may become more stable and vibrant.

2.6 LOCAL CHILDREN AND YOUNG ADULTS

The **Table 2** data illustrated a declining trend of the total number of children and young adults residing within Bishop’s Falls. For example, the number of local youth in the community in 2011 is less than half than the total number twenty years earlier in 1991. School enrolments are also exhibiting this decline. At the end of the school year at Leo Burke Academy in June, 2007, there

were a total of 292 students in the grades 7 to 12; by 2011, this number had declined by 22% to 228 students.

The most recent 2011 Stats Canada data has identified the following age distribution of all local children and young adults living in census families and private households.

Age of Children / Young Adults	Number of Children / Young Adults
Less than 6 years	150
6 to 14 years	285
15 to 17 years	165
18 to 24 years	205
25 to 29 years	135
Total	885

The information conveys that approximately 1/4 of the total local population represents youth 24 years of age and less. This number represents a sizeable factor of the local population and indicates that considerations for youth remain a critical planning issue for the community. Approximately 450 of the children (i.e. those between 6 and 17 years) may be deemed as those eligible for community recreational and athletic programming, and therefore the data identifies the need for the community to continue with active open space and parkland planning. A sizeable portion of the young adults (i.e. those between 18 and 24 years of age) appear to remain in the community after completing high school; this trend of older teenagers/young adults staying at home longer is not peculiar to Bishop's Falls.

The data however reveals a decrease in young adults living in the community after 24 years of age, likely as a result of individuals completing post-secondary school programs at the College of the North Atlantic in Grand Falls-Windsor and others who move away from the community to seek employment. A challenge to the municipality will be to create positive life experiences for youth as they grow up in the community, and as they grow older, for the Town to pursue land use generating employment opportunities so as to retain a greater proportion of young adults as residents. There is a parallel need for the Town to be innovative in the manner that the community is shaped and designed in the future so as to nurture a quality of life environment in Bishop's Falls that will encourage former residents, and others, to relocate to the community as young adults with families.

2.7 FAMILY AND HOUSEHOLD CHARACTERISTICS

The most recent 2011 Census Canada data further identifies the following family characteristics of local residents:

- There are a total of 1,135 census families within private households in the community;
- Nearly 75% of the family households are comprised of married couples;
- Approximately 60% of married couples either have no children, or no longer have children living at home;
- There are approximately 175 lone parent families, representing over 15% of all local families;
- There are approximately 260 persons who live alone in the community and are not deemed to be part of a census family unit;
- The most predominant size of local households is 2 persons (45.6%), followed by 1 person (18.8%), 3 persons (18.1%), 4 persons (12.4%), 5 persons (4.0%) and 6 persons (1.1%); and
- The average number of persons in private households is 2.4.

The family structure and household statistics illustrate that over 85% of all families are either married or living common law, and additionally that the two person household is the primary household size. The data also indicates that over 82% of all households have three or less persons within the family unit. The findings also illustrate the presence of lone parent families and individuals living alone within the community.

2.8 DWELLING UNIT TYPES

The single detached residential home is the predominant residential housing type in Bishop's Falls. Of the total 1,380 occupied private dwelling units in the community, 1,075 dwellings representing 77.9% of all residential units are single detached homes.

The 2011 data also identified the following additional residential dwelling types:

- Movable/ mobile homes 70 (5.2%)
- Semi-detached house 115 (8.5%)
- Row house 40 (2.9%)
- Two-unit duplex 40 (2.9%)
- Apartment (< 5 storeys) 35 (2.6%)

The housing mix data identifies opportunity for the Town to make more economically efficient use of its land base, and provide for a more diversified housing stock through well designed higher density residential uses. A sustainable developable goal for the community over the next ten year period would be to continue to support the development of single unit residential homes, but to also diversify its housing portfolio by increasing the number of compact lot residential homes, two/ three/ four unit residential dwellings, and where deemed appropriate

highly designed garden town-homes and other higher density residential types. By diversifying and expanding local housing choice, the Town will begin to evolve into a more complete community where local residents are increasingly able to have choice in housing types, and additional opportunities to shop, work, attend school, and pursue recreation / culture and volunteer, without continually leaving the community.

2.9 INCOME LEVELS

Statistical information on Bishop's Falls residents' level and sources of income provide an indication of the community's financial wellbeing, and the capability of the municipality to pursue various monetary initiatives. While income data was not available from the 2011 Census, the best available alternative sources of data were utilized.

The gross personal income per capita in Bishop's Falls in 2009 was \$23,300; this compared to a provincial per capita amount of \$27,700. The average couple family income in the community during 2009 was \$67,100; whereas the provincial average was \$82,500 and the national average was \$94,900. In other words, average local incomes are lower than those evident in other locales of the Province and in Canada as a whole.

Government Transfer Income

Self-reliance dependency is a measure of a community's dependency on government transfers such as Canada Pension, Old Age Pension, Employment Insurance, Income Support Assistance, GST credit, etc. A higher self-reliance ratio indicates lower dependency; during 2009, the provincial ratio was 79.5% while Bishop's Falls ratio was 74.7%. The specific government transfer sources of income in 2009 for Bishop's Falls residents included the following:

- Old Age Security (640 persons);
- Canada Pension Plan (890 persons);
- GST Credit (1,190 persons);
- Employment Insurance (740 persons);
- Income Support Assistance (245 persons);
- Provincial Tax Credits (1,100 persons);
- Workers' Compensation (90 persons); and,
- Child Tax Benefit (410 parents).

The total government transfer income in 2009 to local residents amounted to \$21.3 million.

Market Income

The sources of market income for local residents during 2009 included the following:

- Employment income (1,840 persons);

- Investment income (480 persons);
- RRSP for persons 65 years and older (30 persons);
- Private pension (440 persons);
- Other income (430 persons).

The total amount market and other income for Bishop's Falls residents during 2009 was \$62.8 million.

From a commercial development perspective, the statistical total of over \$84.1 million in total annual income for local residents is a real number that may be utilized to encourage and attract new businesses and stores to the community. Given that the data originates from 2009 sources, it is likely that the total income level for local residents has increased past \$84.1 million. It is this type of detailed statistical data that will need to be assembled and packaged in economic development efforts.

2.10 EDUCATION AND EMPLOYMENT

The 2006 Census reported that approximately 68% of all local residents between the ages of 18 and 64 years have at least a high school diploma. Over 20% of local residents additionally have a College diploma, and approximately 12% have trades training. A lower proportion of local residents have a university degree. The comparative provincial averages for educational attainment are considerably higher.

Data from the 2006 Census additionally identifies that approximately 75% of all local residents aged 15 years and older that were involved in the labour force were employed in the following indicative occupations:

- Sales and service – 26.4% of all employed local residents;
- Trades, transportation, equipment operators – 25.7%;
- Business, finance and administration – 17.3%;
- Management – 7.7%;
- Health – 6.9%;
- Education, social science, government service, religion – 4.7%;
- Primary industry – 3.7%;
- Processing, manufacturing and utilities – 3.4%;
- Natural and applied sciences – 3.4%; and,
- Arts, culture, recreation and sport – 0.7%.

Of note with the data is the large number of over 20% local residents in the labour force who were unemployed during 2006. Even the local manufacturing sector only employed approximately 50 persons, representing a small proportion of the total available work force.

Place of Work

The 2006 Census Canada information painted a further challenge for the community in providing for more local jobs. Place of work data identified that the majority of local residents were on the move in pursuing their employment, noted as follows:

- Work in Bishop's Falls as place of employment – 26.1%;
- Work at home – 4.9%;
- No fixed workplace address – 14.1%;
- Work in adjacent municipality – 49.5%;
- Work elsewhere in NL – 2.9%; and,
- Work in another Province – 2.5%.

The employment data conveys that not only is there a sizeable portion of the local workforce without work, but of those with jobs, over ½ of local residents leave the community for their place of work. Over the longer term, a complete community goal for Bishop's Falls will be to increase the opportunity for local residents to engage in meaningful employment without having to get in their cars, or on a plane, and travel.

2.11 SOCIAL PLANNING ISSUES

Social planning encompasses a wide range of community development considerations that include becoming more age friendly as a community, addressing seniors' needs, pursuing youth engagement programming, involvement with aboriginal peoples, actively encouraging immigration and focusing on initiatives such as creating quality housing that is more accessible to an increasing proportion of residents.

Income Support Assistance

Many social planning challenges within a community originate from an assessment of the number of individuals who are dependent upon Income Support Assistance. A total of 430 individuals within Bishop's Falls received Assistance at some point during 2011, representing 12.8% of all local residents. There were 115 children living in families that received Income Support, representing over 19% of all local children 17 years of age and younger.

Individuals dependent upon assistance typically live in rental accommodation, and where housing costs are high, food money often ends up paying for rent. From a land use planning

perspective, beyond the housing needs and other challenges of lower income residents, complete community goals seek to develop support systems of safe sidewalks, alternative mobility options of pedestrian and bicycle trail systems, green open spaces and active play and park areas to add to the local quality of life experience for all residents of the community.

Affordable Housing

One of the greatest challenges of individuals and families who are struggling financially is their ability to secure safe and affordable residential accommodation. Housing is generally considered affordable if 30% or less of one's income is spent on housing costs.

The 2006 Statistics Canada data identified the average value of an owned residential dwelling in Bishop's Falls as \$81,645. While current realty property listings identify home purchase costs as over \$250,000. for newer homes located on the western part of Main Street, and well over \$100,000. for houses situated in other neighbourhoods of Town, sales listings still identify smaller and older local residential dwellings for purchase for less than \$100,000.

The best available data to interpret local housing affordability primarily originates from 2006 Census Canada information; despite the aged data, an assessment for the community is feasible. Based upon the 2005 median annual income of all private households in Bishop's Falls of \$37,793., the monthly median household income is \$3149.42. An affordable housing cost from one perspective, is therefore deemed to be \$1,049.81 per month, or less.

The most recent available data from Canada Mortgage and Housing notes that the local monthly rental cost of a one bedroom dwelling unit is \$512; a two bedroom rental cost is \$604. per month. Additionally Statistics Canada in 2006 reported that local residents spent on average \$542. monthly payments for mortgage on owner occupied homes. On the basis of these monthly payments for both rented and owned dwellings, housing in Bishop's Falls may be generally viewed as affordable.

Local Housing Needs

While the aforementioned methodology is able to evaluate housing affordability for the majority of local residents with a household income near the median amount of \$37,793., there is concern for housing affordability for local residents of lone parent families, for individuals dependent upon income support assistance, for those that are unemployed, and for those persons with physical, social and emotional challenges.

The median after tax income in 2005 for one person households in Bishop's Falls was \$16,343., or approximately \$1,362. per month; the 30% housing cost threshold is \$408.60. This amount is

over 20% less than the average monthly rental cost of \$512. for a one bedroom residential dwelling unit; housing affordability is therefore a very real issue for specific segments of the local population.

It is noted that in 2009, a limited amount of 62 non-profit and 20 affordable housing units were available in the community. It is also acknowledged that there is an ongoing local waitlist for NL Housing residential units. The most recent 2010 rental vacancy rate for the area is 1.2%. To a large extent, the provincial and federal governments take responsibility for initiating financial incentive and other programs to encourage the development of new 'special needs' housing. Recently the community has been faced with the development of various two-unit residential duplexes under a provincial affordable housing strategy. There is a need however to ensure that such housing types are sited within appropriate locations within the community, that they are well designed and that the two unit dwellings are meeting the various objectives of the Town.

From a municipal perspective, the role is to recognize the need for affordable, seniors and other types of market and non-market housing, to converse with the local building industry and to develop a supportive policy and regulatory framework to encourage and manage site location, density, site design, and amenities considerations in the development of additional local housing choices and opportunities that may address the affordability issue.

2.12 UNDERSTANDING THE LAND BASE

The preceding discussion has attempted to address the question of 'who are we planning for'. By understanding the age distribution, income, employment and other economic and social indicators of local residents, and by evaluating future land use and community needs, the policy direction of the Municipal Plan has solid footing. As significant is to appreciate the dynamics of the local land base, and the factors that may influence short term planning considerations over the next ten year period, and over the longer term future.

Population Density

The following **Table 3** displays the population density of various NL communities of similar population size to Bishop's Falls.

Table 3 – 2011 Population Density of Various NL Communities

Town	Population	Population Change (2006-2011)	Total Residential Dwelling Units	Land Area (Km ²)	Population Density Per Km ²
Bishop's Falls	3341	-1.7	1435	28.12	118.8
Bonavista	3589	-4.6	1688	31.5	113.9
Botwood	3008	-1.4	1326	15.05	199.9
Harbour Grace	3131	+1.9	1430	33.71	92.9
Lewisporte	3483	+5.3	1487	36.91	94.4
Placentia	3643	-6.5	1737	58.05	62.8

Source: Statistics Canada 2011

Population density provides a measure of how compact the population of a community is in relation to the size of its land base. A higher population density number conveys that the residential patterns within the community are denser and are making more economically efficient use of infrastructure in comparison to a municipality with a more dispersed residential development area and a lower population density gradient. While the noted communities in **Table 3** have similar populations, their municipal boundary land area sizes differ; yet Bishop's Falls compares very favourably with other NL communities in its population density.

Land Development Pattern

Bishop's Falls has historically developed its land base adjacent to the primary industrial corridors of the community, the Exploits River and within the central and western nodes, along the two former railway line alignments. Additionally the Town's Main Street commences off Exit 22 from the Trans Canada Highway on the east and travels approximately 7.5km to the community's westerly access location to the TCH. The primary result of these transportation influences has been a linear pattern of growth that characterizes the community, and various resultant land use planning challenges.

From an objective land use planning perspective, the Town's overall sense of place could benefit by enhancing the physical connectivity between the various residential neighbourhoods that stretch from the Marshall's Drive on the east to new residential development at the western extremity of the Town on Morgan Street, and with various residential locations that have spread up the plateau hillsides. To create more cohesive residential land patterns, enhancements might include infilling of residential areas through densification and comprehensive subdivision plans, creating appropriate connective land use developments, recreation open spaces, trail networks and access routes, and re-energizing the downtown commercial core.

The Town has unfortunately diminished its public and open space access to the river foreshore through the historic and continued loss of land to the development of residential homes and a limited degree of industrial growth. The Town does maintain a prominent park location on the River, and has a unique train trestle walking bridge crossing over the Exploits. Other waterfront locations have been preserved for pedestrian access, and additional foreshore areas present community planning opportunities.

Land Use Planning Challenges

Understanding the land base of the community requires sensitivity to local constraints and to various land use planning challenges.

Bishop's Falls' setting next door to the Exploits River represents one community planning challenge through the inherent flood plain risks posed by the waterway. Distinct flood plain policy statements are addressed within the Municipal Plan.

The Town's investment of significant capital expenditure to develop a new wastewater treatment facility addresses the municipal planning challenge of sewer outfall restrictions into the Exploits River and positions the Town well, both in terms of environmental stewardship respecting the River, as well as future growth and development.

As population loss has unfolded over the past two decades, the Town also lost much of its retail, office and personal service commercial business inventory. As a result, there is no longer a clearly identifiable and vibrant downtown commercial core. To attract new and retain existing residents, provision of commercial and retail businesses is an essential building block for sustainable communities. Expansion of the industrial sector to provide for additional employment generating businesses and more local jobs represents another land use planning challenge.

The Town's central recreation area is underutilized and has been under potential consideration for conversion for alternative land development. A key component of successful communities is the local quality of life that it offers to existing and prospective new residents; parks, open spaces, pedestrian walking trails, rest and shade area benches, view point locations and recreation programming represent strategic elements to livability factors. In this sense, the central location of the Town's recreational lands represents a key community asset.

The abandonment of two rail lines through the central and western cores of community represents a further local land use planning opportunity and challenge. The opportunity resides in the strategic location of the former railway lands within the downtown and waterfront areas, and the extensive linkages that extend westerly. The community planning challenge will be over

the longer term to diversify the rail lines current predominant use by all-terrain vehicles (ATV) to allow for more extensive community use, and to capitalize on the future potential for adjacent land development opportunities

The Municipal Plan accentuates that the challenge of achieving continued residential development and population growth in the community, and subsequent enhanced viability for commercial growth, will not be solely realized by the circumstance of local land costs being comparatively more affordable than the adjacent larger municipality of Grand Falls-Windsor, but more significantly, by improving the visual environment of the Town, by accentuating and expanding public open spaces, by creating an enhanced sense of place and by pursuing a future character for Bishop's Falls that is more welcoming and inviting.

There is a further need and challenge for the Town to prepare a comprehensive property ownership and mapping inventory of all municipal owned lands, of Crown owned lands, of former Abitibi lands and private properties. Until the Town fully identifies who owns what land parcels, and what lands are available for land development, the opportunity for effective land use planning for the future will be constrained.

Despite these and other land use planning and community development challenges, Bishop's Falls possesses inherent strength and resilience, and the capability to pursue a more sustainable, stable and complete community setting. The Municipal Plan will assist to identify opportunity to influence and shape change, and to manage future land development in a more economic, environmental and socially responsive fashion.

3.0 SUMMARY OF BACKGROUND REPORT

3.1 OVERVIEW

The purpose of the Background Report to the Municipal Plan and Development Regulations update was to highlight initial land use planning and community development findings and observations, to briefly introduce the key strategic planning issues that appear to characterize the community, and to identify a proposed planning direction for the Town for the next ten year period.

The content of the Background Report was provided through four primary discussion areas, noted as follows.

Part A outlined findings to date, including an overview of the Municipal Plan and Development Regulations, observations from land use planning community site visits, and results of initial feedback from Council. Local residents provided early input into the update project through an online survey and the preliminary public open house information session. Comments from the Town’s consulting engineers on sanitary sewer and water servicing of the Town are also highlighted.

Part B discussed the proposed planning direction for the revised Municipal Plan and Development Regulations. Issues included an evaluation of the current planning area boundary for the municipality, the required content of the Municipal Plan document, a proposed vision statement and outlining draft guiding principles to help steer the planning process.

Part C identified proposed planning issues to be discussed within the Municipal Plan and related policy items. The format to be followed for the Development Regulations was also provided.

Part D concluded the Background Report by introducing the proposed Implementation Plan for achieving success with the revised planning documents and companion map schedules.

3.2 FINDINGS OF BACKGROUND REPORT

The majority of the content within the previous Municipal Plan for the Town of Bishop’s Falls is viewed as being over 20 years old. The local circumstances, needs and priorities of the municipality have changed over the past two decades, and a new and more relevant community planning approach is deemed to be required to manage both short range and longer term land use challenges and opportunities.

For example, recognizing the emerging local need for increased opportunities for seniors and for more diverse housing choices, new zoning approaches to provide for infill and higher density residential uses based upon distinct siting and design criterion is suggested. The issue of two unit residential uses within single family residential areas was recognized as a need to be addressed, as well as identifying which locations of the community should be targeted for future residential growth. The need to focus on commercial business expansion was emphasized; employment opportunities from industrial and business park expansion were also viewed as critical.

The preliminary site visits to the community confirmed the need for updated Municipal Plan policy attention and Development Regulations requirements to manage change associated with land uses of residential, commercial, industrial, parks, recreation and open spaces, and natural area environments of the community. Specific considerations for potential rural residential developments; for subdivision standards related to site grading, landscaping and infrastructure; and for addressing issues such as flood plain management, were also acknowledged.

3.3 PUBLIC CONSULTATION INPUT RECEIVED

Council discussions and various public comments provided further direction to the manner that the Municipal Plan and Development Regulations should be updated, as follows:

- The top four responses to the question of identifying what is liked best about living in Bishop's Falls were the community being a safe place, the natural environment and scenery, a high quality of life, and relatively affordable housing;
- Responses to the various important issues facing the community were reported as retention of families and youth, jobs and economic growth, increased local shopping opportunities, municipal taxes and services, retention and enhancement of local quality of life, and identifying a community vision for the longer term future;
- The three most important issues affecting residential development were identified as a lack of available serviced lands, maintenance of neighbourhood character and a lack of new residents relocating to the community;
- Visual improvements adjacent to Main Street were deemed important, as was the concept of pursuing connective pedestrian and bicycling connectivity from the central commercial core area to the Exploits River;
- Continued support for well regulated home based business growth was further identified as a key component for commercial growth;
- The three priority opportunities selected for Industrial growth were to engage local industrial employers to identify business retention, expansion and attraction strategies; to continue economic development dialogue with the adjacent communities of Grand

Falls-Windsor and Botwood; and to identify serviced land options for continued industrial expansion;

- Parks, recreation and open space comments focused on the need to maximize public access to the Exploits River and to engage local ATV and snowmobile owners to determine their appropriate use within Town boundaries;
- Determination of where parkland and open space deficiencies exist and assessing the long term viability of the recreational fields adjacent to the stadium were also deemed as important Parks and Recreation issues to address; and
- Significant environmental management issues were identified with preserving the integrity of the Exploits River, encouraging tree retention and tree replacement within new developments, encouraging community partnerships to help manage the environment and protecting the watershed.

In many ways, the early public comments to the Plan update process complemented those views expressed by Council, which included the need to identify new lands for future development, to focus on infill residential development and to pursue cost effective growth. The community's responses additionally identified the value of the natural environment, continued access to the Exploits River and the desire for additional walking trails; the need to maintain affordable housing, respect neighbourhood character and maintain a high local quality of life; and to encourage additional commercial growth and community and cultural amenities for families and youth.

The value of local residents, business persons, community organization and Council's initial comments is to legitimize the various land use desires, opportunities and challenges for Bishop's Falls, and to be cognizant from a land use planning perspective of those local attributes that are deemed to be unique and important to the identity and character of the community.

3.4 ENGINEERING AND INFRASTRUCTURE

Land use planning needs are required to be married to the servicing capacities and capabilities of the Town's water, sanitary sewer, storm water management and road network systems.

During the preparation of this Town Plan Review, the most urgent capital need identified for the Town's infrastructure was the construction of the new sewer wastewater treatment facility to replace the seven sewer outfalls discharging effluent to the Exploits River. The treatment facility, based upon a wetland vegetation filtration system, is located in the northeast sector of the community near Exit 22 on an approximate seven acre site in the Botwood Highway and Sunset Drive locale, and is now nearing completion at an estimated cost of \$14 million.

3.5 FLOOD PLAIN, ENVIRONMENTAL AND VISUAL MANAGEMENT

New and existing land and building development within Bishop's Falls will additionally need to be cognizant of flood risks from the Exploits River. New land development proposals in the community will further need to be sensitive to local watercourses, sloping hillside areas and topography, drainage and erosion issues, maintenance of prominent views, preservation of agricultural lands, enhanced public use opportunities of former railway line corridors and design management of new growth.

3.6 PROPOSED PLANNING DIRECTION

Land use management and regulatory attention within the revised Municipal Plan and Development Regulations is to apply to all those lands located within the Town's Planning Area. As identified, Town Council has expressed a desire to exercise land use management control over development of land and buildings on the south side of the Exploits River. Town Council will be required to pass a resolution and make application to the Minister to extend the Planning Area boundary to include these lands. Policy attention will additionally apply to the Town's Protected Water Supply Area of Northern Arm.

Council has additionally expressed a desire to expand its municipal boundary to adjoin the town boundary of Grand Falls-Windsor in the Grenfell Heights area.

Recognizing these various boundary areas and other land management needs, the intent for the revised Municipal Plan for Bishop's Falls is to follow the required content direction identified by the Urban and Rural Planning Act, and to complement this information with policy statements that help to further strengthen the short and longer term environmental, economic, social and residential character of the community.

