Municipal Plan 2022-2032

Town of Old Perlican

TRACT

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TOWN OF OLD PERLICAN
RESOLUTION TO APPROVE
MUNICIPAL PLAN, 2022-2032

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

a) Adopted the Town of Old Perlican Municipal Plan, 2022-2032 on the 3rd day of October, 2023;
b) Gave notice of the adoption of Municipal Plan, 2022-2032 by advertisement inserted on the 2nd day of December, 2023 and the 9th day of December, 2023 in the newspaper, the Telegram; and posted on Facebook and posters were put up at the Post Office, Foodland, Gasland and Tizzard's Quick Stop;
c) Scheduled the 19th day of December, 2023 at the Old Perlican Town Hall, for the holding of a public hearing to consider objections and submissions to the Municipal Plan, 2022-2032.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Old Perlican approves the Municipal Plan, 2022-2032, as adopted.

SIGNED AND SEALED this 23 day of January, 2024.

Mayor: _____

Town Manager: _____

(Council Seal)

Municipal Plan/Amendment
REGISTERED
Number 3595-0004-2024
Date 28 OCT 2024
Signature _____

TOWN OF OLD PERLICAN

RESOLUTION TO ADOPT

MUNICIPAL PLAN, 2022-2032

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

Adopted by the Town Council of the Town of Old Perlican on the 3rd day of October, 2023

Signed and sealed this 23 day of January, 2024.

Mayor: C. Myers

Town Manager: Sonya Durdle-Walsh

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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

MCIP: AMyers

Member, Canadian Institute of Planners (MCIP)

ANNA MYERS
CANADIAN INSTITUTE OF PLANNERS
INSTITUT CANADIEN DES URBANISTES
MCIP MICU

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1.0 INTRODUCTION

1.1 The Purpose of the Municipal Plan

The purpose of the Municipal Plan, 2022-2032 is to enable the community to pursue sustainable choices to meet the needs of the Town for the next 10 years. This updated Municipal Plan shall replace the current Municipal Plan, 2009.

This updated plan provides an up to date policy framework to influence, manage, and regulate future growth and change in the Town of Old Perlican.

1.2 Authority

The Municipal Plan and Development Regulations are legal documents created under the authority of the *Urban and Rural Planning Act, 2000*. They apply throughout the Municipal Planning Area established under the *Urban and Rural Planning Act, 2000.* The Municipal Planning Area boundary is the same as the Municipal Area boundary under the *Municipalities Act, 1999*.

The policies and development requirements contained in the documents and mapping are binding upon the Town Council, residents and on any person undertaking a development within the Municipal Planning Area boundary (Section 12 of the *Urban and Rural Planning Act, 2000)*.

The Municipal Plan guides the future growth and physical improvement of the Town by identifying locations and setting out policies for various types of land use development. These locations are shown as land use designations on the Future Land Use map found in Appendix A.

The *Urban and Rural Planning Act, 2000* requires the preparation of Development Regulations to ensure that land is controlled and used in compliance with the Plan (Section 35); these form a separate companion document to the plan. The Development Regulations enable the Council to administer the policies of the Municipal Plan. The policies and development requirements contained in the documents and mapping are binding upon the Town Council, residents and on any person undertaking a development within the Municipal Planning Area boundary (Section 12 of the *Urban and Rural Planning Act, 2000*).

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

The Municipal Plan 2022-2032 that comes into legal effect upon publication of the notice of registration in the Newfoundland and Labrador Gazette, and at that point the Municipal Plan, 1984-1994, is repealed and replaced by the new Municipal Plan, 2022-2032.

1.4 Organization of the Plan

The Municipal Plan is organized into five chapters:

- Chapter 1 sets the legal context of the planning process;
- Chapter 2 sets out the Vision of the Town of Old Perlican and the and Objectives (Section 13) to achieve that vision that apply generally throughout the community;
- Chapter 3 sets out the Land Use Policies, by land use classification (as required under Section 13 of the *Urban and Rural Planning Act, 2000*); and,
- Chapter 4 sets out the policies related to the General regulations to be addressed in the Development Regulations and specific Provincial Government requirements that were highlighted in the Interdepartmental Land Use Committee report that apply throughout the Municipal Planning Area as relevant to development in any land use designation or zone; and,
- Chapter 5 sets out the approach to the implementation of the Municipal Plan.

In the appendices, specific provincial policies that were referenced in the Interdepartmental Land Use Committee requirements are provided in Appendix A; and the Future Land Use Map in Appendix B indicates the land use designations corresponding to the land use policies set out in the plan.

2.0 Community Vision and Objectives

The community vision articulates the overarching goal of the Municipal Plan reflecting the aspirations and needs of the residents of the Town of Old Perlican.

The vision and objectives are implemented through the policies set out in Chapter 3 which shall provide a sustainable framework for the land use and development policies that shall be administered through the Development Regulations.

2.1 Community Vision

The Town of Old Perlican Municipal Plan Review process is mindful of the Community Vision as set out the Town's Integrated Community Sustainability Plan:

> *The Town of Old Perlican's vision to achieve community sustainability into the future requires that the town must enhance and improve the quality of life for all residents by providing infrastructure and services to insure Old Perlican continues as the thriving economic hub of the Bay de Verde Peninsula.*

2.2 Community Objectives: Healthy community, viable economy and environmental sustainability

The objectives for a clean and safe sustainable healthy community include:

1) Provide a pleasant, healthy, and safe living and working environment in Old Perlican;

2) Develop community identity and pride by creating opportunities to celebrate the Town's heritage, culture, people and landscape through a preservation and development of local heritage and archaeological resources;

3) Manage future growth in an orderly manner that:
    a. ensures that land uses are properly allocated so that conflicts between non-compatible uses are avoided;
    b. creates a balanced and attractive community by considering its physical characteristics and location; and,
    c. ensures the economic use of municipal services.

4) To achieve a balance between the operations and expansion of the fish plants, the needs of nearby residents and business operators, the preservation and development of nearby heritage and cultural and recreational sites and other users of the same general harbourfront area;

5) To provide recreation needs of the community for both indoor facilities and outdoor activities in open space, parks and trails;

4) Develop a business-friendly environment while striving to maintain current levels of business service and attract new developments to the town.

5) To facilitate home-based businesses by including provisions regarding home business opportunities in the regulations that shall help residents augment their income, such as, providing products for seasonal tourism, without detriment to the primary permitted use;

6) To ensure compatibility of non-residential and residential development in a Town with of the size and geography of Old Perlican through buffers, such as physical structures, landscaping, or separation distances;

7) Facilitate promotion of the Town of Old Perlican as a tourist attraction by providing land for development of tourism facilities and attractions, and protecting the natural assets contributing to tourism, such as built heritage, archaeological sites, viewscapes and shorefront natural setting.

The objectives for environmental sustainability include:

1) Ensure the protection of the natural environment in and around the community;

2) Ensuring ongoing maintenance and improvements are made to water and sewer services;

3) To preserve scenic views of the shoreline and hills recognizing their value to residents and visitors for recreation and tourism, and the preservation of the rural character of the Town;

4) To protect naturally significant areas, such as:
    a. water bodies including buffers around ponds, shorelines, and wetlands, and flood plain lands,
    b. lands recognized by Council as having natural significance;
    c. lands that contribute to important ecological functions; and,
    d. lands containing other natural physical features which are desirable for open space use for parks and trails, or preservation in a natural state.

4) To permit new subdivision development in areas which can be easily connected to municipal services.

5) To provide fire protection to all residents.

6) Develop and maintain an Asset Management Plan;

7) To undertake continued improvements to the municipal roads through a regular maintenance program.

8) To aim for a proper road system by connecting streets which require a second access, such as existing cul de sacs which exceed the maximum length requirement.

9) To reserve land for future access to backlands.

10) To prohibit alterations which shall adversely affect adjacent property, for example, where there is concern that development may contribute to excessive storm-water increases,

11) To consider the utilization of sustainable green technologies,

12) To maintain its water supply system to ensure the availability of an adequate quantity and quality of water for residents, businesses, and public facilities;

13) Ensure that all water and sewer infrastructure associated with new development meets the minimum standards of the Town and be approved by the Town's engineer before being turned over to the Town and ensure that the costs of installing water and sewer services and connecting new lots to the Municipal system does not create a financial liability to the Town, and ultimately the taxpayers;

14) Develop, monitor and test Emergency Preparedness Plan;

15) Undertake an Energy Audit on Town-owned facilities;

16) To ensure that municipal services and utilities, such as telecommunications, pollution control and electric utilities, are permitted uses in all use designations, provided no adverse effect on adjacent land uses is created. In this regard, the size and appearance of such works must be in keeping with adjacent uses and provision shall be made for buffering in the form of landscaped areas between uses;

3.0 LAND USE CLASSES AND POLICIES

The following sections outline objectives of the Municipal Plan for the Town of Old Perlican Municipal Planning area (Section 12 (2) (a) of the *Urban and Rural Planning Act, 2000*).

3.1 Interpretation

3.1.1 Land Use Classes

In accordance with Section 13 (2) (c) of the *Urban and Rural Planning Act, 2000* the land in the Municipal Planning area of the Town of Old Perlican is divided into land use classes. The policies in each class of land use reflect the vision (goals) and objectives of the community.

The Town of Old Perlican's Future Land Use Designations are mapped on the Future Land Use map. Within each designation, the policies of the Municipal Plan shall indicated the zones that shall be on the Land Use Zoning map of the Development Regulations.

LAND USE CLASS	LAND USE DESIGNATION	LAND USE ZONE
• Commercial	**COMMERCIAL**	1. Commercial General
• Conservation	**CONSERVATION**	2. Environmental Protection
		3. Open Space, Parks & Trails
		4. Protected Water Supply
• Industrial	**INDUSTRIAL-COMMERCIAL**	5. Harbourfront
• Mixed Use	**MIXED USE**	6. Mixed Use
• Public Institutional	**PUBLIC INSTITUTIONAL**	7. Public Institutional
• Residential	**RESIDENTIAL**	8. Residential
		9. Residential Comprehensive Development Area
		10. Residential Rural
• Rural	**RURAL**	11. Rural

3) To permit home businesses that facilitate the ability of residents to augment their income that are compatible with the character of the neighbourhood in which they occur; and, to set out which home businesses may be considered as permitted uses and which may be considered as discretionary uses;

3.1.4 Future Land Use Map

The Future Land Use Designations are illustrated on the Future Land Use Map, which can be found in Appendix C.

The boundaries between land uses classes are meant to be general, except where they coincide prominent physical features, where they are intended to define the exact limits. The boundaries of the designations overlap water bodies; and where a boundary is along a road, the boundary on each side of the road is intended to meet in the centre of the road.

Legal version of map: Note that the paper copy of the Future Land Use map is version with the signed registration stamp is the legal version. One copy of the registered map is kept at the Council Office, Town of Old Perlican, and a second copy is in the Minister's Registry with the Local Governance and Land Use Planning Division.

3.2 Commercial Land Use Class Policies

Objectives

The objective of the commercial land use class includes

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

2) To encourage diversified and balanced economic growth, promote development and diversify the local employment base; and,

3) To protect existing businesses and to ensure their continued operation.

Policies

It is the policy of Council to:

1) Establish a Commercial land use designation on the Future Land Use mapping;

2) Within the Commercial designation, establish a Commercial General zone on the Land Use Zoning map of the Development Regulations to provide an opportunity for a general mix of commercial activities. In the Commercial General (CG) zone:

    a. Permitted Uses include: Commercial Land Use Class, including Amusement Establishment/Use; Auto Body Shop; Automotive Repair Shop; Bar/Licenced Liquor Establishment; Building Supply Store; Child Care- Non-residential; Club and Lodge for Community groups; Contractor, Limited (Small); Convenience Store; Custom

Policies:

It is the policy of Council to:

1) Establish a Conservation designation on the on the Future Land Use mapping which shall have the following zones set out on the Land Use Zoning map of the Development Regulations:
    a. Environmental Protection (EP);
    b. Open Space, Parks & Trails (OSPT);
    c. Protected Water Supply (PWS).

2) In the **Environmental Protection** (EP) zone:
    a. Permitted Uses include: Environmental Protection; Municipal wastewater (sewer) treatment facility;

       Discretionary Uses include: Uses as permitted under the provincial policy W. R. 97-1 by the Water Resources Management Division (WRMD), subject to referral to WRMD (refer to Appendix B): marinas, boathouses, jetties, wharves, moorings and other docking facilities and the extension and upgrading of existing buildings; Open Space, Recreation and Trails uses and campground; Mineral exploration-'development'; Forest activities-domestic harvest only;

    b. Prohibit development in environmentally sensitive areas, such as, steep slopes, areas prone to landslides and rockfall and lands having drainage and flooding conditions;

    c. Apply the EP zone:
        i. in areas where development must be restricted, such as shorelines, waterbodies, steep slopes, and development is unsuitable and environmentally unsustainable;
        ii. in areas known to flood, such as flood plain lands areas in order to reduce the potential for property damage and loss of life due to flooding;

3) In the **Open Space, Parks and Trails** zone:
    a. Permitted Uses include: Conservation – All uses; : Sports and Recreation facilities; Outdoor Market;

    b. Discretionary Uses include: Public gathering places-outdoor; Restaurant-Mobile Take Out/Street Vendor only.

    c. Apply the OSPT zone:
        i. in areas where the Town has invested in recreation and sport facilities and wishes to protect this investment;
        ii. in areas that provide vegetation and natural features that enhance the natural beauty of the community and contributes to aesthetic values of the Town;

    d. Allow the above OSPT permitted uses in all zones throughout the community in order to encourage a network of Open space, Parks and Trails throughout the Town;

b. Discretionary Uses: Apartment; Townhouses; Single Detached Dwelling; Public Gathering-Outdoor; Public Gathering-Indoor; Energy Generation Facilities; Retail; Restaurant; Personal Services; Motel; Hotel; Resort-Tourist Establishment; Convenience Store;

2) Ensure development standards that maximize use of the land;

3) Ameliorate incompatible contiguous land uses: Property owners with unsightly uses shall be required to store their materials in the rear yard. Screening and buffering using fences or trees may be required in order to preserve an attractive appearance. Proper site layout and buffering shall be used to prevent or minimize the adverse effects of any proposed development on adjacent properties.

4) A Comprehensive planned development application may be required by Council;

5) Minimize the impact of commercial traffic on adjacent land uses and, on the traffic, carrying capacity of adjacent roads by allowing Council to require a statement regarding traffic impact as part of the development application and review;

3.5 Mixed Use Land Use Class Policies

Objective
The objective of the mixed land use class is:

1) Create opportunities for a mix of residential development interspersed with attractive commercial buildings that have doors and windows facing streets and parking areas which encourage interconnected, walkable streets to create a sense of community;

Policies

It is the policy of Council to:

1) Establish a Mixed Use designation on the Future Land Use map;

2) Within the Mixed Use designation, establish a Mixed Use zone on the Land Use Zoning map of the Development Regulations; The Mixed Use zone shall have the following:

    a. Permitted Uses: Amusement establishment/use; Apartment building; Business support service; Club and Lodge; Convenience store; General Service/repair; Medical or Dental Clinic; Personal Service; Offices; Restaurant full service; Retail; Townhouse; Public Gathering Place – indoor;

    b. Discretionary Use: Single detached dwelling; Double dwelling; Bar .