4.0 LAND USE PLANNING DEFINITIONS

To assist in the interpretation of the various land use planning terms used within the Municipal Plan, this Section provides for land use planning definitions. The following bolded words indicate specific planning phrases and terminology that are further explained in their meaning and intent, and such interpretations are to apply through the Plan document.

Accessory Use means a land use that is allowed as a secondary and incidental activity or building to a primary permitted land use within a zone category, as identified within the Development Regulations.

Act means the Urban and Rural Planning Act (2000) of Newfoundland Labrador (NL), and all amendments related thereto.

Applicant means a person who has applied to the Town through submission of a proposal in the application form as required by the Town for an approval or for a permit to carry out a land or building development.

Arterial Street means a street or roadway that serves and functions as a main traffic artery or vehicular route within the Town.

Authority refers to Town Council and other authorized administrators such as the Province of NL, or a regional administrative entity.

Bare Land Strata refers to the subdivision of land into lots and common property in accordance with the NL Condominium Act, where the bare land lots may be sold as individual lots, and where common property on the subdivision site such as internal roads, infrastructure services, parkland, recreation and amenity facilities are deemed as common assets to all of the bare land strata owners, and must be maintained by the lot owners.

Berm means a mound of earth usually up to three metres in height, and landscaped with shrubbery and other plantings, that is used to screen, shield and buffer a development site to adjacent properties and from public viewscape from an adjacent street.

Board of Appeal for Bishop's Falls is legislated under the *Urban and Rural Planning Act, 2000* to hear appeals from decisions of Council, with members of the Board to be appointed by the Minister of Municipal Affairs.

Body of Water or water bodies includes a natural aquatic resource that is in the form of a river, stream, brook, creek, watercourse, lake, pond, spring, lagoon, ravine, gully, wetland, and other flowing or standing water, and the adjacent land usually or at any time occupied by that body of water.

Building Consideration to erect a building or structure for land located within the Municipal Boundary area will be reviewed by the Town upon a development permit application by a property owner (and/ or authorized applicant representing the property owner) to the Town. A site plan in an acceptable format is to be submitted by the property owner to the Town to identify where the building or structure will be situated on the subject property. However since the Town does not employ a building inspector, it shall be a requirement that the building applicant verifies and certifies in an acceptable format to the Town that conformance to all applicable building code and other related electrical, plumbing, heating, et al regulations will be the responsibility of the property owner. The Town may further require that a building applicant engage an engineer at their own cost to certify to the Town that all relevant building code and other building construction requirements and standards have been adhered to. The building applicant is additionally responsible to ensure that the proposed building or structure meets the zoning and development standards requirements of the Development Regulations, and that all other building permit issues and where applicable, subdivision provisions required by the Town, are addressed by the applicant and approved by the Town. Construction of a building or structure shall not be commenced without such approval from the Town.

Buffer Zone is a portion of land that is located adjacent to a body of water, or from the top of a bank or slope, or from some other geotechnical and/or environmental feature, or between adjacent properties of different land uses, and that is to be protected in its natural state and separated from proposed adjacent land and building development.

Building means every constructed structure used or intended for supporting or sheltering any residential, commercial, industrial, comprehensive development, public use and other like uses or occupancies, and also means every erection, alteration or improvement whatsoever placed on, over or under land, or water, or attached to an existing building, and any part of a building as so defined, including any fixtures that form part of a building, and includes a mobile home.

Capital Plan represents a financial plan of the Town wherein forecasted required capital expenditures for the Town's infrastructure of municipal buildings, equipment, facilities and vehicles, and services of water, sanitary sewer, storm water, lift stations, pumps, sidewalks, roads, refuse and similar services, and utilities where applicable, are identified each year, and for subsequent years, for Town Council's consideration.

Climate Change refers to the general trend of the warming of the earth as a result of increased levels of greenhouse gases in the earth's atmosphere, and the resulting increased occurrence of more frequent and intense storm and weather events, including forest fire interface risks.

Collector Street means a street that is designed to accommodate the flow of vehicular traffic from, and to link local streets with, the primary roadway routes of the community, arterial streets.

Commercial uses generally include retail, office, personal service, food and restaurant, tourism accommodation and similar uses that provide goods and services to local residents and the traveling public.

Compact Growth land development refers to connective growth patterns of developed land that are located within existing serviced areas of the community, and where services such as roads, water and sanitary sewer are proposed to be extended to accommodate new development, such growth is encouraged to be located contiguous to existing developed areas.

Complete Community refers to a land use planning approach that continually seeks to provide for enhanced opportunity for existing and new residents to have various and affordable housing choices, to gain employment, to shop, to pursue education, to volunteer and partake in cultural and community organizations and events, and to participate in recreation and open space activities, without having to leave the community.

Comprehensive Development Area means those large development site areas within the community that are intended to be preserved and retained for future land development in the manner of an urban reserve.

Conservation means a use where land is held, preserved, protected and/or reserved for environmental preservation, for an existing or future highway, for future potential land development, and other land uses benefiting the community.

Council means the elected members serving on the Town Council of Bishop's Falls.

Dedication refers to the conveyance of land by a property owner to the Town, or other government body; as public open space, utility services, infrastructure or other purpose, as part of a land development application review and approval consideration.

Density means a measurement of the intensity of use or development on a lot expressed typically by the number of residential units per acre of land that are permitted, or by the allowable building site coverage on a lot.

Designated land uses apply to the various designated Municipal Plan map areas of the Town of Bishop's Falls for conservation, residential, commercial, industrial, community and public uses, rural, comprehensive development area and other land uses. The boundaries between the various land uses designated on the Municipal Plan are meant to be general, except in the case of roads, ponds, streams or other prominent features, where the designations are intended to identify the precise location boundaries of each designated land use category.

Developable Area means the area of a lot or property that may be built upon and developed, and does not include any pond, lake, stream, wetland, bog, marsh or other environmentally sensitive lands, and does not include the area of the property that is characterized by geotechnical limitations, unless certified by an engineer, and unstable soils, and does not include those portions of the property specifically excluded from land development in accordance with the provisions of the Provincial Policy for Flood Plain Management.

Development means the carrying out of any activity or operation in the process of making of any material change on, over, or under any land or building within the Town's Planning Area boundary, or in making any material change in the use, or the intensity of use, of any land, water, building or premise for any purpose, and as otherwise determined by Town Council, and shall include the following:

- The carrying out of any building, engineering, construction, mining, forestry or other operations in, on, over or under land;
- Disturbance of soils, including the making of grade and elevation changes on land, the making of drainage alterations on land and/or erosion impacts to adjacent lands, or the deposition or removal of soils from any property or land, and/or the removal, alteration, disruption or destruction of vegetation;
- Construction, erection, alteration, expansion or addition of buildings and structures;
- Construction of roads, road access, trails, docks, wharves and bridges;
- Provision and maintenance of sewer, water and drainage services, utility corridors, dams and flood protection works; and,
- Erection of an advertisement or sign.

Development Design Guidelines refer to discretionary provisions of the Development Regulations where direction is provided for the form and character of building and site design through general guidelines for higher density residential uses beyond one unit residential, and

for commercial, industrial and specific public use developments, as determined as applicable by Council.

Development Regulations is the companion and legal implementation document to the Municipal Plan that provides for regulations for the use, density and development standards for land and buildings and other forms of development, through a land use planning approach of dividing the community into various land use zone categories.

Development Scheme is a specific land use plan for a localized area of the community, often referred to as a Neighbourhood Plan, where the Plan is prepared on the basis of defined site and land use requirements.

Discretionary Use is a use considered by Council on a discretionary basis to determine whether such use is appropriate for a particular property, site, land use zone and neighbourhood area. Application for a discretion use is to be advertised to the public in accordance with the provisions of the Urban and Rural Planning Act.

Dwelling Unit means a self-contained residential dwelling unit located within a residential building that provides for one or more habitable rooms, and providing for only one cooking facility or kitchen.

Electric Power Generation Facility means a facility for the generation of electricity from water, biomass and wind, or by the burning of fossil fuels.

Environmentally Sensitive Area means that portion of a lot that is precluded from development because of its ecologically sensitive features of a water body, endangered species or protected flora, or other natural systems, as determined by a professional biologist, or qualified environment representatives of the Province of NL or the federal Department of Fisheries and Oceans.

Flood Control Area refers to the Province of NL Department of Environment and Conservation - Water Resources Division designated area of land within a community that is subjected to periodic flooding and is further subject to provincial control with respect to use development of land.

Flood Plain means a body of water or seashore that is inundated or covered with water on average at least once in 100 years.

Floodway is the portion of a flood plain where the most frequent flooding occurs at least once every 20 years, and where the flow of water is fastest.

Floodway Fringe is the portion of a flood plain where less frequent flooding occurs, and where the flow of water is considered to be tranquil; on average, flooding occurs once every 100 years.

(Other) Flood Risk Area represents an area where flooding is known or has some probability to occur due to unique or unusual circumstances such as areas subject to shoreline recession, areas downstream of dams, and areas adjacent to rivers and other watercourses that are potentially prone to ice jams.

Forestry refers to the commercial activity or operation of cutting, removal, and/or processing of trees and timber resources on land within the Town's Planning Area, and includes the replanting of removed trees and forest cover.

Hazard Lands refer to property at risk to land development and/or habitation because of the property characteristics of geotechnical or soil stability concerns, or of flood risks, and are not to be approved for development without approval from the province, as applicable, or as determined as required by the Town to be certified by a professional geotechnical or hydrological engineer.

High Water Mark refers to that location adjacent to a water body where water typically rises to, or has the potential to extend to, and is typically revealed by water staining and vegetation types.

Historic Building means a building designated by Council as being of historical importance, or of cultural or heritage value.

Hobby Greenhouse means an accessory building or structure to a residential use, made mainly of glass or plastic, for household legal cultivation of plants, including for food production, where the greenhouse structure does not exceed 25.0sm (269.1sf) in area size for properties less than 0.8ha (1.97acres) located in the Rural and non-serviced areas of the community, and does not exceed 14.0sm (150.7sf) for residential properties within the serviced urban area; excludes cultivation of mushrooms.

Home Based Business means a discretionary business use to an approved residential dwelling where a resident conducts a profession or occupation that is clearly secondary to the primary residential use of the property and is in accordance with the provisions defined by the Town's

2005 Home Based Business Regulations, and as amended by Town Council from time-to-time; excludes uses such as adult entertainment, tow truck operations and similar and other uses that are not in character with the residential use of the neighbourhood. An application to establish a Home Based Business must be submitted to the Town for consideration and approval.

Industrial uses generally pertain to employment generating business uses including manufacturing and production operations and their related office uses, trucking and distribution sites, warehouse and wholesaling buildings, assembling, high technology, and similar light and heavier industrial uses.

Infill Lot means a lot or property that exists, or is created by further subdivision, as a form of economically efficient residential development within an existing built-up and developed area of a neighbourhood.

Intensive Residential/ Infill Residential refers to a wise and efficient use of the vacant land supply, and re-development sites, within the Town's existing serviced residential area through development of smaller residential lot sizes, and more compact and highly designed forms of housing.

Land includes land covered and not covered by water, and buildings and structures on, over, or under the soil, and fixtures that form part of these buildings and structures.

Landscaped Area means a portion of a development site which is to be reserved and used to enhance the visual appearance of the property, and the community, through the planting and required ongoing maintenance of a combination of lawn, shrubs, flowering plants, trees, vegetative ground cover, and other preferably native species horticultural treatments, and other architectural elements.

Landscape Screen means a visual barrier or buffer area on a development site that is planted with trees, shrubs or other landscape vegetation, and which may be combined with a raised landscape mound, a decorative fence or a brick, stone or masonry wall, so as to minimize the view of the use of the property from public view, or to separate a parking area from an adjacent property, or as to screen a hydro junction box or refuse container area, or to obscure vehicle lights from the development site into an adjacent building or property.

Local Street means a street that is part of the municipal road network that is intended to serve local residential and other land use areas, and connect to the more major municipal collector and arterial streets.

Lot means any legal plot, tract or parcel of land that may be considered as a unit of land for the potential development of a particular use of land or building.

Lot Area means the total horizontal area of land within the lot lines of the lot, and often referred to as the size of the lot.

Lot Coverage means the proportion of a lot that is occupied, or may be occupied, by a building use, expressed as a percentage of the total lot area, and determined as the combined area of all buildings on the lot measured at the level of the lowest floor above the established grade.

Lot Grading refers to development activity of altering the surface of the land through the excavation of the cutting and filling of native soil on property; for any development activity on land, the Town may require a property owner or a land development applicant to provide information on the proposed lot grading, including the extent of excavation proposed for the development site; the initial property grades and the elevation contours of the proposed post-construction grades of the property; how the grade changes to the property will interface with adjacent lands; any changed drainage patterns from the site development; and any and all proposed remedial lot grading and drainage strategies.

Lot Line means a line forming a boundary of a property or parcel of land, and may be a front, rear, and exterior or interior side lot line.

Minimum Lot Size means the smallest area into which a parcel of land may be subdivided, or the smallest lot size that is allowable by the Town's planning requirements to pursue a specific density or type of land use.

Municipality refers to the Town of Bishop's Falls.

Municipal Boundary, or Town Boundary, refers to all land located within the boundary area of the municipality.

Municipal Plan means the land use planning policy document of Town Council as prepared in accordance with the *NL Urban and Rural Planning Act, 2000*.

Natural Boundary means the visible high water mark of any pond, lake, river, stream, wetland, marsh, or other body of water where the presence and action of the water are so common and usual, and so long continued in all ordinary years as to mark upon the soil of the bed of the

pond, lake, river, stream, marsh, wetland or other body of water, a character distinct from that of its banks, in respect of vegetation, as well as in respect to the nature of the soil itself.

Natural Grade means the normally existing topography, or the topography established as a component of subdivision servicing and site development on the property prior to any construction.

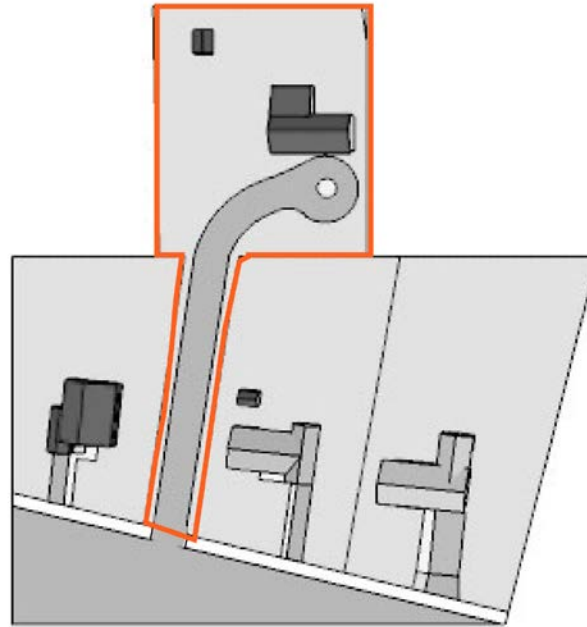
Newfoundland and Labrador is also referred to as NL.

Non-Conforming Use refers to a land use which is not permitted by the Development Regulations but where such use existed prior to the date of the Development Regulations coming into effect, it retains legal right of use in accordance with specified conditions of the *NL Urban and Rural Planning Act, 2000* and the Minister's Regulations.

Open Space means an environmentally sensitive area, an outdoor area of scenic or natural features, a landscaped buffer area or a reserved passive area on a portion of a lot that does not include those areas of site development required for a setback, parking, storage, or circulation, or preserved lands that incorporate pedestrian walking and other alternative mobility routings on the edges of the natural open space lands.

Back Lot, or flag lot, as illustrated by the following sketch, means a lot created through subdivision where safe private property driveway access from a street to the building area is gained by way of a narrow width elongated strip of land forming part of the lot, and where such back lot access dimensions and driveway construction standards are in accordance with requirements of the Town.

Illustrative Sketch of Back Lot



Park and parkland refers to a land area preserved for the ongoing active and passive recreational needs of residents of a community.

Permitted Use is a land use that is permitted in a land use zone, provided that the proposed development meets all other requirements of the Development Regulations. Applications for permitted uses do not need to be advertised to the public.

Planning Area means the land area of a municipality wherein the Town has the responsibility to plan for and to manage the use and density of land use activities. The Planning Area for Bishop's Falls includes land located within the Town Boundary area and additional adjacent lands.

Prohibited Use means a land use that is not allowed or permitted within a particular land use zone.

Recreation and Open Space refers to land reserved and preserved for outdoor activities such as pedestrian walking trails, parks, a municipal campground, athletic playing fields, scenic vistas, identified bicycling and skateboarding routes, and other similar recreational facilities and amenities.

Registration refers to the official date of the effect of the Municipal Plan.

Residential, Single Unit means a residential use of one dwelling unit on one lot in the form of a typical detached wood frame residential house or modular home, of various building sizes, and used exclusively by one household for residential purpose, and on residential lots of varying parcel size densities as identified by the Town of Bishop's Falls Development Regulations.

Residential, Two Units means a residential use of two attached dwelling units on a lot, each with separate entrances, and often referred to as duplex residential units, but not including a single unit residential use with a subsidiary basement apartment; such uses are to provide for design façade treatments, as approved by the Town, to the exterior of the building.

Residential Use, Rowhouse means an inferior designed and older form of building construction for attached multi-unit residential dwellings where individual unit identity is lacking.

Residential Use, Townhouse means a highly designed building and landscaped residential use located within the urban serviced area and consisting of three or more dwelling units on a lot or site that may be either attached or detached residential dwelling units, and if attached, there shall be a maximum of six attached dwelling units; each dwelling unit with a Townhouse Residential Use shall have some degree of individual unit identity, a private entrance and direct ground level access to the outside and to private open space other than a balcony or sundeck.

Road at the municipal level refers to a dedicated street allowance, constructed to a municipal standard, including drainage, street lighting, and potential sidewalks, to provide for the transportation movement of licensed, registered and authorized motor vehicles, bicycles, pedestrian and other non-motorized modes of mobility, excluding motorized scooters and devices for seniors and the disabled; and where the road network consists of the local residential streets located in subdivisions, larger collector roads that move traffic from residential streets, and arterial roads that serve as the primary traffic arteries of the municipal road network.

Rural means those detached large property area sized geographical areas within the Planning Area that are not serviced with municipal services of water and sanitary sewer.

Rural Residential refers to a new residential land use zone class for the Town wherein acreage residential parcels are to be permitted through subdivision, development approval and other considerations by the Town, and through approval of Services NL for septic approval and domestic water, and where residential homes to be built are intended to conform to general design guidelines as established by the Municipality.

Senior's Housing refers to various types of residential dwellings and housing forms and care facility buildings to meet the emerging needs of residents of the community who are growing older.

Setback refers to the required separation distance area for a land development site and for related site buildings adjacent to various water bodies, to environmentally sensitive and flood plain areas, to top of bank locations and to property lot lines.

Septic Effluent Disposal System refers the on-site development of a provincially approved Services NL system of a septic effluent receiving tank, piped distribution system and an effluent disposal in-ground field within a property so as to allow residential and other land use human habitation of building developments.

Sewer Specified Area refers to that geographical area of the Town where municipal sanitary sewer is available or may be extended, as defined by Town Council.

Site Plan means a mapping and site development information submission, drawn to scale, that may be required to be provided to the Town for their review and consideration of specific land development and building proposals as outlined by Policy 6.3.2. Where so required, the Site Plan shall clearly identify the developable area of a site, and illustrate the proposed development for a property, including where applicable, the physical design and dimensions of proposed and existing buildings and structures, existing topography and proposed elevations, environmental sensitive areas, hazard lands, flood plain locations, treed locations and trees to be preserved, lot grading, existing municipal services, proposed drainage, interface with adjacent properties and including proposed building setbacks, any rights-of-way and easements, proposed landscaping, fencing and screening improvements, vehicular and pedestrian access, other site improvements, and the interrelationship of these elements, and other site development information as may be required from an applicant by the Town.

For all Development Permits, including proposals to construct a dwelling or an accessory building, the Town shall continue to require that the applicant submit in a minimum, a plot plan that identifies the proposed dimensions of the structure and its relationship to property lines, and any encumbrances on the property such as easements. Additional information submission requirements beyond the plot plan may apply as determined by the Town.

Street means a roadway, highway or other road allowance 10.0 metres (32.81 feet) or more in width, and which is intended to provide primary access to parcels of land, but excludes trails, bridges and lanes.

Subdivision means the dividing or consolidation of land, whether in single or joint ownership, into two or more parcels of land for the purpose of development, and in accordance with the permitted minimum lot area sizes of the applicable zone where the land is located.

Subsidiary Residential Apartment means an accessory use for a secondary residential dwelling unit that is contained entirely within an owner occupied single family residential dwelling unit, has its own external access to the outside and is separated from the principal dwelling by an approved Canadian Building Code firewall separation; the size of the subsidiary residential apartment shall not exceed 40% of the habitable floor space of the principal dwelling unit, and shall have a maximum floor space of 90.0sm (968.7sf).

Sustainable Development is a land use planning approach that undertakes a comprehensive approach to the management and use of land, including the identification and preservation of the non-developable areas of a site, before determining the potential use of and density of other remaining portions of the property for development, and where such development contributes both positive short term and longer range environmental, economic, social and cultural benefits to a community.

Town means the Town of Bishop's Falls, including both Town Council and Town staff, where so designated.

Urban means that development area of the community that is located to the south of the Trans Canada Highway, and as generally representing the sanitary sewer and water serviced part of the Town that provides for an urban density form of land and building development for residential, commercial, industrial, and other land uses.

Viewscape means an area that can be seen from a specific vantage point location where the view may be deemed as scenic to the natural or built environment and is intended to be protected.

Water Protection Area means those designated land areas of the Town that are protected from land development to preserve the integrity of the community's water supply area.

Water Specified Area means that geographical area of Town, located to the south of the Trans Canada Highway, where piped municipal water service is available or where it may be extended.

Wetland means land that is inundated or saturated by surface or groundwater at a frequency and duration sufficient to support, and under normal conditions that supports, vegetation typically adapted for life in saturated soil conditions, and includes swamps, marshes, bogs, and estuaries; wetlands are environmental sensitive areas and are typically not developable except as approved by the environmental representatives of the Province of NL.

Zone means a defined area, including land and water, to which a uniform set of development regulations pertaining to permitted land uses, density of use, conditions of use, and site development standards apply.

5.0 COMMUNITY VISION STATEMENT AND PLANNING OBJECTIVES

The purpose of a Community Vision Statement is to express the local values and future aspirations of how a community views itself in the future. The Vision thereby identifies the guiding principle for how the overall community planning objectives and land use policies of the Municipal Plan are to be developed.

5.1 COMMUNITY VISION STATEMENT

The Town of Bishop's Falls Community Vision Statement is expressed as follows:

Bishop's Falls supports a future that is respectful of its heritage, of the natural environment, and of local quality of life values, and commits to a direction for community growth that is based upon economic efficient use of its land base, of being responsive to local needs, of embracing sustainable land use planning and innovation, of maximizing economic and recreational opportunities of the Exploits River, and of adhering to a desire to become a more stable and complete community.

5.2 LAND USE PLANNING OBJECTIVES

As required by the Urban and Rural Planning Act, the Bishop's Falls Municipal Plan is to contain land use planning objectives that will help to guide management of growth and development within the community and within its Planning Area Boundary over the next ten-year period.