3) The Mixed Use zone shall be applied to former commercial lands in the former Town zone to protect these locations for a either resumption of commercial use or development of higher density residential uses. As well, lands along the Provincial Highway #70 between the Commercial General zone and Residential zone shall be zoned for Mixed Use which reflects

As the determination of the need for these services (i.e., school boards, hospitals boards, provincial government) and land selection process is controlled by the agencies having jurisdiction, existing Public Institutional uses were grandfathered. (formerly called Community and Social Service). No new future sites have been identified as these shall be reviewed on their own merit on a site-specific basis and possibly subject to a Municipal plan amendment; however, land has been identified for expansion wherever possible.

4) Public Institutional land uses shall be located on arterial and collector roads that can accommodate the traffic generated by such uses;

5) Ensure through the requirement of a Planned Unit Development application review that:

    a. Public Institutional uses are compatible with surrounding development in terms of size, scale and layout of buildings;

    b. operation of recreational facilities shall not impose adverse effects on adjacent residential and other uses in terms of noise, traffic and hours of operation through appropriate conditions to development approval;

    c. where needed appropriate buffers, fences or separation distances, and appropriate signage will be conditions to a development permit;

    d. access/egress and onsite parking and loading considerations are addressed.

6) To promote an aesthetically pleasing form and better pedestrian connectivity of public institutional development by:
    a. allowing buildings to be located close to the street;
    b. providing sidewalks, landscaping and streetscape amenities.

3.7 Residential Land Use Class

Objectives

The objectives of the residential land use class are:

1) To provide an adequate amount of serviced land to accommodate future residential development within the municipality over the 10-year timespan of the plan;

2) Accommodate housing needs for current and future residents for a range of age, income, abilities, and family status with a range of housing types in the residential zones by including options for more diverse housing densities;

3) Build livable neighbourhoods by preserving and enhancing the amenity of existing residential areas in terms of landscaping and open space, parks and trails which shall protect quality of life and property values;

4) Develop aesthetically pleasing residential streets with a diverse and interesting streetscape through alternating setbacks;

d. The Comprehensive Development Area scheme shall incorporate the principles from the 'Smart Growth', 'Complete Community' and 'Healthy Community' planning concepts, as appropriate, such as:
    a. Mix of land uses;
    b. Take advantage of compact building design.
    c. Create walkable neighbourhoods and a range of housing opportunities and choices;
    d. Foster distinctive, attractive communities with a strong sense of place;
    e. Preserve open space, farmland, natural beauty, and critical environmental areas;
    f. Strengthen and direct development towards existing communities;
    g. Make development decisions sustainable, predictable, fair, and cost effective.

3) Residential Rural zone shall have the following:
    i. Permitted Uses: Single detached dwelling; Semi-detached dwelling; Subsidiary apartment; Discretionary Uses: Townhouse; Mini-homes; Apartment building; Group Home; Convenience store; Urban agriculture; Public Gathering Places-Indoor; Energy generating facility–residential only; Domestic sawmill.

General residential policies:

3) Permit uses related to open space, parks and trails in the residential designation to increase community amenity;

4) Provide for a range of discretionary uses that complement the concept of a complete community, such as home-based businesses, urban agriculture, subsidiary apartments;

5) Increase the lot coverage in order to allow for more built form on the lot which reduces the amount of land needed per home and allows for larger accessory buildings for storage;

6) Ensure that landscaping requirements are set out in the Development Regulations for Council to consider during application review;

7) Allow for provisions regarding alternative energy within a built-up residential area which shall be limited to a single energy-generation unit that serves an individual property;

8) Require conformance to the Development Regulations for (1) Individual Lot layouts and the siting of buildings, (2) Subdivision Plans, including development standards of the Town's Development Regulations, engineering site plans, landscape plans and building designs must meet the approval of Council;

Subdivisions

9) For subdivision development with 5 lots or more, a Subdivision Plan must be submitted to Council which addresses all issues related to the development of the site including but not limited to:

a. Conformity to the goals, objectives, and policies of this Municipal Plan;
b. Conformity to a Comprehensive Planned Development plan or a Development Scheme as approved by Council, which accounts for the development of lands abutting the site;
c. A description of the subject lands;

b. Discretionary Uses: Veterinary Clinic, Outdoor Market; Cemetery, Campground; Public Gathering-Indoor; Public Gathering-Outdoor; Amusement Park/Attraction; Service Station, Kennel; Marina, Residential: (1) Single detached dwelling only in association with a permitted use; Heavy or hazardous industry.

3) Consult with the natural resource agencies regarding applications and management plans; Provincial government agencies, such as the Land Resource Stewardship Division, Forestry Resources Division, and the Mineral Lands Division each have jurisdiction under legislation to plan and control these resources. It is the objective of this plan to ensure that the Town is adequately consulted by these agencies, and that permits are secured from the Town;

4) Cottage subdivisions are permitted in the Rural zone. Sites shall be carefully considered to ensure that there will not be any future demand for Municipal services or conversion to these cottages to permanent homes.

5) In the Rural zone, a 30 metre buffer on waterbodies shall be designated as natural green belts along wetlands and waterbodies (ponds, rivers, creeks etc.). This 30 metre minimum undisturbed natural vegetated green belt shall be a standard requirement when dealing with any type of land use activity; however, wider green belts are recommended when bordering land uses include agricultural practices.

6) For developments requiring removal of vegetation, Council shall consider measures to maintain landscape connectivity, preserve green belts to connect to forested areas to other habitat patches and to create travel corridors for various wildlife species.

7) Vegetation clearing shall be done outside the May 01 to July 31 period (note that some raptors start breeding in March) as disturbance can be most detrimental during that sensitive breeding/ young rearing period.

8) Ensure that development of resource lands does not block future access for other future opportunities for land use and development;

4.0 GENERAL DEVELOPMENT & PROVINCIAL INTEREST POLICIES

4.1 General Development Policies

The following policies provide the enabling context for the Development Regulations for the implementation of the Municipal Plan. These apply throughout the Old Perlican Municipal Planning area. These meet the requirements of Section 13 (2) 2 of the *Urban and Rural Planning Act, 2000.*

It is Council policy to:

Administration of the Development Regulations

1) Establish a Municipal Plan which applies to the Town of Old Perlican Municipal Planning area for a period of 10 years as required by Section 13 (2) (g) of the Urban and Rural Planning Act, 2000;

2) Establish a transparent application review process that enables Council to more comprehensively evaluate proposed development, involve the public, and consider alternatives during the review process of development proposals. The Development Regulations will address: when a permit is required and information requirements for all applications, discretionary use applications and planned unit development applications, and the obligations of the applicant and Town in the application process for all applications.

3) Set out provisions in the Development Regulations for: variances, non-conforming use (Sections 12 and 13 of the Ministers *Development Regulations 3/01),* and the amendment process for the Municipal Plan and/or Development Regulations as per the *Urban and Rural Planning Act, 2000* and Minister's *Development Regulations 3/01.*

4) The Development Regulations will address special conditions for development, including planned unit developments, Development Agreements, Planning Impact Analysis, as well as service levies (under the *Municipalities Act, 1999(* Part VI).