The following land use planning objectives are identified:

- To establish effective land use policies and development standards to enable the Town to proactively encourage and manage land and building development;
- To make applications to the Province to expand the Town's Municipal Boundary in the Grenfell Heights extension area and to expand the Planning Area Boundary to include the south side of the Exploits River;
- To attain ownership of Resolute (former Abitibi) lands located within the Town's boundary area;
- To pursue ownership of vacant Crown lands located within the Town's boundary area;
- To preserve and protect environmentally sensitive and natural areas, flood risk locations, archaeological significant sites, valued local views, agricultural lands and other important local features;
- To pursue economically efficient and wise use of the developable land supply;

- To promote infill land development in areas of existing municipal services;
- To enable new zone categories to encourage new housing as affordable;
- To respond to the emerging local housing needs for seniors;
- To identify and designate new land areas to accommodate future growth;
- To outline opportunities for quality rural residential subdivision development;
- To place planning emphasis on re-establishment of downtown commercial core;
- To encourage more intense use and expansion industrial lands;
- To provide for enhanced land development requirements and building design guidelines for higher density and other uses of land;
- To maximize public access, recreational and economic opportunities of the Exploits River;
- To explore improved public open space use options for the abandoned railway corridors within the community;
- To create a safe and connective pedestrian circulation system; and,
- To achieve an enhanced sense of place for the community.

The land use policies of the Municipal Plan will give attention to the 18 noted Plan objectives to help realize the outlined local land use planning and community development desires.

5.3 OTHER LAND USE PLANNING INFLUENCES

The Town of Bishop's Falls, through the new Municipal Plan and its companion Development Regulations, intends to play a more active role in helping to shape and manage future growth and development within the community.

The Town's proximity to the adjacent larger community of Grand Falls-Windsor will have additional significant influence. Given Grand Falls-Windsor's role as a major regional commercial and employment centre; its hospital and the forecasted aging of NL's population, population growth in Grand Falls – Windsor is expected to continue. As Grand Falls-Windsor continues to grow and prosper, it will be important for Bishop's Falls to capture secondary benefits of this growth by offering the regional market affordable housing choices, creating improved open space and recreation opportunities and working towards an enhanced local quality of life to serve as attractions for new residents, and to provide benefit to existing residents.

Over time, there is a parallel need for Bishop's Falls to 'think bigger' to solidify, stabilize and expand its community character, and to continually create catalysts to attract and appeal to potential new residents and businesses. A longer term goal to enhance the Town's abandoned railway lines into a public open space amenity of pedestrian walking trails and bicycling

opportunities and working towards complimentary residential and commercial development adjacent to these green space corridors, represents an indicative ‘think big’ planning project for the community. Improved public access to the Exploits waterfront from a strengthened downtown commercial core area near Station Road, and development of additional public amenity open spaces will similarly provide the Town with opportunity to distinguish itself as unique and as a high quality community to live and do business.

The community’s planning challenge is to embrace this avenue and begin to implement the various planning objectives that will achieve the long-range community vision.

6.0 GENERAL POLICIES

6.1 GENERAL APPLICATION

The Municipal Plan includes various policies for distinct land use designated areas of the community and as identified by the **Map 1 - Future Land Use**. Together with the outlined planning objectives of Section 5.0, the policy statements and attached maps form the Town of Bishop's Falls Municipal Plan (2015-2025).

Within this Section 6.0 of the Plan, policies that are more generic in their intent are provided to establish a planning framework and foundation that is to generally apply to all land uses and land and building development throughout the Planning Area. The various policy issues that are outlined are described as follows:

Growth Management policies identify that the Town intends to pursue growth and development within the community over the ten years in a manner that focuses on maximum utility of the existing serviced land supply, and where development proposes to extend infrastructure services or is proposed to occur in non-serviced locales of the municipality, such growth patterns are meant to unfold in a contiguous and compact fashion.

Development Application Review policies reflect the Town's approach to place a new emphasis on land and building applicants to provide Council with comprehensive information detail to allow the Town to more fully assess and evaluate development proposals. In applications where further review questions exist, and where reasonable, the applicant may be required to engage external expertise to authenticate specific aspects of a proposal, or in other instances to make alterations to a proposal submission.

Land Use Planning and Neighbourhood Character policies identify the need for new development to represent the 'right fit' for existing neighbourhood locations, and for proposals to achieve an elevated level of site and building design, and to be sensitive to adjacent land uses.

Infill Residential policies outline the Town's commitment to pursuing various types of residential development to address the local need for senior's and more affordable housing and to continue to provide opportunity to adequately respond to market demand.

Sense of Place policies discuss a priority need of the Town to work towards an improved community character through increased attention to existing conditions of promoting enhanced

public access to the Exploits River waterfront and to identify a pathway to minimize the dominating use of all-terrain vehicles within the core area of the community, and for new land and building developments to incorporate a higher level of design elements into site and building considerations.

Subdivision of Land policies provide a framework to manage the development process of an application to divide, or to consolidate, land into two or more parcels in manner that provides maximum benefit to the Town.

Subdivision Development Agreements and Guarantees policies convey the potential need for a developer of a subdivision to enter into an agreement with the Town to assure the municipality of adherence to engineering standards and financial guarantees for infrastructure and other works.

Provision of Parkland and Open Space policies outline criteria for the Town to maintain its parkland provision of 5% of the land area for subdivisions of three or more proposed lots, or for a cash-in-lieu equivalent. The need for parkland space and parkland improvements within the Town necessitates continued open space benefit from subdivision developments.

Protection of Wetlands and Bodies of Water policies establish minimum development setback requirements and the need to receive approval from the Department of Environment and Conservation, Water Resources Management Division for protection of public water supplies, prescribed buffers, and specific activities related to waterway, water bodies and wetlands.

Soils and Drainage policies outline the requirement for determining that soils are suitable for land development and the further need for on-site storm water management approaches.

Gravel Material Extraction and Removal policies identify preferred locations for gravel sites and the need to develop site reclamation plan upon cessation of the activity.

Development Adjacent to Highways policies specify the setback and other requirements for development adjacent to the Trans Canada Highway and the Botwood Highway Route 350. The Botwood Highway is a Class II Protected Road, as per the Protected Road Zoning Regulation, Schedule B.

Municipal Services and Public Utilities policies convey that local services and utilities are an essential infrastructure need of the community, and are able to locate in all designated areas of the municipality.

Water and Sewer Services policies require that all new development and redevelopment within the serviced area of the community be connected to municipal services of water and sewer.

Telecommunications, Solar and Wind Power policies outline the standards to be followed in pursuing such uses.

Development Standards, Services and Building Codes policies address the need for new development to continue to adhere to various building codes, and where development occurs without such authorization, the Town may consider withholding issuance of a building permit.

Access to a Public Street policies detail the need for all developments to have direct frontage on a public dedicated street, and include opportunity to develop back-lot land areas through provision of standards related to panhandle driveways.

Parking, Loading and Storage Facilities policies outline standards for developments to provide for parking, and storage where applicable, as well as a new approach of achieving optimum utility of the land base through minimization of storage as a primary use and activity on a property.

Landscaping and Building Setbacks identify the Development Regulations requirements for building setbacks to property lines on development sites, and the opportunity to have setback flexibility for specific new housing forms so as to achieve a higher quality of streetscape appearance.

Accessory Land Uses, Buildings and Home Based Businesses policies refer to site coverage criterion to manage accessory buildings and structures on a property, and identify the intended secondary nature of home based businesses within residential areas.

Signs and Advertisements policies identify that the Development Regulations will provide detail on the permitted size and types of signs, location, appearance and other requirements.

Non-Conforming Uses of Land policies outline the approach to be followed by the Town in addressing existing uses, buildings and developments that are not in conformance with the current requirements of the development standards and permitted uses of the Development Regulations.

6.2 GROWTH MANAGEMENT

Policies

- 6.2.1 The Town of Bishop's Falls supports building and land development within the community in accordance with the land use designations of **Map 1 - Future Land Use** that contributes to maximum utilization of existing municipal services, that maximizes the use of the urban land supply, that addresses local needs such as for seniors housing and that provides for compact and orderly growth patterns.
- 6.2.2 Where municipal services of roads, water and sanitary sewer are required to be extended to support new development, such growth is encouraged to be located in a contiguous fashion adjacent to existing developed areas of the community.
- 6.2.3 Development proposals for land development within the non-serviced areas of the community shall receive approval from Services NL for an onsite septic effluent disposal system and domestic water. Where deemed necessary by Council, specific subdivision developments may be required to provide for a sample domestic water source of a minimum supply and quantity, and that adheres to the Canadian Drinking Water - water quality standards.
- 6.2.4 All land and building development proposals for property located within the Planning Area shall comply with the standards and requirements of the Town of Bishop's Falls Development Regulations (2015-2025).
- 6.2.5 All applications and proposals for building developments, infrastructure servicing and subdivision developments that entail conformance to provincial and federal regulations, or require external certification to verify conformance to such regulations, or where engineering certification or other professional expertise is deemed required by the Town to adequately consider such applications and proposals, shall be the responsibility of the applicant and/or property owner to provide such information to the Town.
- 6.2.6 To provide for more informed and comprehensive land use planning, and to assist in various economic development efforts, the Town shall consider the preparation and inventory mapping of all privately owned, municipally owned and Crown lands within the Planning Area.

6.3 DEVELOPMENT APPLICATION REVIEW

- 6.3.1 The Town of Bishop's Falls intends to apply a more proactive approach to land and building application review by placing responsibility on land development proponents to provide for more comprehensive site planning, site and building design, landscaping and parking areas, lot grading and drainage, site construction, infrastructure servicing and other related information, including verification by a building applicant that all required building code provisions have been adhered to, and as deemed necessary by the Town to adequately review and consider each application for a Development Permit to rezone, subdivide or to otherwise develop a property or site.
- 6.3.2 Council shall determine the extent of Site Plan information, as defined by Section 4.0, that shall be required to be submitted to the Town by a land or building Development Permit applicant, on the basis of the proposed number of subdivided lots to be created, the density to be pursued, the square footage area or number of buildings to be constructed, the intended land use and the proposed development location within the community. All subdivision proposals for three or more lots; all two unit residential (duplex) development proposals for more than one building; all higher density residential projects for apartments, condominiums, townhouses and row-houses; and all commercial, industrial and business park development proposals for building developments/ additions of more than 929 square metres (i.e. 929 sm) [10,000 square feet (i.e. 10,000 sf)]; shall generally provide for a greater level of Site Plan development detail in support of the proposal.
- 6.3.3 A Development Permit applicant may be required by the Town to make adjustments to a development proposal to adhere to the policy intent of the Municipal Plan and the development control standards of the Development Regulations, as well as to comply with the specific application review comments and considerations of Council.
- 6.3.4 Where specific site conditions with a development proposal or construction detail of a building development cannot be adequately evaluated by the Town on the basis of the information submitted by the applicant, such as those related to code requirements, water and sewer servicing, road building, housing development, proposed land development or house building on sloping lands or other areas of geotechnical concern, on properties where site drainage is to be altered, where substantial cut and fill is proposed, where significant vehicle traffic may be generated, on properties with an existing body of water, on flood risk lands, or where other site conditions or development requirements are deemed to be of concern by the Town, Council may require that an applicant provide a certified information report from a suitably qualified

- and registered engineer, biologist, or similar professional, that is based upon a Terms of Reference prepared by the Town. Council may require that the applicant address the issues of concern in the development application based on the provided recommendations and alternatives.
- 6.3.5 All Development Permit applications shall be in the form of the application as prescribed by the Town Clerk, and as occasionally amended by Council.
- 6.3.6 Council may authorize a Conditional Development Permit, effective for a period of up to two years, for specific phased development projects and other development proposals.
- 6.3.7 As determined by Council, development proposals for rezoning of land and for increased residential development of five or more lots or dwelling units may be required to notify area residents and hold a public information meeting of their planned development at their own expense, and as part of the initial municipal review process.
- 6.3.8 Council shall further consider the merit of requiring significant new land development proposal applicants to provide for the installation of a site development information sign, in an approved format endorsed by the Town, on the most prominent side of the property facing a public street, within a two week period of submission of a Development Permit application, to inform adjacent and local area residents of the proposed development application and intended site development.

6.4 LAND USE PLANNING AND NEIGHBOURHOOD CHARACTER

- 6.4.1 Land and building development through subdivision and house building, and through re-development, in new designated areas and existing built-up locations shall provide for a high standard of visual quality.
- 6.4.2 Council shall determine the level of design attention required for new housing developments with a density greater than a single detached home, through discretionary consideration of application of the general design guidelines of the Development Regulations.
- 6.4.3 No proposed residential development shall be permitted where Council reasonably anticipates that such development as proposed will cause nuisance to adjacent land uses, generate excessive traffic or does not represent an improved housing form or appropriate fit for the nearby neighbourhood. Council supports the view that not all growth and development proposals are necessarily good development proposals for the community.

- 6.4.4 No permanent residential use shall be permitted within a tent, recreational vehicle, camper or other shelter on any property within the community, unless for the accommodation of tourists and the traveling public on a temporary basis.
- 6.4.5 Where development applications such as increased density proposals for seniors housing, and other higher density residential housing forms, are proposed to be located within or adjacent to existing neighbourhoods, or within new designated residential areas, Council will consider design attention to the siting of proposed buildings through minimum separation distances as defined within the Development Regulations, as well as landscape buffers and vegetative screens, decorative fencing and other site planning measures as deemed appropriate for the neighbourhood, as determined by Council.
- 6.4.6 Additional design elements that may be evaluated with new residential developments proposed to be located within or adjacent to existing neighbourhoods include the size and massing of proposed buildings, the exterior appearance and proposed building materials, green open spaces and connective pedestrian walkways, vehicle access/egress locations and parking areas, outdoor lighting and proposed signage.
- 6.4.7 The impact of proposed new developments upon the future development potential of adjacent and nearby lands shall be further assessed.
- 6.4.8 Advance Street planning for new subdivisions shall seek to provide a connective transportation system with existing municipal roads as much as feasible.

6.5 INFILL RESIDENTIAL DEVELOPMENT

- 6.5.1 Council supports highly designed infill residential development as a means to make optimum utility of the Town's serviced area land supply, and to provide opportunity for more affordable and more diverse housing choices.
- 6.5.2 Infill residential developments represent opportunity for sustainable housing types that are affordable, more compact, more highly designed and provide for an improved streetscape appearance, and may include, but are not restricted to the following: new housing on existing vacant lots, on under-developed lots, through new infill size lots created through subdivision, conversion of existing residential dwellings into additional units, highly designed two-unit dwellings, three and four unit buildings, highly designed higher density multi-unit buildings, innovative second dwelling housing forms, subsidiary apartments, seniors and personal care homes, mixed use units of residential above commercial businesses, and re-development of non-residential buildings for residential use.

- 6.5.3 Proposals for infill residential development shall be reviewed by the Town on the basis of various considerations, including community need, economic benefit, site and building design, landscape treatment and separation distance to existing homes and other land uses, provision for on-site parking and other elements as deemed reasonable by Council.

6.6 SENSE OF PLACE

- 6.6.1 The Town shall strive to improve the physical and visual character of the community through street tree planting initiatives where feasible, through enhanced street and community information signage, an emphasis on improved site and building design for all new developments, ongoing attention to improvements in the downtown commercial core, expanded pedestrian walking opportunities, working towards more connective neighbourhoods, ongoing attention to park and open space improvements and preserving/ enhancing waterfront public amenities to help the municipality convey a strong message and image of Bishop's Falls evolving into a more welcoming and inclusive place to live and do business.
- 6.6.2 Increased public access to the Exploits River shall be pursued, wherever feasible to allow local residents enhanced opportunity for passive open space pedestrian mobility and related recreation activities.
- 6.6.3 Council may consider the preparation of a distinct recreational planning strategy to address the use of existing recreational facilities and green open spaces, including the Town's abandoned rail corridors in the core of the community; to provide for an open space acquisition and improvement strategy that provides for connective neighbourhoods and green pathways; and to allow for expanded and more extensive opportunities for local residents to safely walk, bicycle, recreate and enjoy a higher quality of life through enhanced development of park and open spaces.
- 6.6.4 Over the longer term, the Town shall seek to realize a sense of place for the community where the rail corridors of the community become central park space magnets for alternative pedestrian mobility options, for enhanced tourism interest and as opportunity locations for sustainable commercial and higher density land and building developments.
- 6.6.5 Road improvement projects to Main Street over the life of this Municipal Plan shall consider the opportunity for expanded road widths on road shoulders to provide for distinct bike lanes, and for sidewalks to facilitate increased and safer pedestrian walking opportunities.

- 6.6.6 Where private properties are deemed by Council to represent an unsightly premise, the Town will take appropriate action under provincial legislation and/or municipal regulations.
- 6.6.7 By providing a commitment to build upon the sense of place and local quality of life, and to continuously improve upon the visual and functional environment of the municipality, the Town will embrace the objective of enhanced local community character as a means to retain and attract new residents, and as local population grows, to actively encourage business growth and employment expansion.
- 6.6.8 Council may consider engagement of external expertise to prepare a new community brand and design image for the Town to utilize in all marketing and tourism initiatives, including visual improvement to all street signs, information display boards and entrances to the municipality.

6.7 SUBDIVISION

- 6.7.1 Development Permit application for subdivision of land, or consolidation of lands, shall provide for a proposal that provides for orderly development of the Town's land base. The proposal shall be in conformance with the policy intent of the Municipal Plan and in compliance with the provisions of the Development Regulations, and where applicable and deemed as required, submission of comprehensive site plan information shall be provided, in addition to any further information as identified as necessary by the Town following initial review of the application.
- 6.7.2 Subdivision lot layout design shall be in a compact form of making the most efficient use of the land to be subdivided; linear and ribbon lot development of land shall be generally discouraged.
- 6.7.3 Subdivision applications shall be subject to detailed review and assessment, as outlined by the Development Regulations, and where applicable, will include consideration by Council of the following indicative information as deemed required to be submitted by the applicant:
- (i) An evaluation of the topography, and natural and physical features of the site, including any environmental, steep slope, archaeological or other sensitive features of the property that that need to be protected and preserved;
 - (ii) Existing soils and drainage conditions, and proposed alterations to the soil profile and drainage patterns of the site.
 - (iii) The proposed development phase order, lot layout, parcel sizes and dimensions, and road alignments/grades of the subdivision;

- (iv) Illustration of how the proposed subdivision will integrate with existing topography and adjacent neighbourhoods, roads and services, and how future access to adjacent undeveloped lands will be addressed;
- (v) Comprehensive site servicing and engineering detail for the provision of new roads, water, sanitary sewer, storm water drainage, street lighting, stop signs and other infrastructure elements to support the proposed subdivision, and including cost estimates for the engineering works;
- (vi) Detail of engineering works that will have a financial impact to ongoing operational and maintenance costs of the Town;
- (vii) Unique features of the subdivision including any park space to be provided, pedestrian trails to be dedicated to the Town or trees to be retained on the site;
- (viii) Extent of cut and fill proposed for the subdivision lands, the interface of the site to adjacent properties and remedial strategies to address altered and proposed drainage patterns, and relevant information pertaining to how new slope gradients will be stabilized; and,
- (ix) Other site design information as required by Council.

6.7.4 As part of the subdivision application review, and other land and building development application reviews, including the referral of the application to local fire services and external agencies and departments for comment, where land is deemed to be required for public use, easement access, provision of a right-of-way, for emergency access, or for other dedication purposes, the developer of the subdivision, or other form of land and/or building application, may be required to provide for the identified land as part of a condition of approval consideration.

6.8 SUBDIVISION DEVELOPMENT AGREEMENTS AND GUARANTEES

- 6.8.1 As a condition for approval of a subdivision through a Development Permit, the Town may require that the owner and/or developer of the subdivision lands to enter into a Development Agreement.
- 6.8.2 The Development Agreement shall be negotiated between the Town and the subdivision developer, and shall include detail for the financing and development of all public and private services, access and infrastructure proposed for the site.
- 6.8.3 All off-site deficient infrastructure services required to support the subdivision site, including the need to upgrade adjacent roads or to extend water and/or sewer servicing, shall be considered the financial cost and responsibility of the developer, unless as otherwise determined by Council.

- 6.8.4 All off-site and on-site infrastructure construction of services shall adhere to municipal standards, as certified by a registered engineer within the Province of NL.
- 6.8.5 Subdivision developments of three lots or less which do not entail the construction of infrastructure or public services may be considered by the Town on an individual basis as not being required to enter into a Development Agreement.
- 6.8.6 Development guarantees for servicing of a subdivision, where determined by the Town, shall be required as a condition of a subdivision development agreement to ensure compliance of engineering standards for the provision of infrastructure and public uses for the subdivision; to address the payment of service levies; to provide for additional site specific subdivision requirements such as landscaping, tree retention and slope stability; and to enforce any other condition of the subdivision development agreement.
- 6.8.7 The subdivision developer, where required by the Town to support approval of a subdivision, shall provide development financial guarantees, to the Town in a financial form and amount acceptable to the Town.

6.9 PROVISION OF PARKLAND AND OPEN SPACE

- 6.9.1 A minimum of five percent (5 %) of the land developed for a subdivision shall be dedicated to the Town as useable parkland and recreation space. Where it is determined by the Town that land within the subdivision is not appropriate for parkland due to its size, configuration, location, topography or intended open space use, the Town may accept from the subdivision developer, the payment of a sum of money equal to 5 % of the value of the land that would be otherwise provided, and as determined by a professional appraisal report of the value of the land at the date of subdivision approval.
- 6.9.2 The Town may also negotiate with a subdivision developer as part of the Development Agreement process, to provide for a parkland area less than 5 % of the total subdivision area size, on the basis that the developer provide for improvements and equipment to the parkland site equal to a value less than the 5 % of the land to be provided.
- 6.9.3 Wherever feasible, parkland and open spaces to be dedicated shall add to the value and utility of recreational amenities in the immediate residential area, or shall provide for improved pedestrian walking trail linkages to complement an overall community pedestrian trail network.
- 6.9.4 Any proposed trail development or trail access that connects to the Newfoundland T’Railway Provincial Park must be referred to the Department of Environment and

Conservation for access approval and permitting, prior to the submission of a development application to the Town.

6.10 PROTECTION OF WETLANDS AND BODIES OF WATER

- 6.10.1 A minimum environmental setback width of 15.0 metres (49.2 feet) shall be established and maintained in its natural state from the high water mark of all bodies of water, including wetlands, streams, rivers and ponds.
- 6.10.2 Proposals to develop specific uses such as pedestrian walking trails within the minimum 15.0 m setback area from water bodies shall be subject to approval from the Department of Environment and Conservation, Water Resources Management Division.
- 6.10.3 For designated flood risk lands, the high water mark shall be considered as the 1:100 year flood level boundary.
- 6.10.4 Land development applications shall identify the required environmental setback area for all water bodies located on proposed development sites and on adjacent properties.
- 6.10.5 Any work inclusive of but not limited to fording, culverts, bridges, stream diversions, infilling and dredging in any fresh body of water including wetlands, must be permitted from the Water Resources Management Division, Department of Environment and Conservation in compliance with Section 48 of the Water Resources Act, prior to the commencement of any such work. The Water Resources Management Division does not recommend approval for the development of residential properties within wetland areas, infilling of water bodies for residential development, nor the diversion of streams to accommodate residential development.
- 6.10.6 Any development requiring water and/or sewer services that will be connected to publicly owned and operated drinking water and/or wastewater systems may require approval under Sections 36 and 37 of the Water Resources Act.
- 6.10.7 Any and all activities associated with the use and development of land shall not be permitted to impact the quality, quantity, flow and riparian vegetation of water bodies, unless approval has been received under Section 48 of the Water Resources Act of the Department of Environment and Conservation, and any other applicable provincial or federal agency, and from any required permit approval from the municipality.
- 6.10.8 A permit under Section 48 of the Water Resources Act is no longer required for some marine structures. However, proponents must follow the new guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses as found on the Government of NL website:

<http://www.env.gov.nl.ca/env/waterres/regulations/appforms/index.html>

6.10.9 Where water is to be used, or diverted, from any surface or ground water source, a water license under the *Water Resources Act* and approval from the Department of Environment and Conservation, shall be required.

6.11 SOILS AND DRAINAGE

6.11.1 Land and building development shall only be permitted on lands having suitable soil and drainage characteristics and conditions to permit the intended and potential future development, and where there is question by the Town of the suitability of the proposed development site's soils and drainage, a land development applicant may be required by Council to engage at the applicant's expense, a professional hydrologist or geotechnical engineer, and on the basis of Terms of Reference prepared by the Town, to assess the site and proposed development and provide recommendations for the Town to consider.

6.11.2 From a sustainable development perspective, the Town supports future development that minimizes the extent of impermeable hard surfaces such as paving on a site, so as to allow for lower volumes of storm water run off and for increased natural absorption.

6.11.3 Storm water runoff and surface drainage from development sites, and any erosion from development sites to adjacent properties, shall be managed on-site so as to not negatively impact any adjoining properties, including municipal roads, and where drainage is to flow into the municipal drainage system, flow volume and sedimentation control measures shall be installed by the developer on the development site.

6.11.4 All exposed sloped and surface lands on proposed development sites with potential to result in off-site drainage and sedimentation shall include provision to have grass sod installed or otherwise have such land areas vegetated as part of site development approval consideration, and if applicable as a condition for consideration of a development permit by the Town for any buildings or structures proposed to be erected thereon.

6.11.5 For large land development sites, particularly on sloping lands, on-site storm water detention may be required by the Town as part of an approved site drainage plan requirement for the development site.

6.12 GRAVEL MATERIAL EXTRACTION AND REMOVAL

6.12.1 Areas of moderate to high aggregate resource potential are located within the Bishop's Falls Planning Area Boundary as identified by the Department of Natural Resources, Mines Branch. All applications for quarry permits and leases pertaining to gravel

extraction shall require approval from the Department of Natural Resources, Mineral Lands Division prior to the Town's issuance of development permits.

- 6.12.2 Mineral resource activities beyond extraction and preliminary sorting and grading, of processing, crushing and manufacturing of concrete/cement products and/or removing of gravel and other materials, are generally deemed an Industrial Use and an extraction site may be required to make application for industrial zoning to permit such various accessory uses.
- 6.12.3 Priority consideration for new gravel activity locations shall be encouraged for those sites associated with local development projects.
- 6.12.4 Gravel extraction and associated industrial uses of processing and related uses shall maintain a setback of a minimum of 60.0 m (196.8 ft) from all bodies of water.
- 6.12.5 Upon approval of proposed gravel extraction sites by the Department of Natural Resources, Mineral Lands Division, the Town may request that the Department provide Council with detailed information including the size of the site and proposed uses, development setbacks to adjacent land uses, noise abatement strategies, proposed accesses and daily volume of trucks and other vehicles to the site, the projected life of the gravel mine and a final site reclamation and capital plan to provide for a new land use for the community.
- 6.12.6 The Planning Area Boundary is overlapped in several locations by past mineral licenses in which exploration was conducted. Past mineral licenses are areas in which mineral exploration is likely to resume in the future. Mineral licenses and exploration approvals shall be required and sought from the Department of Natural Resources, Mineral Lands Division. No significant mineral occurrences have been identified within the municipal planning area.
- 6.12.7 In several locations, lands containing aggregate resource potential and quarry leases and permits have been identified that overlap with agricultural lands protected by the Wooddale Agricultural Development Area. The Wooddale Land Development Advisory Authority in conjunction with the Mineral Lands Division of the Department of Natural Resources must approve any mineral workings overlapping protected agricultural lands.

6.13 DEVELOPMENT ADJACENT TO HIGHWAYS & AIRSTRIP

- 6.13.1 The Trans-Canada Highway (TCH) is a designated Class 1 Protected Road under the Protected Road Zoning Regulations under the Urban and Rural Planning Act (O.C. 96-217). Any proposed development adjacent the Trans-Canada Highway must be referred to Service NL for approval and permitting with regards to building control lines as

- prescribed by the Protected Road Zoning Regulations, prior to the submission of a development permit application to the Town.
- 6.13.2 The Botwood Highway (Route 350) is a designated Class 2 Protected Road under the Protected Road Zoning Regulations, under the Urban and Rural Planning Act (O.C., 96-217). Any proposed development adjacent the Botwood Highway must be referred to Service NL for approval and permitting with regards to building control lines as prescribed by the Protected Road Zoning Regulations, prior to the submission of a development application to the Town.
- 6.13.3 Development adjacent the Trans-Canada Highway shall be encouraged to maintain a natural vegetated and treed building control line of 150.0m (328.0ft) from the TCH, as measured perpendicular from the centerline of the roadway.
- 6.13.4 No development proposed adjacent to the TCH or Route 350 shall be visually distracting to motorists traveling on the highway corridor in terms of signage, colour and design of buildings, or use, or removal of vegetation and trees, as determined by the Town and the Department of Transportation and Works.
- 6.13.5 The Department of Transportation and Works has proposed a new alignment of the Trans-Canada Highway and new interchange at Bishop's Falls East, corresponding with the Sir Robert Bond Bridge replacement. Potential development adjacent to the TCH must be referred to the Department of Transportation and Works for access approval and permitting to ensure conformity with the TCH realignment and TAC Geometric Design Guide for Canadian Roads for intersection sight distance and access management, prior to the submission of a development application to the Town.
- 6.13.6 The Department of Transportation and Works has proposed the future extension, on an as warranted basis, of the divided highway from Grand Falls –Windsor, heading east. Fully directional access from both directions of travel is not guaranteed. Potential development adjacent the Trans–Canada Highway must be referred to the Department of Transportation Works, Maintenance and Engineering Division for access approval and permitting to ensure conformity with TAC Geometric Design Guide for Canadian Roads for intersection sight distance and access management, prior to the submission of a development application to the Town.
- 6.13.7 Proposals for future land development should be based on sound access management and safety with regard to the developer's best interests. The Department of Transportation and Works will approve access where it meets guidelines as reviewed by the Maintenance and Engineering Divisions.
- 6.13.8 The Exploits Valley Airstrip is located within the Planning Area Boundary and any development proposed adjacent to the Airstrip must comply with Transport Canada

regulations regarding type and height of operation or structure under consideration and must be referred to the Department of Transportation and Works for approval and permitting prior to the submission of a development application to the Town.

6.14 MUNICIPAL SERVICES AND PUBLIC UTILITIES

- 6.14.1 Various municipal services and public utilities including electrical, internet, telephone, water treatment, lift and pumping stations, underground piped services, open storm water ditches, roads, Canada Post mail boxes, utility poles, septic effluent treatment sites, and similar municipal works, services and utilities are permitted in all land use designated areas on the basis of consideration to adjacent land uses, sensitive environmental features, provision of suitable landscaping and screening.
- 6.14.2 Municipal services shall be generally installed on lands and alignments dedicated to the Town as roads and similar, while public utilities shall secure utility easements.
- 6.14.3 The siting of utility and servicing corridor routings shall consider the aesthetic, future development potential and usability impacts upon the lands and property to be disturbed.
- 6.14.4 Subdivision and Development Agreement processes will provide the mechanism to secure required utility easements, and emergency road accesses for agencies such as fire services.
- 6.14.5 No development, alteration or change to the grade of a public utility easement shall occur unless approved by the public utility responsible for the easement.
- 6.14.6 Where feasible, joint use of utility corridors and easements for pedestrian mobility systems and linkages shall be pursued.

6.15 WATER AND SEWER SERVICES

- 6.15.1 New development or redevelopment within the urban areas located to the south of the Trans-Canada, as designated on **Map 1 - Future Land Use**, shall only occur with full urban services of water and sewer, unless otherwise identified within this Plan.
- 6.15.2 Redevelopment of designated use land that is currently only serviced with on-site water and/or septic effluent disposal, but is capable of being serviced by municipal water and sewer (i.e. waste water), shall only be approved upon connection to municipal water and sewer services.
- 6.15.3 On-site water and waste water services shall be designed, installed, inspected and approved by Services NL, or otherwise certified by a registered professional engineer of

good standing within the Province of Newfoundland and Labrador, and as approved by the Town.

6.16 TELECOMMUNICATIONS, SOLAR AND WIND POWER

6.16.1 While it is acknowledged that telecommunications facilities and towers are under the approval jurisdiction of Industry Canada, the Town observes various policy positions with respect to telecommunication towers as follows:

- (i) Where proposed towers are less than 15.0m in height, and where the proposed tower poses no significant and authenticated negative impact on adjacent lands, buildings and uses, they are to be integrated and installed in association with an existing structure or building such as on an existing utility pole or tower, or on the rooftop of a non-residential use building;
- (ii) Where proposed towers are 15.0m or more in height, they will be considered by Council for locations within the Rural and Industrial designated lands of the Planning Area; and,
- (iii) The proponent for a telecommunication tower in excess of 15.0m in height may be advised by the Town to notify and hold a public information meeting with area residents located within 0.5km of the proposed tower installation site, and for other interested residents of the community.

6.16.2 Private and commercial wind generation and wind turbine proposals shall be considered on the basis of proposed location, number and height of towers, site aesthetics, and adjacent land uses, and shall be further subject to requirements of the Development Regulations and approval by Council for a discretionary use and a Development Permit.

6.16.3 The use of solar panels on private property such as roof tops and as stand-alone structures; is supported by the Town on the basis that building height and building setback are observed.

6.17 DEVELOPMENT STANDARDS, SERVICES AND BUILDING CODES

6.17.1 The development and redevelopment of land within the Planning Area shall only be permitted within planned and designated areas, and all development is to be in compliance with provincial health, sanitation, environment, flood plain management and transportation legislation, regulations and policy directives, as well as all applicable federal requirements.

6.17.2 All proposed new buildings and structures, and structural additions and alterations to existing buildings, shall be the responsibility of the building proponent to ensure full

compliance with the applicable provincial and federal building, plumbing, electrical, life safety, fire, and accessibility codes and standards, and the Town may withhold issuance of a development permit until appropriate certification and verification of adherence to building codes and standards for the constructed building or structure has been submitted to the Town for review and approval, and until all other municipal Development Permit requirements have been addressed to the satisfaction of the Town.

6.17.3 Development is required to be in accordance with the policy intent of this Municipal Plan and the Development Regulations.

6.17.4 Following the pouring of foundation or building footings, a developer is required to provide the Town with a site survey to verify the proper siting of the proposed building with respect to property lines and building setbacks.

6.17.5 Compliance to all applicable building and other code requirements, and other municipal approval requirements, is required for all site developments, and if deemed necessary by the Town, compliance shall be verified by a letter from the builder's/ developer's professional engineer.

6.18 ACCESS TO A PUBLIC STREET

6.18.1 Development shall be required to have direct frontage on a publicly owned and maintained street.

6.18.2 To access and provide for back-lot development, a distinct 'panhandle' or 'flag lot' form of subdivision development may be considered by the Town on the basis that the linear private property driveway access to the adjacent public road has dimensions of a minimum of 6.0m (19.6ft) in width, and a maximum length of 60.0m (196.8ft) unless the entire panhandle driveway is paved. The driveway is to be constructed to an adequate standard to support emergency vehicles access. The driveway's land area is to be part of the legal parcel of back-lot land where new building development is proposed to occur.

6.18.3 Wherever possible, Council will encourage land development patterns that minimize the number of individual driveway and property accesses to a public road through the development of service roads, easement access agreements and shared internal parking arrangements.

6.19 PARKING, LOADING AND STORAGE FACILITIES

6.19.1 All residential and non-residential developments, and redevelopments, will be required to provide on-site parking in accordance with the Development Regulations.

- 6.19.2 Where applicable for non-residential uses, provision for on-site loading facilities and potentially provision for on-site bicycle parking, may also be required as part of site development, or redevelopment.
- 6.19.3 To provide for the most efficient use of land, storage as a primary use on a property will not be encouraged, and where storage is to be permitted, the size of the outside storage area is intended to be aligned to size of the building use on the site, and landscape treatment and screening shall be required.

6.20 LANDSCAPING AND BUILDING SETBACKS

- 6.20.1 Building setbacks to property lines and to roads shall be more specifically defined by the individual land use zones of the Development Regulations, but where the potential exists for incompatibility with adjacent land uses such as between non-residential and residential uses, additional landscaping screens and buffers may be required beyond the standard setback separation distances, as determined by the Town upon submission and review of an application for development.
- 6.20.2 Retention of natural vegetation of trees and shrubs, and the planting of additional native species landscaping, to provide for a landscape buffer, may be required of a developer of land of a different proposed land use than the adjacent and existing neighbouring properties, and for sloping and prominent viewscape sites.
- 6.20.3 Within residential development areas, building setbacks shall be provided to the front, rear and side lot lines to allow for the functional needs of maintaining separation distance to adjacent buildings and land uses, to minimize fire spread risks, to provide for sufficient off street parking and to provide for landscaping.
- 6.20.4 Within infill residential and commercial locations, enhanced streetscape appearance is encouraged through consideration of the Development Design Guidelines of the Development Regulations.
- 6.20.5 Unless permitted by the Development Regulations, the landscaped building setback areas of buildings facing public streets shall not be generally used for the open display and storage of equipment and materials. Landscaping, fencing and/or screening, as approved by the Town, shall be used for all storage areas.
- 6.20.6 Where future road improvements and extensions are identified, Council may approve building line setbacks in accordance with an approved road plan.

6.21 ACCESSORY LAND USES, BUILDINGS AND HOME BASED BUSINESSES

- 6.21.1 Where a use is permitted in the land use designation, it is the intent of Council that additional secondary uses, accessory buildings and structures incidental or essential to the primary permitted use, as defined by the Development Regulations, will also be permitted.
- 6.21.2 The Development Regulations shall detail the maximum site coverage of all buildings on residential lots, including accessory buildings, and shall further define the maximum building height and required building setbacks to property lines for accessory buildings and structures.
- 6.21.3 A Home Base Business is deemed to be an accessory and clearly secondary use to a residential use and neighbourhood, and their use and development shall be encouraged as a means to help facilitate small business growth in the community; accessory home based business requirements and permitted uses are defined by the Town's 2005 Home Based Business Regulations and the Development Regulations.

6.22 SIGNS AND ADVERTISEMENTS

- 6.22.1 Signs and advertisements normally associated and incidental to a permitted use shall be considered for approval by Council; in the future the Town may consider formulation of a distinct Sign Bylaw/ Regulation or through potential future amendments to the Development Regulations with respect to the permitted size and type of the sign, location, design and appearance, wording content, duration and relationship with adjacent land uses.

6.23 NON-CONFORMING USES OF LAND

- 6.23.1 The general intent of Council over time is to phase out non-conforming uses by adopting a position that, in essence, if a non-conforming use ceases to exist or is inactive for a period of more than six months, new development must adhere to the current land use designation of the Municipal Plan, and comply with the development standards and permitted uses of the Development Regulations.
- 6.23.2 While it is recognized that there may be various existing uses, buildings and developments that do not conform to this Municipal Plan, nothing in this Plan shall affect the continuation of a use which legally existed before the coming into effect of the Bishop's Falls Municipal Plan and Development Regulations (2015-2025). The

provisions of the NL Urban and Rural Planning Act and the Minister's Regulations with respect to non-conforming uses shall prevail:

Urban and Rural Planning Act, 2000, S. 108: Non-conforming use:

(1) Notwithstanding a plan, scheme or regulations made under this Act, the minister, a council or regional authority shall, in accordance with regulations made under this Act, allow a development or use of land to continue in a manner that does not conform with a regulation, scheme, or plan that applies to that land provided that the non-conforming use legally existed before the registration under section 24 of the plan, scheme or regulations made with respect to that kind of development or use.

(2) Notwithstanding subsection (1), a right to resume a discontinued non-conforming use of land shall not exceed 6 months after that discontinuance unless otherwise provided by regulation under this Act.

(3) A building, structure or development that does not conform to a scheme, plan or regulations made under this Act that is allowed to continue under subsection (1)

- (a) shall not be internally or externally varied, extended or expanded unless otherwise approved by the minister or appropriate council, regional authority or authorized administrator;*
- (b) shall not be structurally modified except as required for the safety of the building, structure or development;*
- (c) shall not be reconstructed or repaired for use in the same non-conforming manner where 50% or more of the value of that building, structure or development has been destroyed;*
- (d) may have the existing use for that building, structure or development varied by the appropriate council, regional authority or authorized administrator to a use that is, in their opinion more compatible with a plan and regulations applicable to it;*
- (e) may have the existing building extended by the appropriate council, regional authority or authorized administrator where, in its opinion that extension is not more than 50% of the existing building;*
- (f) where the non-conformance is with respect to the standards included in development regulations, shall not be expanded if the expansion would increase the non-conformity; and*
- (g) where the building or structure is primarily zoned and used for residential purposes, may, in accordance with the appropriate plan and regulations, be repaired or rebuilt where 50% or more of the value of that building or structure is destroyed.*

7.0 LAND USE DESIGNATIONS

7.1 OVERVIEW OF LAND USE DESIGNATIONS

The Municipal Plan divides the Planning Area of Bishop's Falls into various land use classes. Each designated area is identified on **Map 1 - Future Land Use**, attached as a map schedule to this Plan.

The purpose of the land use designations is to establish an orderly mechanism for Council to determine by policy, the most appropriate, reasonable and preferred land use activity to occur in the various geographical and neighbourhood areas of the community. In this way, Town Council will be able to direct and shape future development of land and buildings, and land use activities, in the manner that generates the maximum sustainable benefits to the community over the next ten year period, as defined by the Province.

Each land use designation provides for various permitted uses as well as uses that are not allowed. The Development Regulations expand on this management of land and uses by detailing more specific permitted, accessory and prohibited uses; identifying conditions of use; and outlining development standards in land use zones; in effect, the land use zones parallel the land use designated areas. On occasion, Council may also consider discretionary uses of land.

While the Municipal Plan identifies the future land use intent for the manner that the community is to grow and develop over the next ten year period, the planning process recognizes that circumstances and needs of communities change. As a result, there is inherent flexibility in the Plan by having the opportunity to make amendment request to the Plan through Council and provincial approvals.

Policies

- 7.1.1 It shall be the policy of Council to manage growth and development within the community through the land use designations illustrated and identified on **Map 1 - Future Land Use**, which forms part of this Plan.
- 7.1.2 Each land use designation class shall include an identification of what land uses are permitted and where a use is not so defined, such uses are deemed as not allowed. A permitted land use of the Municipal Plan is also be included as a permitted use of the appropriate zone category of the Development Regulations.
- 7.1.3 Additional various applicable policy statements and conditions of use policies shall further apply to the various land use designations of this Plan.

- 7.1.4 The Municipal Plan shall be supported by an additional map schedule that forms part of this Plan, **Map 2 – Flood Plain Management**.
- 7.1.5 An additional map, **Appendix 1**, Land Use Visioning Information Map, is provided to illustrate background land use planning information only, and is not deemed to be a legally binding map to this Municipal Plan.

7.2 LAND USE DESIGNATION CLASSES AND PERMITTED USES

- 7.2.1 The Bishop’s Falls Planning Area is divided into the following distinct land use designation classes as indicated on **Map 1 – Future Land Use**, and as outlined through the policies of this Municipal Plan. The permitted uses within each land use class are identified within brackets of each designation type, as follows:
- Rural (agriculture, cemetery, conservation, environmentally sensitive area, forestry, mineral workings, resource, open space, transportation);
 - Residential [single unit, two-unit, multi-unit (row house/townhouse/ apartment/ condominium residential), mixed –use, mobile home, residential care, conservation];
 - Rural Residential (agriculture, single unit residential, residential care, conservation);
 - Commercial (Commercial, neighbourhood commercial, highway commercial, and various other permitted uses as identified by Regulation 113);
 - Town Centre (Commercial and 18 various other permitted uses as identified by Regulation 112);
 - Business Park (Industrial);
 - Industrial (Industrial, wastewater treatment facility);
 - Conservation (Conservation, Environmentally Sensitive Area);
 - Recreational Open Space (Campground, Civic Use, Open Space, Park, Recreation Open Space);
 - Institutional – Civic (Assembly, Civic-Institutional and 13 various other permitted uses as defined by Regulation 118);
 - Agricultural (Agriculture, Conservation); and
 - Comprehensive Development Area (current land uses as so maintained)
- 7.2.2 Land use policy attention will apply to these designated areas and land use activities, as well as to other related land use planning issues.
- 7.2.3 The boundaries of the different land use designations shown on **Map 1 - Future Land Use** and **Map 2 - Flood Plain Management** are intended to be general; and more refined boundaries may be defined by the Development Regulations Land Use Zoning maps.

8.0 NATURAL ENVIRONMENT AND FLOOD PLAIN POLICIES

8.1 ENVIRONMENTAL MANAGEMENT

As the community further develops and intensifies its land base, there is a need to preserve and protect the various natural environment resources of the community; including protection to the salmon rich Exploits River and its various watercourse tributaries; local wetlands and ponds to sustain sensitive vegetation and aquatic habitat; and any locations of wildlife significance. Steep sloped areas of the community also need to be protected to maintain geotechnical stability, and tree retention at specific locations of Town may be additionally warranted. Preservation of important view corridors to the Exploits River also requires planning consideration.

While this Municipal Plan does not designate any specific lands as environmental, as further land use planning and environmental lands inventory work takes place in subsequent years, an environmental lands designation may be applied to specific sites in the future. In the interim, the policy statements of this Section that include attention to such issues as steep slope areas, tree retention, environmental setbacks, flood plain management and potential environmental partnerships, and both the Conservation and Recreational Open Space designations of this Plan, provide for the opportunity to preserve lands deemed sensitive and non-developable.

Potential future designation of environmental lands is important to protect the sensitive features of the land base. Typically this protection is provided by designating local bodies of water such as streams and ponds as environmental, and applying an additional 15.0m (49.2ft) buffer on the boundaries of the water feature. With steep slope locations, larger land areas may be designated as environmental.

Once valued and sensitive areas are designated, certainty is provided in knowing what remaining lands are available for potential land and building development. A new land use policy planning initiative therefore is for applications proposing to develop land and/or buildings to provide with their application submission to the Town, detailed site plan information of the subject property that identifies the location of any and all sensitive environmental features to be protected, and considered for designation by Council.

To a large extent, environmental management at the local municipal level will be dependent upon liaison, development application referrals and potential partnership projects with regional, provincial and federal government agencies and departments, as well with various local

stewardship groups and external organizations such as Ducks Unlimited Canada. Public environmental education initiatives and watercourse identification signage programs also play a critical role by informing local residents of the value of environmental lands.

As a result, the future expanded designation of environmental areas and locations within the community will be an evolving and ongoing process.

Policies

Identification and Mapping of Environmental Lands

- 8.1.1 Lands to be designated as environmental in the future on Municipal Plan **Map 1 – Future Land Use Map** shall be deemed as non-developable lands.
- 8.1.2 Land development applications shall submit site plan information to identify environmental sensitive features, including watercourses, wetlands and steep slope lands, on proposed development sites, and where deemed appropriate, Council shall view such identified lands as non-developable and for potential consideration to an environmental designation on the Municipal Plan Map 1.
- 8.1.3 One known archaeological site exists within the Bishop's Falls Planning Area Boundary, which is protected by the Historic Resources Act. The site is identified as DGAu-06 and it is shown on the Future Land Use Map and Zoning Map. A 100m buffer is required around the site.
- 8.1.4 Any proposed development along the Exploits River must be forwarded to the Provincial Archaeology Office for review and approval in development stages prior to seeking development approval from the Municipality.