5) Set out the application decision-making process in the Development Regulations including, but not limited to, the decision-making authority of Council, including premature development, written reasons for refusal, and the responsibility to inform applicants of the appeal process (Refer to Part VI of the *Urban and Rural Planning Act, 2000* and Sections 5-14 of the Ministers *Development Regulations 3/01).*

6) Set out overarching discretionary powers of Council as follows: in considering an application for a permit to carry out development, take into account the policies expressed in the Municipal Plan and any further scheme, plan or Development Regulations pursuant thereto, and shall assess the general appearance of the development of the area, the amenity of the surroundings, availability of utilities, public safety and convenience, and any other considerations which are, in its opinion, material, and notwithstanding the conformity of the application with the requirements of the Development Regulations, Council may, in its discretion, and as a result of its consideration of the matters set out in the Development Regulations, approve with conditions, or refuse the application;

Development to Front onto a Publicly Maintained Road

15) Require that all development fronts on to a publicly maintained road (Provincial or Municipal) and have independent, approved access. Exceptions include: (1) a development within a Planned Unit Development where there may be an internal road plan (which will be set out in the Development Regulations); however, the PUB must front onto a publicly maintained road; and (2) natural resource uses and associated industries, i.e., agriculture, forestry, mineral working, etc.

16) A Planned Unit Development must front on to a publicly maintained road, but within the Planned Unit Development, the following types of development may be allowed on lots that front on to a private road provided that arrangements are made for the maintenance of the on-site road, but that the road is not maintained by a Council at public expense:
    a. commercial rental cottages;
    b. seasonal commercial uses related to tourism;
    c. resort developments;
    d. seasonal cottage developments not intended for permanent residential use; and,
    e. vacant land condominium subdivisions.

Site requirements

17) Establish standards and conditions regarding buildings, lot siting, landscaping, buffers, nuisance and unsightly development in the Development Regulations.

Landscaping

18) The Development Regulations shall address general landscaping and subdivision landscaping requirements.

Character of town and compatible development

19) Require that non-residential land uses located near and/or within residential areas will be laid out and designed in a manner that is:
    a. compatible with the neighbourhood; and,
    b. minimizes potential nuisance factors.

Signs

20) Establish standards and conditions in the Development Regulations pertaining to advertisements and signage that will promote the amenities, natural and cultural resources and businesses of the community;

21) Incorporate the requirements of the *Highway Sign Regulations, 1999* into the Development Regulations; a permit may be required from Service NL; A permit is required for any sign erected within designated control lines of a highway.

Access to streets, Roads, Parking, and Off-Street Loading

22) Set out standards in the Development Regulations regarding access to the public street in order to keep the street safe and efficient for both vehicles and pedestrians. Ensure that the local transportation system adequately and safely provides access to meet the needs of residents and businesses;

34) Require groundwater assessments as per the process set out by the Water Resource Management Division for areas where more than 5 residential or cottage lots are developed using private water supply and/or sewage disposal systems;

35) Prevent premature development that would create unreasonable servicing demands or costs; therefore, un-serviced development that may in the future demand servicing at the expense of the Town will not be allowed and development requiring services that will place an unsustainable maintenance burden on the Town will not be allowed;

36) Establish requirements for the subdivision of land and the standards of development, including a development standard, landscaping, applications requirements including provision for development agreements in the Development Regulations;

37) Comply with Section 37 of the *Urban and Rural Planning Act, 2000* requires up to 10% of the subdivision or land to be developed shall be dedicated to the Town as public open space. Council may accept from the developer in lieu of such area of land, payment of a sum of money equal to the market value of the land which would otherwise be required to be dedicated.

Cost/Benefit analysis for development proposals

38) Implement 'Smart Growth' principles in the residential comprehensive development area, such as maximizing efficient use of municipal infrastructure and minimize the fiscal impact of ongoing operations and maintenance. In considering proposals for development, Council shall consider the costs and benefits to the Town;

39) Support development consistent with this Plan, where it is determined to have a net positive fiscal impact on the Town;

40) Refuse development that is premature, or that adds unnecessary financial burden to the Town where public costs exceed public benefits; and,

41) Review and revise development levies so that they adequately reflect the public costs of development and are fairly and equitably applied.

42) To provide landscaping provisions in the Development Regulations:
    a. For existing development: landscaping and property maintenance standards to enhance the appearance of the community and instil community pride and stewardship values, including standards for property maintenance and measures to reduce sand and dust nuisance;
    b. For public realm areas such as streets and publicly owned lands and buildings: undertake beautification measures such as landscaping, signage and street furniture;
    c. Consider option of implementing Town/landowner agreements for Town trees or landscaping on private property;

6) **Service NL**: Ensure that applicants for a development or building permit from the Town are aware of Service NL requirements;

7) With regard to NL Hydro services:
   a. Provide a definition of easements for public utilities in the Development Regulations and indicate that:
      i. no development, including quarrying, will be allowed in these easements; and,
      ii. access by service providers will be protected.
   b. As part of the application review process, refer new development applications to NL Hydro and require that approval must be received prior to construction commencing;

8) **Transportation and Infrastructure:**
Ensure that the provincial Building Near Highways Regulation are complied with along any provincial highway, within the Municipal Planning area.

9) **Water bodies:**
   a. Protect rivers, streams, ponds, wetlands, riparian areas, and shorelines by ensuring conformance with requirements of the Water Resources Management Division of the Provincial government under the *Water Resources Act, 2002* and the *Environmental Protection Act, 2002* including Policy Directives: W.R.91-1-Infilling Bodies of Water, W.R. 97-1-Development in Shore Water Zones and W.R. 97-2-Development in Wetlands, the Guidelines for the Construction and Maintenance of Wharves, Breakwaters, Slipways and Boathouses; and, Environmental Control Water and Sewage Regulations, 2003 for any effluent or runoff from a site.

   b. The installation of any water or sewer mains requires approval of ENVC under Sections 36 and 37 of the Water Resources Act. Water and sewer shall be designed according to the NL Guidelines for the Design, Construction and Operation of Water and Sewerage Systems.

   c. Where fish habitat is affected, requiring appropriate approvals from Fisheries and Oceans Canada;

   d. Maintaining, where possible, existing vegetation along banks and shorelines for protection of riparian habitat;

10) **Wildlife:**
   a. Consider the services of staff involved with in the Wildlife Division who work with the Eastern Habitat Joint Venture to discuss the incorporation of wildlife and conservation values in municipal plans and associated development regulations.

   b. Wherever possible, particularly in the Rural zone, Council shall consider general wildlife habitat and landscape connectivity during application review, such as:
      i. a riparian buffer of 30-metre minimum undisturbed natural vegetated along wetlands and waterbodies (ponds, rivers, creeks etc.) or more for riparian areas near any type of land use activity.

5.0 IMPLEMENTATION

4.1 Development Regulations

In order for the Town of Old Perlican to achieve the Vision, Objectives and Policies articulated in their Municipal Plan, the Council shall need to:

- Adopt Development Regulations as a tool for administration and implementation;
- Issue development permits for new development, change of use, or to subdivide land, in accordance with the Development Regulations;
- Implement a Capital Works program consistent with the Municipal Plan policies;
- Ensure a clear and efficient approach to the development review, decision-making, and appeal processes; and,
- Undertake to conduct research to inform decision-making in Plan implementation.

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

4.2 Amendments to the Plan

Council may consider amendments to the Municipal Plan when:

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

In considering any proposed amendment to the Plan, the Council should evaluate the proposal for consistency with the strategy for growth of the Town, as established in the goals, objectives and policies of the Municipal Plan. An associated amendment may be required to the Development Regulations. As per Section 25 of the *Urban and Rural Planning Act, 2000*, an amendment to the Municipal Plan (and an amendment to the Municipal Plan and Development Regulations) must follow the process set out in Sections 14 -25 of the *Urban and Rural Planning Act, 2000*.

A person may request to have the zoning of a parcel of land changed in order to accommodate a use or development not permitted under its' current zoning. This might only require an amendment to the Development Regulations without amendment to the Municipal Plan. Alternatively, a Development Regulations amendment may consist of a change to the text of the regulations. In considering requests for Development Regulation amendments, Council shall consider:

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

APPENDIX A: BACKGROUND REPORT

TOWN OF OLD PERLICAN

PHASE ONE: UNDERSTANDING THE COMMUNITY

SEPTEMBER 2020

TRACT

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1.0 Setting the Context

1.1 Introduction

The purpose of the Background Report to the Municipal Plan Review is to provide an overview of the sustainability framework and a socio-economic profile of the community, highlight land use observations, and identify key strategic issues that appear to characterize the community.