No Compensation Payable

- 8.1.5 As identified within Section 5. of the *Urban and Rural Planning Act*, no compensation is payable to a person as a result of a reduction in value of a person's interest in land, as a result of a designation of this Municipal Plan.

Environmental Setbacks

- 8.1.6 Council may consider application of the following environmental setback distances for land and building development proposals adjacent to watercourses, ponds and other bodies of water, as measured from the top of bank of the environmental feature, and including from the high water mark of wetlands and designated flood plain locations, for the specific types of land uses as noted below:
 - Fifteen (15.0) meters (49.2 ft) for one unit residential uses;

- Thirty (30.0) meters (98.4 ft) for all duplex and higher density residential uses, commercial, mixed use, business park, industrial, and other non-residential uses;
 - A minimum of sixty (60.0) meters (196.8 ft) for all forestry, agricultural, gravel and other mineral extraction and processing uses, and other resource land use activities and operations; and,
 - Other uses and their requirements as determined by Council and/or relevant provincial and federal environmental departments.
- 8.1.7 All future environmental designated lands and setback areas shall be maintained in their natural state except for passive uses that include but are not limited to pedestrian walking trails and park benches, municipal services and public utilities, and foreshore uses such as wharves and marinas, where so permitted.
- 8.1.8 Where it is determined that a site development cannot feasibly incorporate all environmental setback requirements into a land development scheme, Council may consider a report on site development options from a professional biologist that recommends where potential environmental compensation may be provided for either on-site, or through environmental improvements to off-site lands.

Low Environmental Impact

- 8.1.9 Council is supportive of a local approach of incorporating low environmental impact elements into site design of new developments such as retaining natural grades and tree cover as much as feasible, reducing site storm water runoff through the use of natural absorption and retention facilities, and managing rainfall on site through increased attention to provision of landscaped areas and minimizing the extent of impermeable surfaces.

Large Site Developments

- 8.1.10 All land use development applications that involve land areas of 2.02 hectares (5.0 acres) in size and larger, and subject to the need for watercourse protection, may be required by Council to retain a professional biologist to evaluate and to recommend to Council on the most viable environmental management approach for potential site development.

Steep Slope Assessment

- 8.1.11 For land use development applications that propose to develop on lands with a slope gradient in excess of 7%, and for sloping properties located on the extensive hillside elevated ridge that is located to the south of the TCH, and to the east of the northern extension of Newtown and Turner Roads, and to the west of Junction Road, Council

may require that the land use applicant engage a certified geotechnical engineer to review slope and soil stability characteristics of the site, and to provide land and building setback recommendations for Council's consideration.

- 8.1.12 No land development may occur on properties with a slope in excess of 15%, unless such a development proposal is supported by a qualified geotechnical engineering report with recommendations that is prepared at the cost of the applicant and is submitted to Council for their review and consideration.

Tree Retention

- 8.1.13 Land development sites shall retain trees as much as possible as a means to retain natural vegetation for runoff absorption, as natural buffers between building developments, as part of site landscaping, and to provide shade areas.
- 8.1.14 The removal of trees on lands with steep slopes is prohibited for land development sites under application review by the Town unless authorized by Council.
- 8.1.15 Where land development sites remove tree cover within a one-year period before development application submission, Council may require that an on-site tree replanting scheme become part of site approval consideration.

Environmental Partnerships and Local Initiatives

- 8.1.16 Council may consider opportunities to develop partnerships with the Department of Environment and Conservation, with the Department of Fisheries and Oceans, with the College of the North Atlantic, or with other external government departments or educational organizations, to identify, map and pursue designation of sensitive environmental lands and features within the Town's Planning Area.
- 8.1.17 Council will encourage local youth and stewardship group involvement with local environmental initiatives such as participating in the annual Great Canadian Shoreline Cleanup Program for areas such as the Exploits River, and other local watercourses, ponds and water bodies.
- 8.1.18 Council may consider through external funding partnerships with organizations such as the 'Vale Newfoundland and Labrador Community Investment Fund' to develop an inventory of all local watercourses, wetlands, ponds and other water bodies within the Planning Area, and particularly within the serviced urban area located to the south of the Trans Canada Highway, and to develop a public environmental educational signage program to identify, preserve and protect such significant natural features.

Climate Change

- 8.1.19 Council may consider the preparation of a Climate Change Adaptation Plan, possibly in concert with the Town of Grand Falls-Windsor, to address the potential for more intense and more frequent weather and storm events as a result of the warming of the earth's atmosphere from Greenhouse Gases, and to address local climate change risks and adaptation strategies.
- 8.1.20 The Town may investigate the purchase of replacement municipal vehicles, or to retrofit existing vehicles, that use alternate sources of fuel as a local action to help to reduce greenhouse gas emissions.

8.2 FLOOD PLAIN MANAGEMENT

Bishop's Falls had no history of major flooding until January of 1983 when a combination of several hydrological factors of a dam failure, larger than normal snow cover, above average temperatures, an intense rainfall event and accelerated snow melt, created extreme water flow volumes within the Exploits River. Considerable erosion of the River's banks occurred and flooding to adjacent lands resulted in the evacuation of over 150 homes, three houses being swept away and many more homes left unsafe to return to. Over \$33million in flood damages was recorded, representing the worst known flood damage in the history of Newfoundland and Labrador.

Following this significant flood event, much provincial research and attention was focused on Bishop's Falls to map the extent of flooding and to determine a flood plain management policy approach for the community. The various reports, mapping schedules, and policy directives that were subsequently prepared, and that have an influence on future land use planning within the community include:

- Ice Analysis and Flood Risk Mapping Study of Bishop's Falls (1990);
- Flood Information Map – Bishop's Falls, NL (1990);
- Government of NL Policy Directive for Flood Plain Management (2010), as legislated by the Water Resources Act; and,
- Canada-NL Flood Damage Reduction Program – "Flood proofing – Protect Your Home against Flooding."

The provincial Flood Information Map for Bishop's Falls is included as **Map 2 – Flood Plain Management**, and forms part of this Municipal Plan. The information map identifies two significant flood risk areas, or locations prone to flooding, within Bishop's Falls, noted as follows:

- A designated floodway (1:20 year flood zone) that represents the areas subject to most frequent flooding (primarily Exploits River foreshore area opposite Catholic Church and foreshore area to the west of the Hobbs Trailer Court development);
- A designated floodway fringe (1:100 year flood zone) that is subject to less damage from flooding (primarily Exploits River foreshore areas opposite Market Road and Riverside Drive).

The flood information map also plots a more extensive area of the community to indicate the extent of the flooding that occurred in the 1983 event. While neither the 1:20 year, nor the 1:100 year, flood map designations appear to identify any existing homes located within these risk areas, the 1983 historical flood level map designations identify a significant number of local homes along Main Street and Riverside Drive within the area that was previously flooded. The flood information map only extends to a limited area to the east, past Fallsview Municipal Park.

The Department of Environment and Conservation, Water Resources Management Division advises that:

- No building or structure should be erected within the 1:20 year designated floodway but recreational uses may be permissible;
- Within the 1:100 year designated floodway fringe, any building or building alteration is required to be a minimum of 0.6m (1.9ft) above the 1:100 year flood elevation for the specific property, and shall be subject to flood proofing measures, as approved by the Province.

Given this extent of flood plain management review and policy attention, the policy statement focus of the Municipal Plan is to comply with the designated provincial flood risk areas, and to encourage an approach of referral to the Water Resources Management Division and flood proofing for any new land and building development located within the historical flood level area of 1983, as identified on the Flood Plain Management Map.

Policies

Flood Information Map

- 8.2.1 The Water Resources Management Division, 'Flood Information Map' information for Bishop's Falls shall be included as **Map 2 - Flood Plain Management**, and shall form part of this Municipal Plan.

Development Application Referral

- 8.2.2 Proposed new development, redevelopment and alterations to existing structures and buildings, for property located adjacent to the Exploits River, and situated in the general area from Fallsview Municipal Park to Riverside Drive and to the south of Station Road, Exploits Avenue and the westerly extension of Main Street to Morgan Street, and as designated within a flood zone by **Map 2**, shall maintain a minimum 15 metre wide undisturbed buffer along the high water mark; and such development proposals are subject to approval and permitting under Section 48 of the Water Resources Act, Department of Environment and Conservation, Water Resources Management Division.

Flood proofing – Minimum Flood Construction Level

- 8.2.3. No proposed new development, redevelopment and alterations to existing structures and buildings, for property located below the minimum flood construction level of 15.40m (50.5ft) shall be permitted without approval from the Department of Environment and Conservation, Water Resources Management Division.
- 8.2.4 Flood proofing measures of raising the elevation of the development site, of placing electrical switchgear to a specified height, limiting the habitable living areas of the dwelling to the second storey of buildings and above, or other special design approaches, may be required, as determined by the Department of Environment and Conservation, Water Resources Management Division.

Partnerships

- 8.2.5 Council shall consider an invitation to representatives of the Department of Environment and Conservation, Water Resources Management Division, to provide a presentation to Town Council and staff, and subsequently to local residents and business owners, about the provincial flood plain management policy directive as it applies to lands located within Bishop's Falls.

9.0 RESIDENTIAL GROWTH AND HOUSING CHOICES

9.1 OVERVIEW

The Residential designation of this Municipal Plan applies to those serviced urban areas of the community, located to the south of the TCH, where priority is provided to maintain existing residential neighbourhoods and to identify new locations for future residential growth and development.

The intent of the Residential land use designation is to create distinct various residential zone categories for different density and types of residential uses and housing, and to limit accessory uses to those activities such as home based businesses that are clearly secondary and incidental to the residential livability of neighbourhoods. Discretionary uses such as convenience stores are to be minimized. Neighbourhood commercial and other uses are to be managed through their own distinct zone categories.

9.2 RESIDENTIAL GROWTH CHALLENGES

The historical pattern of residential growth in the community has been primarily skewed to single detached residential homes. Given current land use planning objectives for the Town to create opportunity for more various housing types and for residential choices for seniors, to pursue residential infill developments, as well as for continued support for quality single unit residential dwellings such as the recent subdivision development on Centennial Drive, the intent of the new policy direction for residential growth and development is to create a more comprehensive approach of supporting a wider range of eligible zone categories for housing types that encourage continued residential expansion in the community.

The challenge to Bishop's Falls will be to remain cost competitive over housing options within the nearby municipality of Grand Falls-Windsor, to build quality residential developments, to link up many existing single access roads through infill development patterns to provide for more connective residential neighbourhoods, and in a broader sense, to support innovation in pursuing new residential types, such as rural residential acreage opportunities. Part of the Town's new housing strategy will also entail more density in housing forms; density will require appropriate site selection and increased design management control.

With this Municipal Plan, land developers will generate benefit from being able to generally achieve more housing units per acre than previously. Developers will additionally be able to exercise flexibility in siting of housing through revised building setbacks to property lines to

improve residential streetscape appearance. In return for increased density for specific housing types, developers will need to provide the community with increased attention to site and building design.

The community will benefit from continued residential and subsequent population growth by becoming stronger, more resilient and stable, more responsive to local housing needs for seniors and others, more viable for commercial investment and employment growth, and able to realize additional local services and amenities.

9.3 RESIDENTIAL CHOICES

The Municipal Plan provides for the following types of residential uses to occur within the Residential designation area; a density gradient is provided for each residential type:

- Residential Medium Density (350-450sm / 3767-4844sf);
- Single unit detached residential (558sm / 6006sf);
- Compact residential (372sm / 4004sf);
- Two units (duplex) residential (790sm / 8503sf);
- Multi-unit residential (greater than 12 dwelling units per acre);
- Mixed use residential (greater than 8 dwelling units per acre); and,
- Mobile Home (only as part of an existing or new mobile home park, and for new developments, at a density of 20 to 40 dwelling units per development site).

The Rural Residential designation of this Plan will provide for non-serviced acreage residential development in those designated areas located to the north of the TCH.

Additional residential use opportunities are provided through the following:

- Within the single unit detached home, one of the following accessory residential uses may be utilized at any one time: bed and breakfast; boarding use; or subsidiary apartment;
- Within specific defined commercial, business park, industrial and other zones defined by the Development Regulations, an accessory one unit employee residential dwelling within the main building for the primary use may be considered;
- Within the Downtown Commercial Core area, mixed commercial / residential uses allow for apartment residential to be located above the ground floor commercial business; and,
- Within the multi-unit residential designation, congregate care residential for independent, semi-independent and full care for seniors is to be permitted.

9.4 RESIDENTIAL ZONES

Residential Medium Density is the commonly employed residential zone in Bishop's Falls, encompassing a range of housing types of residential uses, including single family detached homes, semi-detached, and may include higher density multi-unit developments such as row dwellings, town homes, and apartments. The RMD zone is intended to accommodate compatible open space recreation and community and social service uses, such as parks and churches, as well as conservation uses, and gives discretion for collective residential type uses, and may allow local service uses such as convenience stores and hair salons (the list of uses are more specifically defined in the RMD use zone table of the Development Regulations).

The Development Regulations will further define permitted residential uses through the establishment of seven distinct zone categories that are created to articulate a range of options for density and housing form. These new zones are not employed in the current built-up parts of Town, as this Plan Review is not intended to create non-conformities for existing development built within the RMD development standards and conditions; however, the zones are created with the vision for utilization in future development, and are discussed as follows:

Single Unit Detached Residential represents a new residential zone that provides for an approximately 24% larger residential parcel size area than the former single dwelling residential lot size. The larger lot size will appeal to various components of the market, including young families with children and retired couples. The intended housing style is similar to the Centennial Drive development, with enhanced streetscape opportunities. The subject housing may be developed on an infill lot or two, or through a larger site area subdivision. When site topography, roads and provision for potential parkland is discounted from a per acre density yield, it is estimated that the Single Unit Detached Residential zone will provide for a maximum of approximately 6 dwellings unit per acre.

Compact Residential represents an opportunity to pursue through rezoning more affordable residential housing by creating a smaller lot size zone category on that basis that Council applies site and housing design guidelines to these developments.

The Compact Residential lot size is to be approximately 17% smaller than the former single dwelling residential lot size. Intended housing form and design will be displayed in greater detail in the Development Regulations through general design guidelines and indicative photos. Compact housing through a Development Agreement for rezoning and subdivision may be created as an infill lot or as several lots, or through a larger, well planned site area subdivision.

When site topography, roads and provision for potential parkland are discounted from a per acre density yield, it is estimated that the Compact Residential zone will provide for a maximum of approximately 8 to 10 dwellings unit per acre.

Two Unit Residential acknowledges the continued local market preference for this type of housing, but the Plan will now require rezoning for development of duplexes. Rezoning will enable the Town to more effectively manage the siting, number and design of such uses, particularly within existing single detached home neighbourhoods. The new zone category will also provide for enhanced façade design features and siting requirements, as detailed within the Development Regulations. There will additionally be a preferred requirement to limit the permitted number and design types of adjacent duplex residential uses. The new lot size area for two units residential is marginally larger than for the former double dwelling requirements, and will thereby provide for greater yard space.

Multi-unit residential housing types shall apply through rezoning to three and four unit buildings, attached and detached townhouse dwellings with distinct unit identity, and over the longer term for higher density apartment and condominium buildings. Bare land strata developments such as cluster residential developments that provide for individually owned residential lots and homes but with shared common areas of the site development, also fall under the multi-unit residential designation. The former row-house form of residential building, characterized by a lack of individual unit identity and significant building massing, shall not be encouraged; instead a more highly designed townhouse type of residential development is preferred. The Development Regulations will provide the tools to manage the density of mixed residential developments, the permitted uses and conditions of use, and through the design guidelines, the form and character of site and building aesthetics may be considered by Council.

Congregate Care Residential is also to be a permitted residential use within the multi-unit residential zone category to allow for the development of facilities for the care of elderly residents, where such care may take the building form of individual apartment units with a central dining area and other common facilities, or as more intensive care building where individual rooms with nursing staff are provided. The intent is to site such facilities near doctor's offices, medical care, shopping, recreational areas and pedestrian walking systems, wherever feasible.

Mixed use is a new zone category to provide through rezoning for the opportunity of residential development innovation in housing affordability, mixed and various housing types, lot sizes and design, and particularly to provide diverse residential opportunities for seniors' housing developments. The intent is to provide flexibility to the development community to consider a proposal that provides for a mixed-use type of residential subdivision or housing development

project. The Development Regulations will define the requirements to manage the density of the proposed development, to outline the permitted uses and conditions of use; and through the design guidelines, the site and building aesthetics of mixed-use residential applications, may be considered by Council.

Rural Residential represents a new designation to provide for acreage residential homes, within the newly designated area near Thirteen Mile Crossing, as well as potentially for the adjacent Botwood Highway precinct and in the westerly portion of the Planning Area in Grenfell Heights. Rural Residential housing presents the opportunity for individuals and families to pursue a more relaxed open space type of residential lifestyle. Proposed new residential subdivisions will be considered by Council, in part, based upon the design guidelines of the Development Regulations. Rural residential lot creation will also be dependent upon septic effluent disposal and domestic water approval from Service NL.

Septic approval will determine the capability of the property soils to support a residential home and thereby, the size of the residential lot at time of subdivision. While it is acknowledged that Services NL may allow creation of a non-serviced lot with an area size of less than 1.0 acre, the intent of the Rural Residential designated area is to create a larger acreage area character of residential homes. In some instances with limiting drainage capabilities, rural residential parcel sizes may be required to be larger than the outlined 0.40 ha (1.00 ac) minimum lot size of the Development Regulations. Council may additionally require water quantity and quality testing by a professional hydrologist in accordance with the Canadian Drinking Water Standards as part of subdivision review for creation of more than one proposed Rural Residential parcel.

Council may consider through designation and rezoning approval, locations for additional rural residential developments in the general vicinity of Thirteen Mile Crossing, and potentially in other locales near the Botwood Highway.

Mobile Home (mini home) Park development has a role to play as an affordable housing form. The Municipal Plan policy is to primarily allow such future development only within existing and new mobile home park settings, and as a replacement unit for existing mobile homes. The Development Regulations define conditions of use for mobile home park development.

9.5 FUTURE RESIDENTIAL PATTERN

The direction of the new Municipal Plan is to primarily focus new residential growth within the existing serviced area of the community through infill development of vacant lots and under-developed properties, subdivision development of new designated locations and general intensification of the land base. Infill residential development may take many forms from

detached residential homes on serviced urban lots to craftsman type designed small lot houses to seniors' single level townhouse dwellings in pods of three to four buildings with a central landscaped courtyard to congregate care facilities.

Over the longer term, if the Town in the future has the capital reserves to acquire fire-fighting equipment capable to fight fires of buildings in excess of two stories, apartment buildings of a three to four storey height may be feasible. Increased density represents economic effective use of the land base, and while existing local residents and impacted neighbourhoods may express initial resistance to such change, stabilizing and expanding the local population through residential growth needs to remain as a primary community direction to achieve a more successful and sustainable future for the Town.

The Municipal Plan seeks to encourage the successful integration of new and potentially denser housing developments through a new emphasis of providing Council with the opportunity to manage the proposed site location and layout, landscaping and building design of projects through new Plan policies, the requirements of the Development Regulations, and the application of the general design guidelines of the Development Regulations. Local residents will also be afforded the opportunity to have additional site and building design information on new development proposals to help better understand the intent of new projects. Innovation and flexibility in providing for expanded housing choices to the local development community, and various housing options to existing and prospective new residents, is collectively intended to re-energize Bishop's Falls presence as a residential community.

9.6 NEW RESIDENTIAL DESIGNATED AREAS

In addition to the planning objective of infill residential development, the Municipal Plan has also designated five new and expanded single unit residential housing locations located to the south of the TCH and within the urban area on the Future Land Use Map, and generally noted as follows:

- The elevated ridge lands to the east of the Maple Street area to the Town Water Reservoir structure (preserving the Roman Catholic Cemetery);
- The westerly end of Junction Road to the water tower;
- To the east of the northern extent of Newtown and Turner's Roads;
- The area represented by a potential extension of Rewa Avenue, and to the north of Adams Avenue; and,
- The lands to the east of First and Second Avenues, and to the north of Leo Burke Academy.

By designating additional areas for residential development, the Town is adding to the local land inventory for residential housing and allowing the development community to have choice and increased opportunity. Over time as new areas are developed and infill development continues, the local population has the capability to increase and the viability of rejuvenated commercial and business investment in the community will become more viable.

Land development of the new residential areas will need to be sensitive to natural topography and retention of any slope area over 7% unless accompanied by geotechnical recommendations. There will also be need to comprehensively analyze the plausibility and cost of servicing the sites with water and sewer, without passing on significant operational infrastructure costs to the Town. Where new areas are to be developed, future residential roads are intended to be looped and connected to existing single access roads in the neighbourhood area wherever feasible, so as to continuously improve the connectivity and efficient function of the Town's road network.

Special design attention will be required in developing new housing on the elevated ridge lands – this setting provides some of the most valuable development and view lands in the community. Issues such as preservation of steep slopes, retention of trees, road grades, drainage, landscaping, and the viewscape of the proposed new homes from Main Street will require evaluation as part of the subdivision approval and other review processes.

9.7 HIGHER DENSITY USES

The Municipal Plan approach for higher density residential development projects for townhouse and residential apartments shall be to generally encourage such uses to locate in close proximity to the downtown commercial core, near Helen Tulk Memorial Avenue and Station Road, and adjacent lands, and on the Main Street corridor generally from McMahon's Lane to Newtown Road. Waterfront condominium development near this community core area, with raised building sites and other flood-proofing measures, additionally represent higher density residential opportunities for the Town. Over time, the planning intent is to add density and a critical mass of population through multi-unit projects to support the viability and sustainable success of downtown business uses.

9.8 COMPREHENSIVE DEVELOPMENT AREAS

Comprehensive Development Areas will continue to be designated on the Municipal Plan to allow for potential housing developments and other land expansion locations in the future on the basis of an overall neighbourhood and/or development area plan being prepared for the designated area. At the time of development application to amend a Comprehensive Development Area designation, the Town will prepare a Terms of Reference of various site

development issues for the applicant to address within the Neighbourhood/ Development Area Plan, noted in part as follows:

- Environmental assessment of the subject lands and identification of sensitive features and areas to preserve, including tree retention;
- Assessment of site topography and proposed drainage patterns;
- Proposed access to / from existing road network, estimated traffic volume to be generated from the development, road capacity of the area, potential required off site road widening, walking lanes and other improvements, proposed internal road system to serve the subject lands and the potential development lands beyond, emergency vehicle access, adequate road turning radii for service vehicles, and an assessment of the opportunity to make further road connections to dead end roads and single access streets of the neighbourhood transportation system;
- Infrastructure extensions, including an assessment of offsite trunk capacities and water and sewer deficiencies for the development to financially address, identification of any ongoing water or sewer operational costs to the municipality and an evaluation of the servicing capacity needs of adjacent lands;
- Proposed residential lot layout, industrial subdivision approach, and/ or housing/ building types;
- Parkland and open space development, including connective pedestrian walking trails;
- Potential phase order of site development.

9.9 CONSERVATION DESIGNATED AREAS

A portion of the land area located to the south of the Trans-Canada Highway that is not designated for Residential, Comprehensive Development and other land uses, is designated as Conservation. Certain conservation designated areas shall be maintained to preserve highway corridors, environmental lands and steep slope areas. Other Conservation designated locations are retained in reserve until further land use planning and engineering servicing analysis review is undertaken by private land developers to substantiate through land development discussions and application to the Town, potential re-designation and rezoning consideration of such lands for residential and other land uses.

9.10 GENERAL RESIDENTIAL

Policies

- 9.10.1 Residential developments shall be planned compatibly with the natural attributes of each site, with the objective of preserving and protecting natural features such as wetlands, watercourses, natural topography, views, vistas and mature vegetation as

- much as feasible, and integrating new development with the existing neighbourhood character.
- 9.10.2 The Residential designation on **Map 1 - Future Land Use** shall provide for a wide range of housing types and residential densities.
- 9.10.3 The Rural Residential designation shall apply to those lands with potential for highly designed rural acreage residential lots and homes.
- 9.10.4 The Comprehensive Development Area designation shall identify those areas with potential for possible consideration for future development for residential, industrial and other land uses.
- 9.10.5 The residential development focus for the community over the next year period and beyond shall be to provide for more various housing types, to address the housing needs of seniors, to pursue a strategy of infill and intensification of the infrastructure serviced area land supply, to encourage the highest residential densities within the core of the community, to provide for quality residential development, and to work towards more connective residential neighbourhoods.
- 9.10.6 New residential lots created through subdivision shall maintain regular lot line configurations wherever feasible.
- 9.10.7 The development standards, conditions of use, accessory uses and other provisions and requirements for various housing developments within the Residential designated area shall be defined by the Development Regulations.
- 9.10.8 The construction of a new residential dwelling or home on a lot must not commence until all necessary conditions and requirements are satisfied.
- 9.10.9 Council may consider the preparation of an Advance Street Network plan and road layout mapping to the local road level to provide a template to guide the development of future subdivisions within the community, and to pursue connective road patterns to the existing road network.
- 9.10.10 Recreational open spaces and improvements, and pedestrian / bicycling trail networks shall be permitted in all residential development areas, and shall be designated and zoned as Recreational Open Space at time of site development.
- 9.10.11 Council will continue to identify and inventory property land ownership, particularly Crown owned land, and where identified, make application for municipal ownership of strategic Crown owned lands for future residential and community land uses.
- 9.10.12 Vacant municipal owned lands shall be reviewed by Council for community use or disposal on the basis of benefit to community needs.

9.11 HOME BASED BUSINESSES

- 9.11.1 Home Based Businesses as a discretionary use to a residential use are encouraged by the Municipal Plan as a method of supporting small business growth within the community, with the longer range anticipation that specific home based businesses may grow into larger businesses, and relocate to the downtown commercial core of the community. Home Based Businesses shall not detract from the local quality of life of residential locations. Home Based Businesses shall conform to the Town's 2005 Home Based Business Regulations.
- 9.11.1 The intent for the new Municipal Plan is for Home Based Businesses to be entirely enclosed within a building and to be generally limited to professional offices and other low intensity compatible occupations which represent a secondary and strictly incidental use to the residential character of the neighbourhood; excluded Home Based Business uses and conditions of use shall be defined by the Development Regulations.

9.12 SINGLE UNIT RESIDENTIAL

- 9.12.1 The primary residential housing type will be the detached single unit house on a privately owned property, or within a bare land strata housing development; the minimum lot size area for a single unit detached residential is 558.0sm (6006.4sf).
- 9.12.1 Single Unit Residential house development shall provide for landscaped front, side and rear yard areas, and provision for parking of a minimum of two spaces within an identified driveway area.
- 9.12.2 A maximum of one principal residential dwelling unit per lot shall be permitted within the Single Unit Residential and Compact Residential zone categories.
- 9.12.3 Maximum building site coverage for a house and all accessory buildings within the Single Unit Residential and Compact Residential shall be 40% of the lot area size.
- 9.12.4 To achieve more diversified and interesting streetscapes, front and side lot line setbacks for new single unit residential homes shall be staggered and offset wherever feasible, and in accordance with the Development Regulations, and no two identical house designs are encouraged to be repeated adjacent, or opposite, to each other. Coordinated street tree planting will also be encouraged.

9.13 COMPACT RESIDENTIAL

- 9.13.1 Compact Residential lots shall be created through subdivision and rezoning to a new Compact Residential zone, based upon a minimum parcel size of 372.0sm (4004.3sf), and consideration of proposed housing design in accordance with the design guidelines of the Development Regulations.
- 9.13.1 Proposals for Compact Residential development shall provide for site and house design information to Council for review, and other site development information as deemed necessary.
- 9.13.2 Compact Residential house development shall be encouraged to provide for landscaped front, side and rear yard areas, and provide for parking of a minimum of two spaces within an identified driveway area.
- 9.13.3 Council may initially decide to only consider a limited number of compact lots for development to allow for an evaluation of their siting and construction.

9.14 TWO UNITS RESIDENTIAL

- 9.14.1 Two Units Residential, or Duplex, residential lots shall be created through subdivision and rezoning to a new Two Units Residential zone, based upon a minimum parcel size of 790.0sm (8503.7sf), and consideration of proposed housing design in accordance with the design guidelines of the Development Regulations.
- 9.14.1 Two Units Residential house developments shall provide for landscaped front, side and rear yard areas, and provision for parking of a minimum of two spaces within an identified driveway area for each of the two dwelling units.
- 9.14.2 Two Units Residential uses shall provide for additional landscaping treatment in the form of landscaped hedges, trees and shrubbery, and/or decorative fencing, as approved by Council, for duplex lots adjoining a single unit residential use.
- 9.14.3 Two Units Residential house developments shall be developed as side by side residential dwelling units, with each unit sharing a common wall.
- 9.14.4 The front building of two units residential buildings shall provide for design articulation, building material variation and recessed building façade to minimize building massing and to emphasize unit identity at the front door entry and with the attached garage; no two adjacent or opposite duplex residential units may have the identical building design and/or colour.

- 9.14.5 A maximum of four two unit residential buildings are encouraged to be sited adjacent to each other, unless superior site and building design considerations are otherwise approved by Council through the rezoning and development design approval processes.

9.15 MULTI-UNIT RESIDENTIAL

- 9.15.1 Multi-unit residential proposals shall be limited through rezoning consideration to sites of a minimum parcel size of 0.5 acre (21,781.4sf / 2023.5sm) for three and four unit dwellings within one principal building, and a minimum parcel size of 1.0 acre (4047.0sm / 43,562.9sf) for all other higher density forms of development. Achievable site density shall be dependent upon the developable area of the site, the proposed housing form, required setbacks to property lines, required landscaping and provision for parking areas.
- 9.15.1 The primary permitted housing types to be developed within the multi-unit residential zone include three and four dwelling unit buildings, single level detached and attached townhouse projects, other townhouse forms, apartment and condominium buildings, higher density bare land strata developments and congregate care facilities for seniors and others in need of care; historic row-house types of dwellings shall not be encouraged.
- 9.15.2 The density for all multi-unit residential projects shall be encouraged through the development review process to achieve a building site density greater than 10 dwelling units per acre; a maximum of a two storey height with any one building is permitted.
- 9.15.3 Preferred multi-unit residential project locations shall include the following considerations:
- Locations identified as suitable by Council;
 - Within the downtown commercial core area, and adjacent lands;
 - Adjacent to Main Street within the central core area of the community;
 - A waterfront oriented or view location near Riverside Drive, Station Road or Exploits Avenue;
 - Adjacent to the area in the vicinity of the Recreation Complex and Stadium;
 - Site located at the beginning of residential collector street or residential block location;
 - Within the elevated ridge lands to the north of Hampton's Hill; and/ or
 - Large lot sites located mid-block and in other locations of the community.
- 9.15.4 Multi-unit residential developments shall adhere to the permitted uses, conditions of use, development standards and other provisions of the Development Regulations.

- 9.15.5 All multi-unit residential proposals shall be encouraged to be developed in general accordance with the site, building, landscaping and parking area development design guidelines for multi-unit residential projects, and as determined by Council; attention to site design and building placement, orientation, layout, scale, height, and massing in relation to the existing residential neighbourhood area shall be considered.
- 9.15.6 Multi - unit residential developments shall provide for significant landscaped treatment to the front, side and rear yard areas, and to adjacent land uses, through submission of site landscape drawing, and provision for a screened parking area of a minimum of 1.5 parking spaces per dwelling unit, and as further outlined within the design guidelines of the Development Regulations.
- 9.15.7 The Town shall consider the preparation of a large site size land inventory for potential multi-unit residential locations situated within the serviced area of the community.

9.16 MIXED USE RESIDENTIAL

- 9.16.1 Mixed Use Residential projects shall be pursued through rezoning to allow for flexible site development of various housing forms of a site density greater than 8 dwelling units per acre.
- 9.16.1 Mixed Use Residential housing types may include single unit residential, compact residential, two unit residential and multi-unit residential dwellings.
- 9.16.2 Mixed Use Residential developments shall adhere to the requirements of the Development Regulations for conditions of use, siting and other provisions, and shall be considered by Council in part on the basis of the design guidelines of the Development Regulations.

9.17 RURAL RESIDENTIAL

- 9.17.1 Rural Residential locations are designated on the Municipal Plan Future Land Use Map within the Grenfell Heights, Thirteen Mile Crossing and a limited extent of the Botwood Highway areas to provide for acreage residential lots through subdivision approval on the basis of a minimum lot size of 0.40 hectare (1.0 acres), and as determined by Services NL through subdivision approval consideration of the capability of the proposed lot for an on-site septic effluent disposal system and an adequate domestic well water source, and in consideration of other factors relating to proposed site development.
- 9.17.2 Subsequent development of high quality design housing shall be considered through the permitted and accessory uses, conditions of use, building siting, and outside storage provisions, and consideration of the design guidelines of the Development Regulations.

- 9.17.3 Council may require through the Rural Residential subdivision for more than one residential acreage lot for the applicant to engage a professional hydrologist or other qualified person to undertake an assessment of water quantity and quality parameters for the on-site domestic water source for the proposed homes in accordance with the Canadian Drinking Water standards and accepted minimum daily and per minute/ hour water quantity volumes, and an evaluation of the potential impact of new water wells on the area aquifer and existing rural area homes.
- 9.17.4 All new municipal roads to service Rural Residential subdivisions shall be constructed by the applicant to a paved municipal standard complete with drainage.
- 9.17.5 Future development areas for Rural Residential housing may be considered for re-designation on lands in the immediate area of Thirteen Mile Crossing and adjacent to the Botwood Highway, where future individual new driveway accesses to the Highway are minimized, where feasible, through a common access service road to service the potential new acreage lots.

9.18 MOBILE HOMES

- 9.18.1 New Mobile Homes shall only be permitted as replacement dwelling units within existing Mobile Home developments, or through rezoning as part of a comprehensive new Mobile Home Park development, based upon a site density of a minimum of 20 dwelling units and a maximum of 40 mobile homes. All Mobile Homes shall be serviced with municipal water and sewer, and all internal site roads shall be paved.
- 9.18.1 Potential new Mobile Home Park sites are to be located distant from the more valuable developable land base area near the core of the community.
- 9.18.2 Potential new Mobile Home Park developments shall be prominently landscaped and shall address all provisions for site layout, access, building siting, amenity areas and off street parking, and as identified by the Development Regulations.
- 9.18.3 The minimum parcel size for each mobile home pad site shall be 340sm (3660sf), with a minimum frontage to an internal road of 12.0m (39.37ft).
- 9.18.4 Potential new Mobile Home Park developments are encouraged to be strata titled, or on a rental tenure basis, and all costs for site servicing for water, sewer, storm drainage, roads, street lights, refuse collection and disposal, snow clearing and similar, are the responsibility of the Park owner(s).
- 9.18.5 Council may consider a double wide mobile home as a housing form within the Rural Residential area, based upon a number of site design requirements as outlined by the Development Regulations.

9.19 SENIORS HOUSING

- 9.19.1 Council shall encourage the development of seniors' housing projects within the community through the establishment of dialogue with the local area housing development industry, local service clubs and church organizations, and through communication with developers of seniors' housing.
- 9.19.1 Housing for seniors shall be encouraged to locate in close walking proximity to commercial services, community amenities and facilities, recreational opportunities and medical offices.
- 9.19.2 Seniors' housing projects shall incorporate, wherever feasible, design elements of open green space with significant landscaping, trees and shade areas with rest benches, park space central courtyards and amenities such as vegetable gardens and fruit trees.
- 9.19.3 Seniors' housing may be considered as part of Two Unit Residential, Compact Residential, Multi-Unit Residential and Mixed Residential development proposals, and as assisted living and congregate care facilities.
- 9.19.4 Council may, in the future, consider the potential for innovative housing forms for seniors such as small footprint accessory family cottages as granny suites located in the rear yard area of single unit residential lots with an area size greater than 770sm (8,288sf).

9.20 SPECIAL NEEDS HOUSING

Community planning policies also need to address housing consideration for those in the community with special needs. The special needs individuals may include group homes for youth to care facilities for battered women to homes for disabled and emotionally challenged individuals. It is proposed that the community be supportive of those less fortunate in our society by providing for a policy approach of permitting residential care facilities for a maximum of up to four residents in care in detached residential homes, within all residential zones of the community.

Where larger special needs housing is proposed, rezoning approval will be required.

Policies

- 9.20.1 The Development Regulations will provide for a Residential Care Use as a permitted use for up to a maximum of four residents, plus support staff, within detached single unit homes in residential zones, so as to provide support for special needs housing in the community.

- 9.20.2 All Residential Care Use proponents shall be encouraged to converse early with the Town with regard to specific site conditions and requirements that may apply.
- 9.20.3 Special needs housing project proposals that are greater in size than for four residents in care shall be required to receive rezoning approval to an Institutional and Civic Use zone.
- 9.20.4 The special needs and disabled members of the community shall be considered in other community planning initiatives for residential neighbourhoods, buildings, parks, community recreational facilities and amenities, and road and sidewalk design.

9.21 BED AND BREAKFAST

- 9.21.1 Bed and Breakfast uses shall be permitted as a discretionary use by Council within the principal residential dwelling of single unit residential zones, and where such dwellings are deemed by Council to be visually appealing, appropriate for the neighbourhood setting, and conducive to a tourism accommodation use.
- 9.21.2 Bed and Breakfast Uses shall not be permitted when an existing boarding use, a subsidiary apartment or other accessory residential use is in effect.
- 9.21.3 No more than three bedrooms accommodating not more than 6 persons at any one time may be utilized by residential homes for a Bed and Breakfast use, unless otherwise approved by Council.
- 9.21.4 Bed and Breakfast uses shall comply with the provisions of the Development Regulations with regard to off-site parking and other requirements, and shall be duly licensed by the provincial agencies having jurisdiction.

9.22 ACCESSORY RESIDENTIAL BOARDING

- 9.22.1 An accessory boarding use shall be permitted within residential dwellings, to a maximum of three bedrooms per dwelling unit.

9.24 SUBSIDIARY RESIDENTIAL APARTMENT HOUSING

Subsidiary Residential Apartment Units as a housing form in the basement of detached single unit homes shall continue to play a role in providing accommodation needs to local residents within the urban and non-urban areas of the municipality.

- 9.24.1 Subsidiary residential apartments shall be limited to one per lot, shall be contained within the same building as the single unit residential use, shall have a separate entrance

to the outside, and shall not have a floor space area greater than 40 % of the floor area of the principal single unit residential use.

9.24.2 The Development Regulations shall further define requirements for Subsidiary Residential Apartments.

10.0 COMMERCIAL AND EMPLOYMENT GROWTH

10.1 COMMERCIAL GROWTH

While population loss in Bishop's Falls over the past twenty years has eroded and diminished the downtown commercial heart of the community, the local business community is resilient. There is core strength in the community with membership of over 50 various local entrepreneurs and businesses. The key missing link within the commercial sector, as strongly voiced by local residents, is the lack of retail businesses and local shopping choices. While primary commercial anchor businesses such as the food store and drug store remain, there are limited local businesses to meet the shopping needs of residents for clothing, shoes, furniture, bakery, book store, dry cleaning and other similar services.

There is much consumer spending leakage to Grand Falls-Windsor, and to a lesser extent, to Gander. This commercial dollar loss needs to represent one of the key leverage points to secure new and ongoing investment interest in the community. The bigger need is to provide for more emphasis to economic development planning in the community. A significant part of successful economic development efforts entails strategic land and business inventory data, income and demographic information, a defined community brand and solid marketing and advertising efforts aimed at a specific target market audience. Enhanced economic development partnerships with local groups such as the Exploits Valley Chamber of Commerce, and with community development initiatives of organizations such as the Harris Centre of Memorial University, also need to be nurtured.

Over the next ten year planning horizon of this Municipal Plan, the intent of the commercial land use policies shall be to work towards strengthening the downtown commercial core by encouraging the highest residential densities to locate in and near the downtown area; to consider the preparation of Downtown Neighbourhood Plan to identify and cost downtown improvement projects and linkages to the Exploits River waterfront; and to elevate investment confidence and opportunity within the downtown. The Municipal Plan also seeks to support local population growth through intensive residential development so as to improve the viability of enhanced commercial activity within the core of the community.

Spillover personal service, office and convenience store commercial business growth to other locations of the community will not be encouraged. A specific neighbourhood commercial zone category will be provided within the Development Regulations for properties wishes to pursue commercial growth outside of the downtown core.

The Municipal Plan designates two land use designations of Commercial and Town Centre. The Development Regulations will provide for General Commercial, Highway Commercial and Neighbourhood Commercial zone categories within the Commercial designation, in addition to a specific zone category for the downtown commercial core.

10.2 GENERAL COMMERCIAL POLICIES

- 10.2.1 Commercial growth is a strategic land use component necessary to help Bishop's Falls to grow into a more complete community; the Town is supportive of strategically located commercial business expansion that adds economic value, increased shopping choices, additional employment opportunities, and enhanced development site aesthetics, to the community.
- 10.2.2 Future commercial growth of office, personal and business services, and retail stores, development of cultural and civic uses, general assembly uses and pedestrian focused open space parks, are encouraged to locate in the designated Town Centre downtown commercial core area that is generally situated on individual sites within the Main Street corridor westerly from Town Hall to Helen Tulk Memorial Avenue Drive, and in the precinct to Station Street, and as designated on **Map 1 - Future Land Use**.
- 10.2.3 The land use planning direction for future commercial growth shall be to encourage most growth to occur within the historic downtown commercial area as a means to establish a strong community core identity and as an opportunity to nurture a central area of the community from which to develop enhanced pedestrian linkages to the riverfront, and increased supportive residential densities.
- 10.2.4 All future commercial building and site development shall be considered by Council, in part, through an evaluation of the proposed commercial use, the site location, and the building, landscaping, signage and parking provisions to support the business use, as in accordance with the general design guidelines intent of the Development Regulations.
- 10.2.5 All commercial developments are encouraged to provide enhanced landscaped treatment and separation distance to adjacent residential uses.
- 10.2.6 There shall be no minimum lot size requirements for commercial development sites except for in the downtown Town Centre zone and Highway Commercial uses as defined by the Development Regulations; site design consideration of building setbacks to adjacent land uses, provision for parking areas and site landscaping requirements will primarily determine the developable area of each site in other commercial locations.
- 10.2.7 Highway commercial uses, as designated Commercial by the **Map 1 - Future Land Use** and as defined by the Development Regulations, will be considered on a site specific

basis, in accordance with site access approval from the Province, and the provision of adequate servicing, and for various business services for highway travelers such as hotels, motels, restaurants and motor vehicle gasoline service stations.

- 10.2.8 General commercial uses, as defined by the Development Regulations, shall be considered primarily on the westerly extension of Main Street, on sites distant from the downtown commercial core, for more auto dependent business uses such as restaurants, veterinary offices, funeral homes, take-out food services, service stations, bus terminals, auto car sales, and automobile servicing, and where such business uses represent an appropriate fit for the neighbourhood. Excluded uses in this commercial designation include auto body repair, auto wrecking, and similar uses.
- 10.2.9 Neighbourhood commercial uses, as defined by the Development Regulations, shall provide for the personal shopping convenience of local neighbourhood residents; neighbourhood commercial uses shall generally only be located on arterial or collector streets, shall provide for adequate parking and loading, efficient traffic access and egress movements, and utilize well designed low intensity lighting and signage that is secondary to the primary residential character of the neighbourhood.
- 10.2.10 The conversion of detached residential houses for a commercial use shall be considered through rezoning on the basis of site location near the community core, neighbourhood character, provision for parking, enhanced site landscaping and proposed building improvements.

10.3 ECONOMIC DEVELOPMENT POLICIES

- 10.3.1 Council may consider an expanded economic development function for the Town to assist in local commercial development and employment growth, to address issues of commercial retention, marketing and attraction, to help refine the Town's tourism strategy to market and encourage increased tourism visits to the community, and to provide an expanded inventory of goods, services and attractions to extend tourism stays.
- 10.3.2 Council may consider enhanced partnerships with the Exploits Valley Chamber of Commerce, the Exploits Valley Tourism Association, the College of the North Atlantic, and the Harris Centre of Memorial University, to assist with increased local economic development efforts.
- 10.3.3 In its development decision-making process, the Town of Bishop's Falls shall consider the *Exploits River Development Strategy*, adopted by Council in 2015 and intended to facilitate economic development in the community.

- 10.3.4 Council will consider the creation of a municipal lands inventory map to identify any strategic properties that may be utilized through purchase acquisition by the private development industry to further economic development growth and development within the community.
- 10.3.5 Council may consider the preparation of strategic economic development information on lands and business inventory, land development costs, local business testimonials, income and demographic information, local business voids, a defined community brand and solid marketing and advertising efforts aimed at a specific target market, as an additional commencement point to initiate new economic development efforts.
- 10.3.6 Council may consider the engagement of external expertise to conduct a Consumer Spending Leakage analysis of Bishop's Falls to determine how many shopping dollars and expenditure purchases are leaving the community, and to prepare a Retail Market Area Study to identify what specific additional business types that the community may economically be able to support, as a means to assist in a business attraction for the community.
- 10.3.7 Council shall maintain ongoing dialogue with existing area businesses to keep aware of local issues and as a means to be able to respond to local needs, and may consider formation of a bi-monthly Economic Advisory Committee to Council to review and recommend on commercial and employment development proposals, and to discuss local business expansion needs. A Terms of Reference for the Committee, if pursued, should be prepared in advance.
- 10.3.8 Council may further consider the preparation of a Terms of Reference and the identification of potential external funding sources to financially assist in the engagement of external expertise to prepare a practical and focused Economic Development Strategy for the Town.
- 10.3.9 Council may consider the engagement of external expertise to prepare a vibrant Community Branding strategy for the Town so as to more effectively market, advertise and promote the community.

10.4 TOWN CENTRE

- 10.4.1 The Town Centre designated area shall provide for diverse commercial business use opportunities that focus on pedestrian level customer retail shopping, professional and government offices, personal and general services, restaurants, cultural and civic and mixed commercial/residential uses.