These key findings, in addition to information to be gathered from the initial public consultation sessions, supplementary planning research, and direction from Council, shall provide the basis to define the Town's primary sustainability and land use planning objectives and priorities.

The Municipal Plan objectives shall guide the development of Municipal Plan and Development Regulations, including land use designations and zoning maps to guide the future development of the Town for the next 10 years.

The Municipal Plan and Development Regulations are living documents, that is, over the 10-year life of the Municipal Plan, amendments are permitted under the *Urban and Rural Planning Act, 2000* in order to accommodate changes over time that were not anticipated at the time that the planning documents were prepared.

Old Perlican is one of Newfoundland's oldest fishing communities, serving as the major fishing station in Trinity Bay for migratory fisherman from England in the 17th century. To this day, the major economy is the fishery. Crab and Shrimp processing facilities are major employers during the fishing and production season. Other species processed here include lump, mackerel, capelin, and whelk. Fortunately, for Old Perlican, the cod moratorium of the early 1990s did not devastate the economy of the area.

The surrounding landscape is classified as Maritime Barrens, more specifically, the 'Northeast Barrens subregion 6A'. It dramatically reflects the glacial activity that occurred here more than 10,000 years ago resulting in widespread barrens and peatlands. Most of the area is covered by gently rolling ground moraine, but scattered through are boulders left by retreating glaciers. The hummocky terrain is also a result of glacial activity. Barrens are the most common landscape feature and slope bogs; basin bogs and fens occur regularly reflecting general poor drainage combined with a wet climate. Until recent times the area was covered by forest except on high ridges and coastal headlands, but due to burning by settlers and fires associated with the railway, the forest was gradually destroyed and can only be found in protected valleys. Needless to say, the focus for settlers was the fishery, and agricultural activities offered supplemented their diet.

1.2.2 Historic Influences on the Built Community

Old Perlican is one of the oldest communities in Newfoundland, appearing on maps in 1597. One of the first references to Old Perlican comes from a report written by Captain Charles Leigh in 1597. He says that a Spanish vessel had been fishing out of a place he called 'Parlican' that summer. By at least 1612 people had begun to call the place Old Perlican. John Guy mentions Old Perlican a number of times during his trip into Trinity Bay that year. Its name was recorded as "Parlican" as early as 1597, with the "old" being added sometime later to distinguish it from New Perlican further up the bay. Nonetheless, it is one of the oldest fishing communities in Newfoundland, serving as the major fishing station in Trinity Bay for migratory fisherman from England in the 17th century

Old Perlican was settled by at least 1640. The first Newfoundland census lists fourteen planters there in 1675. But, in, 1697 the French under D'Iberville captured Old Perlican. They reported that there were "19 houses, several stores, more than thirty head of horned cattle, and a number of sheep and pigs". During King Shalliam's War, the village was destroyed in the Avalon Peninsula Campaign. A "planter" (an early settler or colonist) named John Barrett (1654-1714) lived there after arriving from Poole, England in 1711. One of, if not, the oldest recorded English land transaction in Newfoundland archives is between John Barrett and John Carter in 1711 in Old Perlican. The original is in the St. John's archives and a photocopy hangs in the Old Perlican Town Hall.

The Town of Old Perlican is a commercial service hub for the towns located at the tip of the Bay de Verde peninsula. It continues to be the fishing centre for the south side of Trinity Bay and the north shore of Conception Bay. The crab, shrimp and ground fish plants as well as the large concentration of fishing boats and harbour infrastructure has maintained the town's prosperity. The commercial and industrial activities and land uses shall be discussed in more detail in Chapter 3 in an assessment of employment-generating lands.

Old Perlican is also a hub for to health and education services. In 2001, a new health centre, which is operated by the Eastern Health Authority, replaced the old cottage hospital which had served the area since the mid-1930s. The Dr. A.A. Wilkinson Memorial Health Centre is a state-of-the-art acute care facility, with modern laboratory and x-ray facilities.

In September 2002 Baccalieu Collegiate (grades 7-12) opened its doors in Old Perlican. Elementary (K-6) students from Old Perlican attend TriCon Elementary in nearby Bay de Verde.

1.3 The Current Municipal Plan (In Effect)

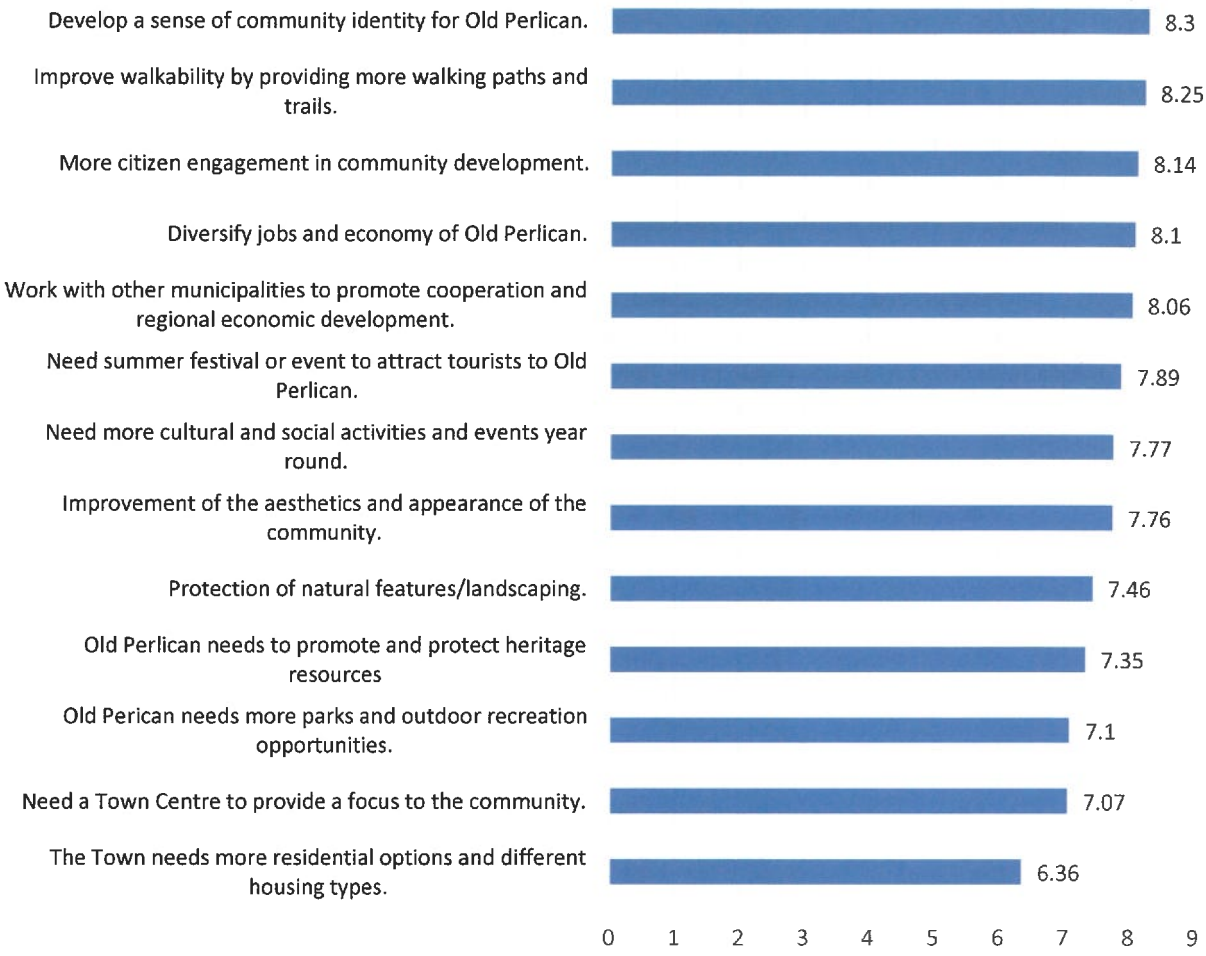
The Town's Municipal Planning area boundary under the *Urban and Rural Planning Act, 2000* is the same as the Town's Municipal Area Boundary as established under the *Municipalities Act, 1999.* The Town is empowered under this legislation to apply planning policies and regulations and to levy taxes on the properties for services within these boundaries.

The current Municipal Plan and Development Regulations were prepared in 2009. The Municipal Plan and the Development Regulations have only been amended 2 times.

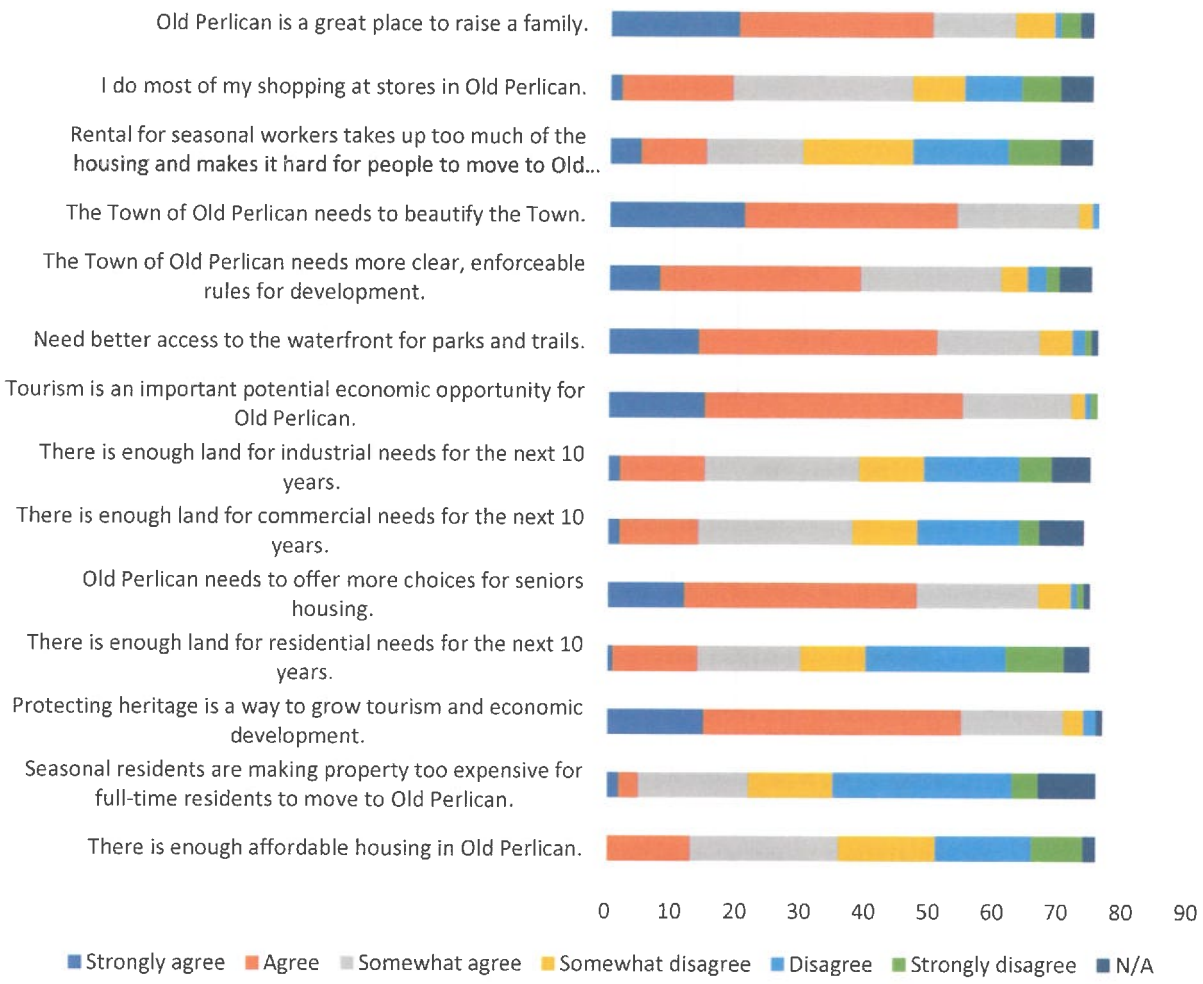
Section 28 of URPA requires plans to be reviewed every 5 years; and the plans are developed with a 10-year timeframe.

It is timely for the Town of Old Perlican to undertake the Review in order to set the legal framework for the next 10+ years of growth and development.

Q2. How important are the following factors in improving your community? (1=not important; 5=somewhat important; 10=very important)



Q3. To what extent do you agree or disagree with following statements?



Q5 If you could recommend three Community Improvement Projects for the Town, please share them and indicate their importance (1 to 3)	
1	Trailer area, community swimming area, youth area
2	Extend the rural planning infill line to allow people to apply for crown land adjacent to existing housing.
3	Continue with the rink Walking trails Improve local roads
4	Boardwalk along the harbour front and out towards the harbour authority; housing project geared towards seniors;
5	Clean up residential lots. Should be free of debris and fishing equipment. 3
6	Roof over the rink. Keep the beaches clean. Get involved with ocean's Canada. Stop the dumping of old nets on shoreline. Develop a trailer park
7	1-Replace town waterlines not patch. 2-when hiring students for summer jobs why not have them pick up litter (maybe once a week). And place garbage bins in strategic places around town (where you see the most litter) between high school and Gasland, on the wharf! (Seen BDV with bins made out of blue plastic barrels with a cover attached-inexpensive)
8	Community centre, for meeting place. Better park areas to bring in tourist
9	1. More clean-up, including around the town hall. 2. Improved pathway from rec centre to joy button park. 3. Better oversight of ATV's and dirt bikes. Gravel is all over the pavement and riders are not respecting town's residents (speed, noise, etc.)
10	Clean up the beach. Walking trails. improve roads.
11	Housing development Schooners Heritage Site Walking Trails
12	Heritage boards in important areas of town Walking trails to invite visitors Rest stops with information boards and picnic tables
13	Boardwalk by Heritage Information heritage boards around town or on walking trail Annual beach clean up
14	Softball field Basketball court Brewery
15	1. Trails and parks that tourists and locals can enjoy. 2. Improved playground and addition of other recreational facilities and programs for youth in the area. 3. Commercial opportunities to entice tourists and locals to stay and spend money here as well as job creation for a declining population.
16	Beautifying various items that are of importance but require a facelift. I.e. old and crooked telephone poles. Ugly wire displays. Side road and main roadway drains for grass maintenance.

Q5 If you could recommend three Community Improvement Projects for the Town, please share them and indicate their importance (1 to 3)	
28	1) Recreation facilities improvement at parks.... benches, playground equipment, etc. 2) Restoration of older buildings perhaps as rentals for tourists 3) Cleanup of waterfront area /beaches
29	1. Clean up the waterfront. The garbage is ridiculous and a deterrent to anyone. 2. Consider what tourists would come to see. We don't have lookouts or trails. 3. Clear signage to what's available
30	A restaurant near the waterfront, everyone loves an ocean view .. also, a bed a breakfast near the waterfront would be a great idea also and would probably bring more business to the area ..
31	1)Ballfield 2) basketball court 3) tourist attractions
32	1. More walking trails 2. More heritage projects outside of heritage house 3. Signage, beautification and pride in community projects
33	A new fire truck needs to be purchased to replace a very old machine. It's very important for the safety of our community
34	Walking trails. Beautify the town. More festivals or community garden.
35	New fire truck
36	Splash pad 2 Trailer park 2 Seniors complex Housing 3
37	1. Improve the playground 2. Outdoor events venue 3. Opportunities for community organizations to showcase their abilities and services. More town sponsored events to include ALL organizations in the town and promote the work that all the organizations do through Town means and avenues.