10.4.2 The land use planning focus for the downtown commercial area shall primarily consist of the following planning strategies:

- Infilling of vacant and underdeveloped sites, and redevelopment of existing land and abandoned buildings;
- Encouraging apartment residential uses on the second storey above ground floor commercial uses and the development of higher density multi-unit residential uses within and adjacent to the downtown core;
- Allowing for flexible siting of new buildings on lots to facilitate optimum utility of developable area, relaxing parking requirements and providing for building heights to a two storey height, as defined by the provisions of the Development Regulations;
- Advancing site and building concepts through the design guidelines of the Development Regulations to promote a pedestrian friendly urban environment, and improving the physical realm, visual identity and landscape aesthetics of the downtown centre through improvements to building facades, public and private spaces, including streetscape improvements, provision of public amenities of street furniture, shade areas and decorative lighting, and enhanced pedestrian linkages to the waterfront;
- Discouraging business uses that involve significant levels of outside storage;
- Determination of most viable role for use of the former Grand Falls Central Railway right-of-way as an improvement building block to future success of the downtown;
- Promoting increased pedestrian walking and bicycling trail opportunities to the downtown area, including over the longer term, expanded recreational use of the abandoned railway lines, and road widening of Main Street to allow for demarcated paved walking and cycling strips;
- Accentuating tourism attraction opportunities within the downtown, including consideration to a building mural program that depicts the Town's historic past, and defining expanded use options for the heritage museum and railway rolling stock as part of downtown revitalization; and,
- Consideration for the Town to pursue the preparation of a Terms of Reference for a Downtown Neighbourhood Plan that is to serve as the land use planning blueprint for the Town to realize future success of the downtown as the central heart of the community, to research potential sources of funding to financially assist in the engagement of external expertise to develop the Downtown Neighbourhood Plan and to identify capital costs and potential funding sources for all recommended improvements and infrastructure needs.

- 10.4.3 Upon potential completion of the Downtown Neighbourhood Plan, the Town shall utilize the Plan as a marketing tool to educate, inform and promote business investment and land development opportunities within the downtown area.
- 10.4.4 New commercial developments shall be encouraged to incorporate principles of Crime Prevention through Environmental Design (CPTED) through review and recommendations from the RCMP on proposed site design and layout of buildings, and design detail such as door entrance and cashier locations, site lighting and vehicle parking.

10.5 EMPLOYMENT GROWTH THROUGH INDUSTRIAL EXPANSION

10.5.1 Current Patterns of Industrial Growth

The strength of local industrial employment generation in the community is the critical mass of various local manufacturers, which are primarily located in three of the four designated industrial land areas identified by the **Map 1 - Future Land Use** of the Municipal Plan, noted as follows:

- The Business Park location on Dominic Street where large industrial manufacturing businesses such as Newfoundland STYRO Inc. are located;
- The Industrial designated area on the west portion of Main Street to support businesses such as the Timbr Mart, Reid's Construction and Adam's Construction, and their related large site area storage yards;
- On the waterfront, adjacent to Exploits Avenue to provide for Armtec and Blanchard's Cabinets manufacturing sites; and,
- Within the Sunset Drive and Botwood Highway locale to support the innovative absorbent manufacturing business of Hi-Point Industries and welding business of Proweld Industries.

While various industrial locations provide land use flexibility for the community, it is proposed that current patterns of industrial land development should evolve to become more concentrated land development areas, and to assume more of a business park type of environment, with a broader range of accessory office, accessory retail, and accessory employee residential and commercial services as supportive uses to an expanding and more localized industrial sector. Land use planning emphasis on greater building site coverage and less outside storage uses are also suggested as a means to secure more optimum utility of valuable industrial zoned land, to increase the assessed values of industrial sites and to expand building square footage areas to present opportunity for additional employment opportunities.

10.5.2 Municipal Plan Industrial Designated Areas

This Municipal Plan continues the industrial designation for the Exploits River and the west Main Street industrial locations of the community; a designation name change to Business Park has been advanced for the Dominic Street. The Dominic Street designated area has also been expanded to support a further phase growth of the site. The existing Sunset Drive industrial businesses are supported by an Industrial designation but industrial expansion within the area shall be pursued through a designation and rezoning change to the current Comprehensive Development Area. It will be important for the Town to maintain ongoing dialogue with the local industrial businesses over the next ten year planning period to focus on business retention, expansion and other opportunities; industrial business person representation on the recommended Economic Advisory Committee to Council could serve as this liaison and linkage.

10.6 GENERAL INDUSTRIAL POLICIES

Designated Industrial Locations

- 10.6.1 The Municipal Plan targets the following areas for industrial uses:
- An expanded Business Park location on Dominic Street;
 - The industrial designated area on the west portion of Main Street;
 - The wastewater treatment plant;
 - The waterfront industrial designated lands, adjacent to Exploits Avenue; and,
 - The designated lands within the Sunset Drive locale.
- 10.6.2 The hydro generating and dam facilities on the Exploits River are further designated as Industrial.

Permitted Uses

- 10.6.3 Permitted, prohibited and accessory uses, conditions of use and other provisions for Business Park and Industrial zone locations will be defined by the Development Regulations.

Industrial Land Use Values

- 10.6.4 Council supports the retention and expansion of existing local industrial businesses as an important component of the community's future economic development, and is particularly supportive of a broader range of new industrial businesses that are job intensive, provide for a higher density use of land, are potentially related to research and development and other knowledge based and of high technology, and are non-polluting.

Site Servicing

- 10.6.5 All future industrial developments shall only occur with full municipal sewer and water service, unless otherwise approved by Council.

Building and Site Development

- 10.6.6 All industrial uses are to provide for a principal building on the site; an industrial storage use without a building, including uses such as tire recycling facilities, additional automobile and machinery scrap and wreckage storage uses, and industrial lay-down yards shall only be considered by Council, as a potential discretionary use.
- 10.6.7 Site layout and general building and site design guidelines for Business Park and Industrial locations may be considered by Council through application of the general development design guidelines, as identified by the Development Regulations.
- 10.6.8 New industrial use developments are encouraged to provide for additional on-site amenities of green space, shade areas and other amenities for employees of the industrial use.
- 10.6.9 Future industrial development is encouraged to achieve a building coverage of a minimum of 20 % of the lot area of the property to provide for more intensive building development on valued industrial land, and to facilitate the potential for increased local employment opportunities.

Industrial Site Storage

- 10.6.10 External storage of goods and materials shall be encouraged to be less in area size than the principal building on the lot, unless screened from adjacent public streets by significant landscape treatment and approved fencing materials.

Accessory Uses

- 10.6.11 An accessory retail use to provide for commercial display and sales of the industrial product manufactured or produced on site shall be permitted to a 25 % floor space area size of the industrial or business park use building.
- 10.6.12 An accessory employee residential use in the form of a dwelling unit within the principal building of an industrial or business park use, and as further detailed by the Development Regulations, may be pursued with new or expanding industrial and business park uses.

Adjacent Land Uses

- 10.6.13 Where a new or expanded industrial or business park use is proposed to be located adjacent or opposite on a road to an existing or proposed future residential area, the

owner of the industrial development site shall prepare a landscape plan for Council's consideration to provide for the industrial owner's installation of a minimum 30.0m (98.4ft) landscaped, decorative fence and/or natural vegetation buffer screen between the industrial site and the adjacent residential development, as a potential condition of approval consideration.

Hazardous Uses

- 10.6.14 No noxious materials or processes, and no operations that cause significant off-site fumes, odors, dust, ash, noise or vibration, or otherwise create any off-site nuisance that has an unpleasant effect on the senses, including abattoirs and mushroom composting, may be permitted as primary industrial uses within Industrial and Business Park designated areas. Such uses may be considered as discretionary Special Industrial uses by Council.
- 10.6.15 Industrial uses that involve hazardous or combustible substances shall only be considered by Council as a discretionary use on centrally located sites within the Industrial and Business Park designated locations, on the basis of local fire and provincial emergency services review and recommendations, and all other relevant federal and/or provincial authorities having jurisdiction with respect to occupational health and safety, life safety, risk analysis and management review, emergency planning and environmental protection.

Industrial Business Dialogue

- 10.6.16 The Town may consider representation from local industrial and Business Park businesses on a potential Economic Advisory Committee to Council as one approach to maintain ongoing dialogue with the industrial business community.

10.7 INDUSTRIAL DEVELOPMENT APPROACH

Policies

- 10.7.1 Industrial designated properties shall provide for a various mix of light industrial, manufacturing, wholesaling, warehousing, transportation, offices, related commercial services and limited accessory storage uses.
- 10.7.2 During the ten-year planning timeframe of this Municipal Plan, the Exploits Avenue industrial businesses shall be supported.
- 10.7.3 During the ten-year planning timeframe of this Municipal Plan, the west Main Street industrial businesses shall be supported and where business expansion is proposed,

such expansion should be encouraged to occur, not through rezoning of additional adjacent lands, but through higher utility use of the vacant outside storage land areas of the subject properties.

- 10.7.4 Comprehensive redevelopment of the west Main Street properties for a use other than industrial shall only be considered on the basis of preparation of a Neighbourhood Concept Plan by the owners of the subject lands, and on the basis of a Terms of Reference for the Concept Plan being prepared by the Town.
- 10.7.5 Conversion of the existing industrial lands on west Main Street for auto dependent commercial uses through rezoning may be considered by Council on the basis of a taxation revenue comparison of the existing land area and the proposed building and land improvements to the site.
- 10.7.6 Industrial business and land uses within the Sunset Drive area may be expanded during the ten year period of this Plan, depending on the availability of extended infrastructure services and a designation and rezoning change to the current Comprehensive Development Area designation for adjacent lands.
- 10.7.7 Strata multi-unit industrial developments that provide for individual unit floor space of approximately 139.4 to 186.0 sm (1,500.5 to 2,000.2 sf) within one building will be encouraged to accommodate local contractors, light manufacturing and assembling uses within both the Industrial and Business Park designated areas.

10.8 BUSINESS PARK DESIGNATION

- 10.8.1 Business Park designated properties on Dominic Street and its possible extension shall provide for a various mix of light industrial, manufacturing, processing, assembly, wholesaling, warehousing, transportation and other job intensive uses. Stand-alone businesses such as offices are encouraged to locate within the downtown commercial core area.
- 10.8.2 Proposed industrial uses that do not provide for an on-site building as part of the industrial use shall not be permitted.
- 10.8.3 The Dominic Street Business Park location designation has been enlarged to allow for industrial expansion; such future expansion should consider the high visibility setting of the development adjacent to the Trans Canada Highway, and provide for enhanced business park landscaping, including a front entrance landscaped area with signage, and a more coordinated and enhanced streetscape appearance through planting of street trees.

- 10.8.4 New building and site design for the Dominic Street industrial area may be considered by Council through the general design guidelines for Business Park use within the Development Regulations.
- 10.8.5 The Sunset Drive industrial location has potential for Business Park use expansion on the basis that future sewer service will be available to such lands, and that municipal capital plans for road improvements, will include the future paving of Sunset Drive.

11.0 MANAGING AGRICULTURAL AND FORESTRY LANDS

11.1 AGRICULTURE

The issues of food supply and the local policies of municipalities to address the supply and security of food sources are seldom addressed by Municipal Plans. For Bishop's Falls, from a land use planning perspective, it is important to identify and preserve existing local farm operations and areas with high capability soils for potential future agricultural operations. It is additionally beneficial to encourage the use of vegetable gardens and accessory greenhouses, farm gate operations, and areas of agricultural interest within the established residential areas of the community.

The Agrifoods Development Branch of the Department of Natural Resources represents the key provincial agency to assist with local agricultural initiatives.

11.2 AGRICULTURE POLICIES

- 11.2.1 The Municipal Plan designates an area within the northern sector of the Planning Area, south of Peters River and west of the Exploits Valley Airstrip, as Agriculture on the Future Land Use Map. This Agriculture designation accommodates currently existing farm operations protected under the Wooddale Agricultural Development Area, and also enables the proposed eastern expansion of the Wooddale Agricultural Development Area.
- 11.2.2 Any activities proposed in the Wooddale Agricultural Development Area must be approved by the Wooddale Land Development Advisory Authority as per the Lands Act and must be in compliance with the Regulations.
- 11.2.3 Furthermore, existing developed farmlands identified the Department of Natural Resources, Agrifoods Development Branch, must be protected and are designated as Agriculture on **Map 1 - Future Land Use Map**.
- 11.2.4 Council supports accessory uses for hobby greenhouses defined within the Development Regulations, and through supportive outreach programs such as Small Plot Intensive Farming (www.spinfarming.com), the growing of local food in all residential zones of the community.
- 11.2.5 Council may consider the use of lands with agricultural capability and soil suitability for potential use as community garden(s) by local residents.

11.3 FORESTRY

The significant rural lands located to the north of the Trans-Canada Highway and within the northern portion of the Municipal Boundary, while primarily owned by the Crown, represent potential locations for future forestry activities. While no lands for forestry activities are designated on the **Map 1 - Future Land Use**, the intent of the Municipal Plan with regard to forestry is to manage the municipality's interests in these potential forestry extraction land areas for preservation of sensitive environmental features, to protect aquifer water supplies and to maintain the public right of access to these forest lands.

11.4 FORESTRY POLICIES

- 11.4.1 Council supports the sustainable management of the forestry resource and associated logging operations that provide for local economic and employment benefits.
- 11.4.2 For any forestry activity approved by the Department of Natural Resources on Crown owned lands located in the Rural designated area, the Town may request that the Province provide additional information regarding the proposed forestry extraction with respect to proposed forestry activity timeframe, and any potential environmental, visual, access and roadway impacts to the community.
- 11.4.3 Private lands forestry extraction uses for commercial gain and processing operations are generally deemed to be an industrial use that may require review and approval by Council.
- 11.4.4 Council shall consult from time to time with representatives of the Department of Natural Resources to understand potential locations that are at high risk for forest fires in order to proactively implement measures to mitigate the effects of forest fire on the community.

12.0 CIVIC - INSTITUTIONAL USES

12.1 CIVIC - INSTITUTIONAL USES

The Civic - Institutional Lands designation allows for significant government, public, non-profit and private uses that provide for place of worship buildings and churches, cemeteries, schools and other educational facilities, medical care, government offices and civic uses such as Town Hall, police offices and fire station, service clubs with a community orientation, correctional facilities and similar such civic and institutional uses that provide a public service and/or government function to local and other residents.

12.2 CIVIC - INSTITUTIONAL USES POLICIES

12.2.1 Civic and Institutional uses, municipal, provincial and federal offices, schools, libraries, places of worship, medical facilities, police stations, fire halls, cemeteries, and similar public offices and functions shall be permitted within the Civic - Institutional Uses designation; existing such uses are to be designated on the **Map 1 - Future Land Use**.

12.2.2 Accessory uses to Civic - Institutional Uses, including recreational playing fields associated with schools, an indoor/outdoor market, storage facilities and other uses may also be permitted within the Civic- Institutional Uses designation.

12.2.3 Future Civic - Institutional Uses are encouraged to be located throughout the community in accordance with the following indicative siting criterion:

- Proximity of the site to arterial and collector roads for traffic circulation;
- Compatibility of the site with the surrounding neighbourhood;
- Within an established residential neighbourhood, site located on a corner property, not mid-block;
- For most uses, a minimum parcel size of 929sm (10,000sf) for serviced urban area locations, and 1ha (2.47acre) for non-urban/ non-serviced sites;
- Proposed building, site and landscape design, and including site lighting effects to adjacent residential uses; and,
- Parking lot layout, circulation and safety of access/ egress locations to adjacent roadway.

12.2.4 Civic and Institutional uses may be permitted to locate within the downtown commercial area where such proposed uses are complimentary, and generate pedestrian shopping traffic to the downtown.

- 12.2.5 Sites for specific uses such as for future correctional facilities shall be limited to properties with a minimal lot size area of 4.04ha (10.0 acres).
- 12.2.6 Permitted cemetery and accessory uses are to be preserved.
- 12.2.7 When existing Civic and Institutional Uses, such as schools and churches and other places of worship, are closed and cease operations, re-use consideration to additional public uses shall be encouraged, and through rezoning, uses for tourism accommodation, restaurant, office and other commercial and employment generating uses, and for residential conversion, may also be considered by Council.

13.0 RECREATIONAL OPEN SPACES

13.1 RECREATIONAL OPEN SPACES

Recreational open spaces represent a component of the soft infrastructure building blocks that are critical to a successful and sustainable community. Much like streets and sidewalks, sewer and water lines, police and fire services, and public works functions, parks, recreation and open spaces are an integral part of the core services that a municipality is expected to provide to local residents.

While Bishop's Falls has several outstanding local open space assets such as the Exploits River, Fallsview Park and the train trestle bridge, there are various challenges and opportunities for the provision of existing and future parks, recreation and open spaces in the community, including:

- Recreational amenities, linear pathways and open spaces to address the emerging needs of the local seniors population;
- Consideration of recreation multi-use inclusion for disabled persons;
- Enhanced and safe pedestrian walking, jogging and bicycling choices, community-wide connective routings and linkages;
- Additional and more comprehensive park spaces and amenities adjacent to the Exploits River;
- Increased maintenance, programming and use of the Town's central athletic play fields and recreational facilities;
- Deficient parkland allocation within the residential neighbourhoods located to the north of Main Street;
- More diverse and more geographically dispersed park spaces to more effectively serve local residential neighbourhoods;
- Expanded recreational and open space use of the abandoned railways within the central core of the community; and,
- Creation of additional parks and open spaces, and pedestrian walking linkages, from new and expanding residential development areas.

The Plan policies will assist to guide local parks, recreation and open space challenges, but a more comprehensive and distinct Parks and Recreation Master Plan is recommended to be considered by Council, and be prepared to define a more specific and targeted parkland and open space strategy, and to achieve a longer term active lifestyle and green space character for the community. The recommended Master Plan would also serve as the blueprint to accentuate

the livability, quality of life and sense of place strengths that will be required to add future stability and rejuvenation of Bishop's Falls.

Often potential new residents will evaluate the type and variety of local recreational amenities, and the ongoing maintenance and care provided to these assets, as a measuring stick to select a new location to live. Given local strengths in the Exploits River, the train trestle bridge and the possible enhanced public open space use opportunities of the abandoned railway corridors, there is a need to seize local parks and open space potential as another strategic avenue to elevate the community's physical and visual environment, and as a means to attract and retain residents. Without attention to the community's park and open space potential, significant local change will be minimal.

Within this Section of the Plan, recreational open space planning additionally includes considerations for local heritage issues.

13.2 RECREATIONAL OPEN SPACES POLICIES

Land Use Designations

13.2.1 **Map 1 - Future Land Use** designates various parks, recreation and open space locations; recommended new park and open space designations shall apply as follows:

- Two Exploits River waterfront park spaces on west extension of Main Street; and,
- Abandoned railway line corridors from train trestle bridge and from Station Road areas.

Types of Park Space

13.2.2 The following types of parks, recreation and open space elements shall comprise the local open space system:

- Children play parks: These are open spaces with playground equipment and shade and rest benches for adults are intended to be less than 4047sm (1.0 acre) in area size, and usually serving a local residential neighbourhood;
- Shade area - rest parks: These spaces are intended to be small landscaped rest and shade area meeting locations, less than 929sm (10,000sf) in area size, and for use by visitors and residents in various locations including adjacent to the Exploits River and within the downtown commercial core;

- Neighbourhood Parks: These open spaces are intended to be less than 1.21ha (3.0 acres) in area size but provide for active recreation uses such as a skateboard park, basketball or tennis court, children playground equipment, shade and rest areas, and pedestrian/ bicycle trail linkages.
- Athletic Parks: These open spaces are intended to be over 2.02ha (5.0 acre) in area assize and provide for the major parks and recreation amenities and open space for the community, including sports playing fields, running tracks, ball fields and arenas.
- Linear Parkways and Trails: These open spaces are intended to provide for active mobility, non-motorized, options for walking, jogging and bicycling, and to connect various residential neighbourhood locations to commercial shopping and major community facilities such as schools, the Exploits River open spaces and the arena.

Parks and Recreation Master Plan

- 13.2.3 Council may consider the preparation of a Terms of Reference for the development of a comprehensive Parks and Recreation Master Plan by external expertise to address the myriad of local open space challenges and opportunities.
- 13.2.4 Council shall utilize the potential Parks and Recreation Master Plan as a catalyst to help change and enhance the character, the livability and physical attraction and appeal of the community.

Parks, Recreation and Open Space Approach

- 13.2.5 The Municipal Plan supports an approach of pursuing maximum parks, recreation and open space opportunity and utility from lands adjacent to the Exploits River.
- 13.2.6 The Municipal Plan supports a revised parks and recreation focus that aligns more to addressing the emerging active living needs of local seniors, youth and young families, persons with disabilities and other adults through the creation of enhanced and safe opportunities for walking, jogging and bicycling, and programmed recreation activities.
- 13.2.7 Council shall encourage, wherever appropriate, the provision of access through sidewalks, marked walking lanes, pathways, walkways, linear corridors and trails to minimize the local use of autos and to encourage more active and healthy living.
- 13.2.8 Council shall encourage new residential neighbourhoods to connect with existing linear systems, and for a community wide pedestrian mobility network system to be developed.

- 13.2.9 The Municipal Plan supports an approach of improving the visual and aesthetic environment of the community through attention to street tree planting and hanging flower basket initiatives, the development of decorative parks at the three entrances to the community and at prominent view locations adjacent to the Trans Canada Highway, increased green spaces within the downtown core, and care and upkeep of all municipal buildings, facilities and open spaces.
- 13.2.10 Council shall not consider the conversion of parks and recreation lands for residential development and other uses, unless the developer provides for alternative parks and recreation lands for the community.
- 13.2.11 Council shall maintain ongoing communication with owners of the industrial lands and manufacturing operations on the waterfront near Station Road, to potentially pursue future re-use opportunities, including enhanced public access and open space opportunities adjacent to the waterfront.
- 13.2.12 Council shall continue dialogue and communication with local recreational user groups to assist in defining local needs for enhanced recreation programming, and in defining higher utility use of the central recreation playing fields.

ATV Use of Abandoned Rail Line Corridors

- 13.2.13 This Municipal Plan encourages an approach of enhancing the use abandoned rail lines within the community so as to become a more integral part of a community wide open space system through extensive community consultation and further land use planning review through the potential preparation of the recommended Parks and Recreation Master Plan.
- 13.2.14 Consider the adoption of design standards for the potential longer term redevelopment of the abandoned rail lines for increased pedestrian walking and bicycle use activity, including provisions for access and use by wheelchairs, motorized scooters for seniors and for visually impaired persons.
- 13.2.15 Upon potential redevelopment of the rail lines for more active community use, adjust land use planning designations adjacent to the former rail corridors to allow for enhanced density residential and expanded downtown commercial land uses.
- 13.2.16 As residential subdivision and other developments are considered on lands adjacent to the rail corridor lands, such as within new residential designations near Eltero Park and Adams Avenue, site development design shall incorporate provisions to provide for formal pedestrian and bicycle access, with signage, to the former rail lines.
- 13.2.17 Expanded all terrain vehicle use of the abandoned railway corridors shall not be encouraged.

Provision of Parkland

- 13.2.18 As determined by Council, new residential land developments shall provide for parkland and open space, as detailed within the Residential Section of this Plan and within the Development Regulations.
- 13.2.19 Consider a commemorative bequeath and donations program for local residents to help fund park improvements such as park benches and tree plantings, and in some instances to dedicate land for park use.
- 13.2.20 Explore discussions with the Province on the potential cost sharing and funding opportunities to develop the Exploits River waterfront trail system and other pedestrian networks throughout the community, including the abandoned rail corridors.