Q6 In your opinion, are there development features or approaches in another Town or area from which the Town of Old Perlican could learn/benefit?	
1	A lot of towns do annual improvements (recreational and beatification)
2	The town should be approachable by the citizens and should listen to what they have to say
3	Bay de Verde did a lot of nice things around the area
4	Heart's Content seems to have more community involvement with and by the town. Little information is shared in Old Perlican.
6	Bay de Verde with their heritage spots
7	Bay de Verde has a number of stop areas with picnic tables and info boards
9	The splash pad in Bay Roberts. The trail that turns into a skate way in CBS. Other places have things like golf courses, B&Bs, dinner theatres, gift stores, boat tours etc. That we could avail of.
10	There always is.
11	Look at town of Winterton much nicer to visit

	town, this community should be flourishing. I for one would like to see Old Perlican become the community that you can be proud to say you come from once again.
12	Old Perlican is a wonderful place to live but we don't have enough to bring people here. Tourism is a big thing; we have beautiful trails that need to be developed and add more attractions. Summer concerts and events take place but we can sure use more.
13	Somehow need to increase community pride in the residents.

Summary of the Community Survey: There were 101 respondents to the Community Survey for the Town of Old Perlican. Most of them were long-time residents (over 20 years), of which 36% are very satisfied and 36% are somewhat satisfied with living in Old Perlican.
The 6 top most important factors in improving the community (out of 13) were:

1. Develop a sense of community identity;
2. Improve walkability (trails & paths);
3. More citizen engagement in community development;
4. Diversity jobs & economy;
5. Work with other municipalities to promote cooperation and regional economic development; and,
6. Need summer festival or event to attract tourists to Old Perlican.

Out of 14 statements, residents agreed on 7 initiatives: to beautify the Town, protect heritage as it is tied to promoting tourism, family-friendly, and needs better access to waterfront parks and trails, more choices for seniors housing and more clear, enforceable development rules.
In an open-ended question, the most popular community improvement projects mentioned included: clean up (public and private property); walking trails, tourism-related improvements with emphasis on heritage; improved roads; and more playgrounds. There were many other valid individual suggestions.

A few thoughtful comments were made regarding the Town reaching out to involve community organizations in town projects.

Also, with regard to other towns, respondents focused on heritage interpretation initiatives all over the Avalon and the potential for Old Perlican to add a different thread to that story.

1.3.2 Community site visit

The preliminary site visits to the community confirmed the need for updated Municipal Plan and Development Regulations in order to manage change associated with land uses of residential, commercial, industrial, parks, recreation and natural area environments of the community.

STRENGTHS AND OPPORTUNITIES IN THE TOWN OF OLD PERLICAN	
STRENGTHS	**OPPORTUNITIES FOR IMPROVEMENT**
• Stable number of families with children; • Aging population;	
ACCESS TO RECREATION AND COMMUNITY SERVICES	
• The Memorial Park is a focus in the community with walking trail; • Recreation Commission offers Recreation Programs at the Community Centre; • Town has a playground, soccer pitch, softball field and basketball court; • There is a Lion's Club and one of the oldest active Orangeman's Lodge; • St. Andrew's By the Sea United Church;	• Residents would like more trails for active living for all ages and allow Tourists to explore;
TRANSPORTATION	
• Provincial Highway Routes 80 and 70 come together at Old Perlican, connecting it with the region and beyond;	• Town roads are of varied standards in terms of width, paving or gravel and need continued maintenance which is costly and must be budgeted for in long term;
GOVERNANCE, SERVICING AND INFRASTRUCTURE	
• Not a full slate of Councilors; • Regular meetings open to residents; • Well-managed services; • Good relations with other governments; • Balanced budget • Fair taxation rate & stable revenue sources; • All residential development is serviced; • Access to high speed internet • Location of regional institutions: hospital, school, government, Post office, RCMP, Public Library;	• Town needs an Asset Management Plan; • Regular elections; • Partnering for services
BUILT AND CREATED BEAUTY	
• The Town developed a Memorial Park with a sitting area and walking trail; • The historic building, Beckett Heritage House, is in very good condition and in a prime location;	• Need to create an 'entrance' to the Town; • Heritage committee to consolidate information on history and heritage of the Town for interpretation opportunities; • Archaeological sites and old cemeteries contribute to interpretation opportunities;
COMMUNITY ENGAGEMENT	
• Town has webpage and Facebook page to post events and news;	• Need to encourage turnout for municipal elections;

To ensure sustainability, the ICSP indicated that the Town shall:

- Ensure the protection of the natural environment in and around the community;
- Develop a business-friendly environment while striving to maintain current levels of business service and attract new developments to the town.
- Ensure information and adequate social programs are available to all residents.
- Ensure the celebration of our history, culture and people through a variety of programs and events.
- Ensure the municipality is operated with fiscal responsibility and accountability through land use, financial and strategic planning, while engaging the pubic whenever possible;
- Ensure that relationships with others in the community are developed and enhanced, engaging partners to accomplish goals identified by the council and residents.

Old Perlican is currently a major service centre with a hospital, high school, senior's home, funeral home and various other businesses and amenities. The ICSP commits the Town to strive to maintain the existing business base, as well as encourage new business to develop in Old Perlican.

The ICSP summarized significant goals for the four pillars of sustainability as follows:

- **Environment**:
  - New Regional Waste Management facility/Hazardous waste disposal
  - Sewage Treatment Outfall
  - Soda Ash treatment for domestic water system
  - Residential water/sewer improvements
  - Study electricity consumption for municipal buildings (possibly install solar panels) (green fund assistance)
  - Improve/increase green spaces (parks, trees) in the municipality

- **Governance:**
  - Update town plans and policies
  - Explore Human resource options to maintain or possibly expand staff levels Streamline decision making processes
  - Maintain equipment and facilities
  - Ensure appropriate financial resources are in place

- **Economic:**
  - Partner with the Harbour Authority on marina development
  - Encourage existing/new businesses
  - Water supply upgrade for commercial customers
  - Develop tourism activities and visitor sites

- **Social/Cultural:**
  - Develop walking trails
  - Community Service award/volunteer of year
  - Develop recreation programs for youth and seniors, especially in winter-walking programs, etc.
  - Encourage activities of senior's groups (50+ groups)
  - Self-improvement programs/workshops