Bicycle Lanes and Sidewalks

- 13.2.21 Where new roads are to be constructed by land developers, and where existing roads are to be repaved and upgraded, Council may consider the feasibility of providing cycling lanes on both sides of the street at a range of 1.0m to 1.5m (3.0 – 5.0ft) to comply with TAC standards.
- 13.2.22 Wherever road upgrade opportunities are present, consider the construction of a shared-use trail for walking and cycling with a minimum width of 4.0m (13.0ft) to comply with TAC standards and national recreation standards.
- 13.2.23 Consider the inclusion of walking and bicycle lanes as part of infrastructure capital plans and as part of the requirements for new land development.

13.3 HERITAGE CONSIDERATIONS

Heritage assets within the community, including the local museum and railway cars, and the railway trestle bridge, are considered by the Municipal Plan from the prospective of preservation, conservation, promotion and to a degree, further consideration through the potential preparation of the recommended Parks and Recreation Master Plan.

13.4 HERITAGE POLICIES

- 13.4.1 The Town shall consider the future Heritage designation of specific buildings, structures and places within the community in accordance with the Urban and Rural Planning Act.
- 13.4.2 The railway trestle bridge over the Exploits River, the hydro generating dam, and other unique community features shall be considered as important heritage values to the community.

- 13.4.3 Council may consider an invitation to a representative from the Heritage Branch of the Province of NL to provide a presentation on provincial heritage legislation.
- 13.4.4 Where a site or building is designated as Heritage, Council shall protect and preserve, wherever possible, the elements of the property as one of heritage significance in unison with consideration of opportunities for economic sustainability of the site through adaptive reuse or expansion that is in keeping with the heritage character of the site.
- 13.4.5 The community heritage question of whether to relocate the existing railway cars from the downtown area to Fallsview Park shall be evaluated in the context of relocation costs; funding opportunities and anticipated tourism benefits; an assessment of proposed re-use potential within a revitalized downtown environment such as for a commercial restaurant use; and upon potential review inclusion within the proposed Downtown Neighbourhood and Parks and Recreation Master Plans.
- 13.4.6 Council may consider the preparation of a new street and parkland naming policy for all new street names and parks to be named after historic pioneers of the community, as researched, prepared and listed by local heritage volunteers, as follows:
- Early pioneers of Bishop's Falls;
 - Native sons and permanent residents who were killed in either World War I or II, or other Canadian military involvement abroad;
 - Prominent local residents who made a significant and lasting contribution to the community.

14.0 MUNICIPAL INFRASTRUCTURE

14.1 INTRODUCTION

The Municipal government's primary infrastructure role is to provide for public safety of local residents through provision of a range of local services, including water and sewer, garbage collection, road improvements, snow clearing, infrastructure maintenance and police and fire protection.

The various types of infrastructure to be addressed within the Municipal Plan include the following systems:

- Water Service;
- Sanitary Sewer;
- Stormwater Management;
- Transportation Network; and,
- Waste Management.

Policies

14.2 MUNICIPAL WATER SERVICE

- 14.2.1 The Town shall continue to be a cooperative member of the Exploits Regional Services Board as part of the regional treated water supply service from Northern Arm Lake to the communities of Grand Falls-Windsor, Bishop's Falls, Botwood and Peterview.
- 14.2.2 All future growth within the serviced area located to the south of the Trans-Canada shall be serviced with municipal water.
- 14.2.3 All future serviced area residential and other land use and building developments shall be subject to fire protection through an assessment of adequate water flows as part of site development application review and approval.
- 14.2.4 Water system capital projects shall be identified within Council's capital budget.
- 14.2.5 When considering water main extensions, the objective will be to provide for a looped system wherever possible.
- 14.2.6 A regular maintenance, inspection and water quality testing program, and associated record keeping, of the water system will be encouraged to be undertaken to address the following:
- Leak detection;

- Flushing of water hydrants, dead end lines and low points;
- Cleaning problem areas identified during the flushing program;
- Water quality testing;
- Cycling all mainline valves; and,
- Cross-connection control program.

14.3 SANITARY SEWER

- 14.3.1 The Town shall continue in its development of a new sanitary sewer treatment system to replace the current sewage discharge outfalls to the Exploits River. The site location of the new sewer treatment facility is in the industrial designation which accommodates the use.
- 14.3.2 Future sewer system capital projects shall be identified within Council's budget, with priority consideration to provide service to non-serviced urban locations and where the oldest infrastructure exists.
- 14.3.3 All future growth and development within the serviced urban area located to the south of the Trans Canada Highway shall be serviced with municipal sewer service.
- 14.3.4 Sewer system extensions for new development shall strive to be gravity flow based, so as to not involve additional infrastructure costs such as pumps that would entail subsequent ongoing municipal maintenance, servicing and operational costs.
- 14.3.5 Innovative and alternative sewer service such as the system utilized on Kings Road may be considered by Council, in part on the basis that the service does not significantly increase ongoing operational costs to the municipality.

14.4 STORMWATER MANAGEMENT

- 14.4.1 All existing and proposed future growth and development in the community shall comply with the intent of Policies 6.11 Soils and Drainage.
- 14.4.2 Site development proposals shall address stormwater management issues as part of a development application submission to the Town, wherein all stormwater is sought to be managed on-site, no erosion impacts are to occur to adjacent and downstream lands, and flow into a municipal open ditch and other systems shall be certified by a professional engineer engaged by the development proponent.
- 14.4.3 All site drainage issues shall be adequately addressed to the satisfaction of the Town prior to the issuance of final approval for a development.

14.4.4 Maintenance program items for the Town's stormwater system shall include annual consideration to the following, where applicable:

- Annual catch basin cleaning;
- Flushing of lines;
- Manhole inspection and repairs;
- Clearing of debris from culverts, outfalls and overflow structures;
- Brushing, cleaning and maintenance to unenclosed ditch systems; and,
- Completion of maintenance record keeping.

14.5 TRANSPORTATION NETWORK

Municipal Road System

14.5.1 The Town's arterial road system includes the Trans-Canada Highway, Botwood Highway and Main Street; future new road accesses to the Trans-Canada Highway are not permitted; future new road accesses to the Botwood Highway to support rural residential and potential industrial expansion areas may only be considered on the basis of a traffic engineer's report and recommendations, and approval from the Province; and all new proposed accesses to Main Street shall be minimized and limited to current intersections wherever possible, unless reviewed and recommended by a traffic engineer engaged by the development proponent.

14.5.2 Collector roads such as the Grenfell Heights Extension, the Kinsmen's Drive – Mayor Avenue loop and Station Road shall circulate motor vehicle traffic in a low speed manner from local roads to arterial streets; the standard road dedication width for new and expanded collector roads shall be 20.0m (65.6ft) with limited on-street parking permitted, and all proposed future access to such roads shall be adequately planned and constructed.

14.5.3 Local roads that serve residential neighbourhoods and new residential developments shall provide for a minimum road dedication width of 16.0m (52.9ft) for compact lot developments and 18.0m (59.0ft) to 20.0m (65.6ft) for larger lot and higher density residential developments, dependent upon the proposed density of the development, the traffic to be generated and certified traffic circulation review and recommendations from a development proponent's engineer.

New and Future Roads

14.5.4 All future proposed collector roads shall provide for constructed pedestrian allowances on one side of the road; the developers of lands requiring the construction of proposed future local streets to access the development site shall also provide for constructed

pedestrian sidewalks on a one side of all newly constructed streets, and as otherwise determined by Council. Council may also consider the requirement for a paved bicycle lane adjacent to the traveled road surface.

- 14.5.5 New road construction within the community shall strive to connect existing roads, particularly one-access in/out roads, as part of their site development proposal wherever feasible.
- 14.5.6 Future road rights-of-way may be required to be provided at time of subdivision to provide for future access to adjacent development lands.
- 14.5.7 The Town will monitor and provide for new pedestrian crosswalks over municipal streets and Main Street, where deemed appropriate.

Private Roads

- 14.5.8 Private roads within a bare land strata form of development under the NL Condominium Act shall be developed to an accepted engineering standard, and as approved by the Town, and where private roads are proposed to be transferred to the ownership of the Town, the private roads shall be brought up to the municipal standards of the Town.

Airport

- 14.5.9 The Exploits Valley Airstrip, located off the Botwood Highway within the northern portion of the Town's Planning Area, shall be preserved and supported by the Town. Development proposed adjacent the Airstrip shall be referred to the Department of Transportation and Works for approval and permitting prior to the submission of a development application to the Town.

Off-Site Parking

- 14.5.10 Adequate off-site parking for all proposed uses and development of land and buildings will be required to be provided in accordance with the requirements of the Development Regulations.
- 14.5.11 New parking areas shall provide for landscape separation and screening treatment to adjacent land uses, and on-site lighting for parking areas shall not cause lighting glare and pollution to adjacent properties.

14.6 WASTE MANAGEMENT

- 14.6.1 The Town will continue to participate in regional waste management initiatives through ongoing cooperative regional involvement in Central Newfoundland Waste Management.

- 14.6.2 Wherever feasible, the Town will initiate, participate and support local recycling and composting programs in an effort to reduce the volume of refuse entering the waste disposal system.

15.0 RURAL DESIGNATION

- 15.1 The Rural designation shall apply to all those lands located within the Planning Area that are generally geographically located distant from the community core.
- 15.2 The intended uses for the Rural area shall be limited to generally non-developable residential uses and those associated with conservation, forestry, other resource uses and small scale quarrying, all as approved by the Province, and for various outdoor recreation uses.
- 15.3 Utility transmission uses may also take place within Rural lands following proponents' dialogue with Council, and addressing any local concerns.
- 15.4 The environmental integrity of Peter's River, located at the northern boundary of the Town's Planning Area shall be preserved and protected.
- 15.5 The potential extension of Grenfell Heights roadway shall only be considered through the rural area upon land use planning review for future land designations.
- 15.6 Future routings for all-terrain vehicle use within the Rural designated land areas may be considered.

16.0 GOVERNANCE

16.1 INTRODUCTION

The Municipal Plan establishes the general policy framework for land use planning and land development management within the Town of Bishop's Falls for the next ten year period. However, the Municipal Plan also represents an evolving document for the Town and should be amended as local circumstances, conditions, challenges and needs change. Local governance in administration of the Plan policies will be additionally dependent upon ongoing dialogue and information sharing with local residents, businesspersons, and various community groups and organizations. Development of partnerships and working relationships with external agencies and funding providers will also play a critical role in the success of the Municipal Plan.

16.2 POLICIES

16.2.1 Council shall strive to review the policy content of the Municipal Plan on an annual basis to maintain its relevancy to the Town's needs, and pursue amendments to the Plan where deemed necessary.

16.2.2 Council shall consider various opportunities to engage local residents, business persons and community organizations so as to create an open and beneficial governance model, including the following potential considerations:

- Enhanced social media forums to share information and create awareness with the community on various municipal projects and actions;
- Regular posting of Council meeting agendas and minutes on the Town's website;
- Invitations for groups and individuals to appear as delegations to Council;
- Ongoing opportunities for public comments at Council meetings;
- Newspaper articles and local radio news stories;
- Annual Town Hall update session with flexibility for an 'open agenda' discussion in a location other than Municipal Hall;
- Public information meetings and open houses on specific development proposals in advance of any potential Public Hearing;
- Consideration of local surveys on land use planning matters;
- Identification of key municipal contact persons to discuss relevant issues;
- Creation of a municipal atmosphere of professionalism and respect; and,
- Provision of timely responses to all public inquiries and land development applications.

- 16.2.3 Council shall continue to cooperatively participate in regional development issues and initiatives to generate benefit and positively impact and influence the community.
- 16.2.4 Council shall encourage excellence as a motto in its delivery of municipal services to local residents, businesspersons and other taxpayers.

17.0 IMPLEMENTATION

17.1 INTRODUCTION

The preparation, adoption, approval and registration of this Municipal Plan represent only one aspect of the Town's land use planning process. While the Plan policies are binding upon individuals making land use development applications and on subsequent land use decisions made by Town Council, successful implementation of the Municipal Plan and subsequent land use planning change in the community over the next ten year period will be further dependent upon the following circumstances:

- Adoption, approval and registration of the companion Development Regulations in accordance with the regulatory powers conferred upon Council by Section 35 of the Urban and Rural Planning Act;
- Effective administration of, and adherence to, the Plan policies;
- Pursuit of various additional recommended studies and actions to complement the Plan;
- Approval of specific neighbourhood area plans and development schemes;
- Council's consideration for adoption of annual goals and objectives, and an annual Capital Infrastructure Budget, to achieve community progress and manage change;
- Local residents, business persons and community organizations understanding and support for the planning direction identified by the Plan;
- Referral to external agencies and departments for comment on specific proposals; and,
- Provision for clarity in the required process to make amendment to the Plan.

17.2 ADMINISTRATION OF THE MUNICIPAL PLAN DOCUMENT

The Bishop's Falls Municipal Plan (2015-2025) includes various land use planning information, policy statements for a range of land use designation areas of the community, and companion land use maps. Understanding these key components of the Plan and their legal role, as outlined as follows, will be critical to successful administration of the Plan:

- Section 1.0 identifies the basic elements of the Plan, its role and purpose, required and permissive content, legal effect and relationship to other plans;
- Sections 2.0 and 3.0 provide key background data on local demographics and characteristics of the land base, and summarizes the public comments received as part of the Plan preparation process – the data within Sections 2.0 and 3.0 is generally deemed to be a legally non-binding aspect of the Plan document;
- The Land Use Planning Definitions identified within Section 4.0 provide for legal interpretation of various land use planning terms as they apply to the Bishop's Falls context;

- The Community Vision statement and Land use Planning Objectives outlined within Section 5.0 of the Plan represent an important component of the requirements for the Plan content and identify the intended planning direction for the community; and,
- The land use planning policy statements that apply from Section 6.0 with General Policies to Section 15.0 Governance represent the strategic land use planning policies that are to apply to the Town’s land base and proposed development thereon.

Council may further select certain recommended actions of the Municipal Plan on an annual basis as part of their strategic priorities to pursue in any one year. In this way, the Municipal Plan may additionally serve as a template to address and implement specific land use planning issues on an ongoing basis.

17.3 FUTURE LAND USE MAP

The boundaries of the land use designations on the Future Land Use are meant to be general, except where they are defined by precise limits such as the Exploits River and roads. However no development shall be permitted that does not conform to the land use designations and the intended land use activities for each designated area, as outlined by the policy statements of the Plan.

The Future Land Use Map (and the Land Use Zoning Map) identifies those locations of the community where flood risks exist. No building development for residential and other specified uses is to occur within these designated areas, unless subsequently approved by the Water Resources Branch of the Province of NL.

The Appendix 1 Land Use Visioning Map that is included within the Municipal Plan is provided for information only and is not a legally binding part of the Plan. The Visioning Map illustrates possible land use patterns that may or may unfold in future years of community growth and development.

17.4 COMPREHENSIVE DEVELOPMENT AREAS

A number of new locations proposed for residential development have been designated as Comprehensive Development Areas. The purpose of this designation is to allow prospective land developers to pursue potential residential expansion in these areas on the basis of a council defined terms to further investigate, evaluate and provide findings to the Town on a range of site factors from environmental sensitive areas, slope gradients, infrastructure servicing, types of proposed residential uses, provision for parkland and any phase order for site development.

The Comprehensive Development Area designation for the Sunset Drive area has also been retained by the Plan to allow for potential future expansion of industrial uses.

In this manner, Council will be able to assess the capability of the new designated areas for land development prior to review of a formal Development Permit application for rezoning and subdivision.

17.5 DEVELOPMENT SCHEMES

A Development Scheme, as identified by Sections 29 and 30 of the Urban and Rural Planning Act, is intended to provide opportunity for Council, after the approval and registration of the Municipal Plan, to pursue acquisition, assembly, consolidation, subdivision and sale or lease by the municipality of land and buildings that are deemed necessary to fulfill and realize any of the provisions of the Plan. The Development Scheme may reserve land for future acquisition of a site for a future roadway or for a park and open space, or for other purposes viewed as required by the Town. A Development Scheme may also outline the manner that any particular portion of land is to be used, subdivided or developed, and how the construction of any buildings on the subject land should be regulated.

Once approved and registered, a Development Scheme is to become part of the Municipal Plan.

17.6 RECOMMENDED ACTIONS AND STUDIES

To fulfill the overall intent of the Municipal Plan, a number of further actions and studies have been recommended for consideration by Council in the subsequent implementation of the Municipal Plan. The various actions and studies, with estimated costs as applicable, are noted as follows:

Actions

- Potential application to the Province to expand the Town's Municipal Planning Area boundary to include lands located on the south side of the Exploits River;
- Potential application to the Province to expand the Town's Municipal Boundary Area to include lands located in the south adjacent to the Exploits River to lands more north in the Grenfell Heights locale so as to provide for more succinct growth management of these lands adjacent to the Town of Grand Falls-Windsor municipal boundary;
- Comprehensive property ownership and mapping inventory of all municipal and Crown owned lands, and other strategic sites;

- Pursuit of ownership of all Resolute (former Abitibi) lands within the Town's boundary area;
- Preparation of a large site size property inventory to identify potential higher density residential development locations and suitable sites for seniors' housing;
- Comprehensive inventory and mapping of all watercourses, wetlands, ponds and other water bodies located within the Planning Area;
- Consultation with Department of Natural Resources to identify potential forest fire interface hazard lands;
- Enhanced economic development partnerships with local business persons and external organizations such as the College of the North Atlantic and the Harris Centre of Memorial University;
- Preparation of current and strategic local economic development data and information on available property, zoning, parcel size, ownership and servicing considerations for business attraction and marketing efforts;
- Consideration of formation of Economic Development Advisory Committee;
- Research and preparation of a historic street naming policy;
- Development of a commemorative bequeath and donations program for parks and open space improvements;
- Preparation of design standards for development of new pedestrian walking trails and corridors; and,
- Identification of consultative process to address the future potential for more comprehensive public use opportunities of the abandoned rail lines in the central and western locales of the community.

Studies

- Consumer Spending Leakage Analysis and Retail Market study (\$30,000);
- Downtown Commercial Neighbourhood Plan (\$35,000);
- Neighbourhood Plan Area process for west Main Street area (\$20,000);
- Parks and Recreation Master Plan (\$40,000);
- Climate Change Adaptation Plan (Grand Falls-Windsor partnership \$12,000);
- Community Branding for enhanced tourism development and marketing (\$20,000); and,
- Economic Development Strategy (\$25,000).

The Municipal Plan views that the recommended actions and studies represent critical building blocks that will provide for the missing links to help the Town realize a more successful and sustainable community over the ten year period of this Plan, and in years beyond.

17.7 DEVELOPMENT APPLICATION REVIEW

All proposals to subdivide or to rezone land, or to construct principal buildings on a property or to make structural alterations thereto, shall be required to submit a Development Permit application in the required form, and through the established procedure, seek permission and approval consideration from Council to proceed. Upon submission of an application, the Town will further evaluate the proposal submission, or determine to not consider the application further.

The initial step in the Municipal development application review process will be to assess the conformity of the proposal to the land use planning intent, map schedules and policies of the Municipal Plan, and adherence to the requirements of the Development Regulations.

The Municipal Plan has identified an enhanced process for the Town to review and consider land and building application proposals through a new requirement for applicants to submit more comprehensive Site Plan information in support of a proposal, and as determined by Council. Applications with deficient information on issues such as identification of environmentally sensitive lands on a subject site, proposed drainage and site design elements, as determined by Council, may be deferred until the outstanding background information is provided to the satisfaction of Council.

The Municipal Plan further advocates the need, where reasonable, for supporting documentation from a qualified and certified professional with specific land use development application proposals, such as the need for geotechnical analysis and recommendations on development feasibility for sloping lands.

The development application review process may also entail the referral of development applications to external agencies for comment and approval. For specific types of development, including a proposal for a discretionary use, public consultation will be involved.

Following the Town's review of the application, and in consideration of additional comments from external agencies and input from local residents, and upon review of additional information and evaluation, Council will determine whether the proposal is within the best interests of the community and provide for consideration of approval.

Consideration of approval may involve Council granting approval in principle to an application based upon specific conditions and requirements for the development to proceed. In this

manner, a land use development applicant will be made aware of the outstanding issues and costs to resolve in order to proceed further with the proposal.

17.8 DEVELOPMENT AGREEMENT

Council may approve development applications with or without conditions. Before major land developments within the Planning Area are considered for potential approval, a signed Development Agreement which is binding between the Town and the developer will be required. This Agreement shall establish the conditions under which the proposed development may proceed, and may include financial obligations from the developer to address issues such as infrastructure servicing, parks and recreation improvements and site/ building design.

All subsequent site development shall only proceed in accordance with the Development Agreement and conditions that become part of the legal Development Permit registered on the Title to the property. Amendments to the Development Agreement may only occur upon signed agreement by both parties.

If a developer fails to complete the site development in accordance with the agreed upon conditions of the Development Permit, building permits for site development may be withheld by the Town until all outstanding issues are addressed to the satisfaction of the Town.

17.9 MUNICIPAL PLAN AMENDMENT PROCEDURE

The planning period for this Municipal Plan is for ten years to the year 2025. Given that local land use planning needs, circumstances and needs may change over the next decade, the Plan may need to be considered by Council for amendment to adequately respond to change. Section 25 of the Urban and Rural Planning Act provides Council with the opportunity to change any portions of the Plan through a formal amendment process.

The amendment process requires early public consultation on any proposed amendment. Council shall additionally assess the proposed change to the Plan against the outlined planning objectives of the Municipal Plan. The Town will be required to appoint an objective planning commissioner to hold a Public hearing to hear written or oral presentations on the proposed amendment; the commissioner is to subsequently prepare a report and recommendations from the Public Hearing for Council's consideration, prior to Council making a final decision on the amendment.

All amendments made to the Municipal Plan after the Plan has come into effect, shall become part of the Municipal Plan.

17.10 DEVELOPMENT APPEALS

Sections 5 to 11 of Ministerial Regulation 3/01 *Development Regulations* under the *Urban and Rural Planning Act, 2000*, outline the right to appeal a decision of Council and the process the appellant must follow.

Furthermore, Sections 42 to 46 of the *Urban and Rural Planning Act* establish the conditions under which an appeal of a Council decision may be lodged. The Act provides for the appointment of Appeal Boards, The Appeal Board is to consider each appeal submission in accordance with the intent of the Municipal Plan or the Development Regulations, and any further plans, development schemes, or regulations that are in effect at the time of the appeal.

17.11 MUNICIPAL PLAN REVIEW

Section 28 of the Urban and Rural Planning Act states that a Municipal Plan shall be reviewed by Council every five years from the date that the Municipal Plan came into effect. Where Council deems that any development foreseen during the next ten years does not meet with the policy intent of the Municipal Plan, necessary revisions should be made in accordance with the process outlined by the Urban and Rural Planning Act for amendments to the Plan.

17.12 LAND USE ZONING AND SUBDIVISION REGULATIONS

To ensure that land within the Planning Area Boundary is controlled, managed and used only in accordance with the Municipal Plan, prior to the adoption and approval of the Municipal Plan, Council will proceed to prepare the companion Land Use Zoning and Subdivision Regulations in the form of the Development Regulations document and map schedules.

The Development Regulations will divide the Town's Planning Area into land use zones and prepare the permitted, accessory, discretionary and prohibited uses of land, as applicable, and development standards and conditions of use within each of the identified zones. The Development Regulations will also provide for general development design guidelines to help manage, where Council deems it appropriate, the site, landscaping, parking and building aspects of specific development proposals. The Development Regulations will further define the requirements for subdivision of land within the Planning Area.

The Development Regulations are to respect the land use planning objectives and policy intent of the Municipal Plan by providing for the regulatory approach to implement the Plan.

APPENDIX 1

Land Use Visioning Information Map