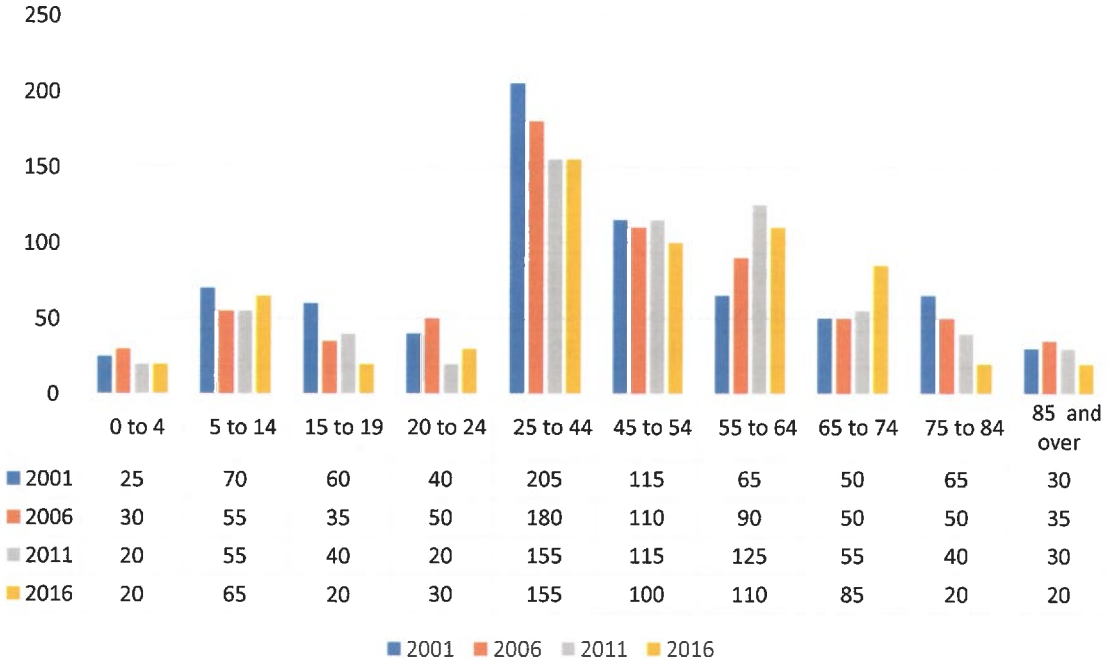
2.0 Profile of the People of Old Perlican

2.1 Population and Demographic Trends

The Town has 633 residents as of the 2016 Census. In the last 10 years, the population of Old Perlican has decreased by 6% (or 43 people). Statistics Canada provides median age information, that is, half the population is older that the median age and half the population is younger than the median age. In 2006 the median age was 43.3, slightly higher than the provincial median of 41.7, and in 2016, the median age of was up to 48.4 years of age, again higher than the provincial median of 46. The population is definitely ageing, and the age profile is older than elsewhere in the province

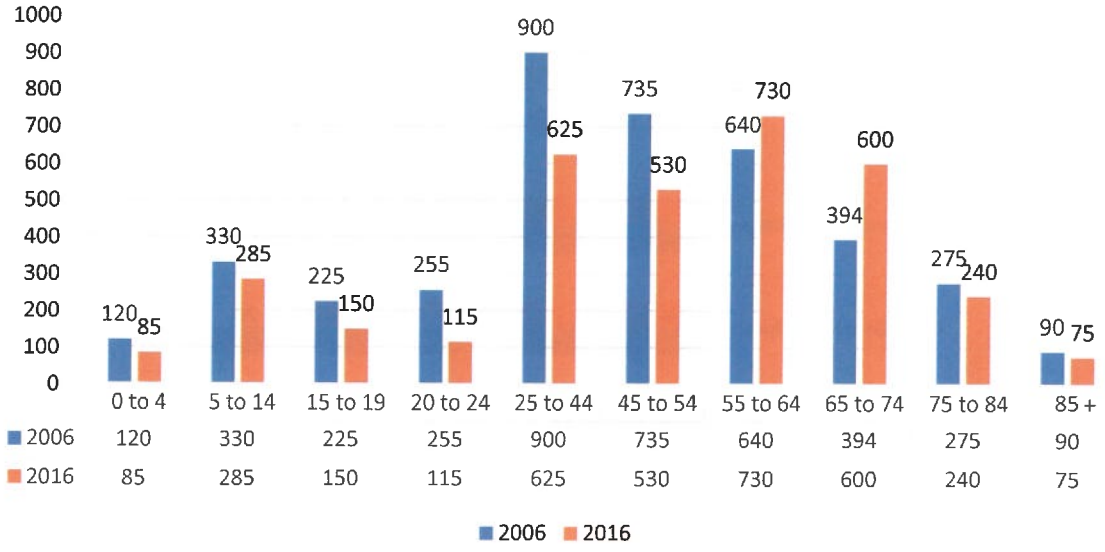
However, to get a better sense of the change in the age groups in the Town, the following table shows the census data for 2001, 2016, 2011 and 2016.

Old Perlican - Population Trends, by Age Group, 2001-2016



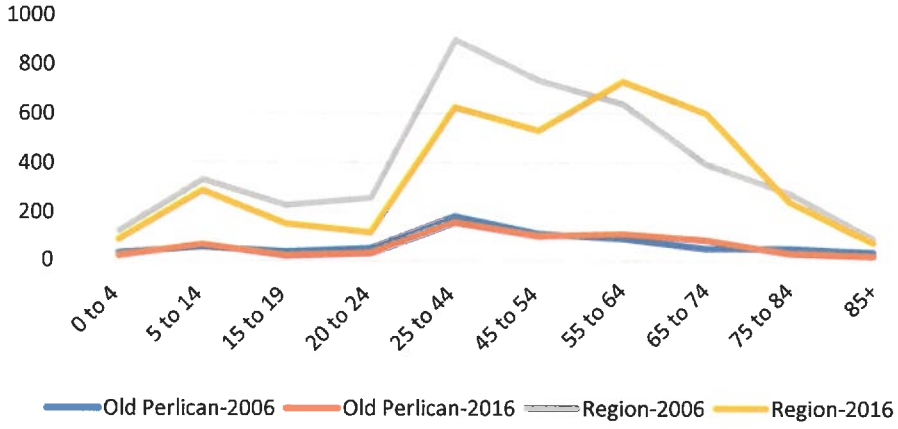
The number of children in the age groups 0-4 and 4-14 decreased slightly, whereas the 15-19 group (high school) dropped by75%. The 20-24 (post-secondary) overall decreased by 25%, but only after having a sharp decline between 2006-11 and rebounding in 2016.

Regional Population Change by Age Group 2006-2016



The table below illustrates this aging of the Region more graphically. This aging population shall have different purchasing needs and housing needs in the near future. All considerations to be taken into account by local retailers and housing developers.

Comparison of Age Group Change, 2006-2016 Older Perlican and Region



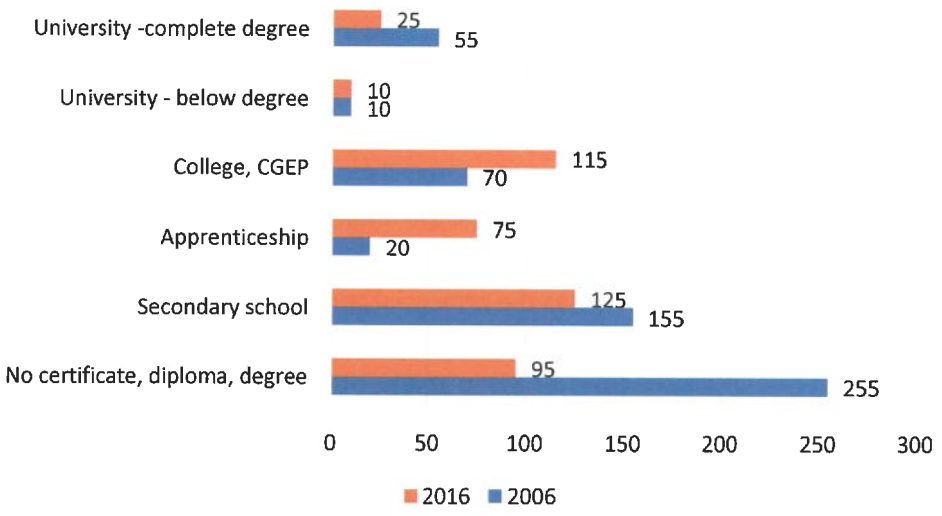
This aging trend has an impact on the composition of households and the type of housing that is needed. Average household size is diminishing from 2.6 in 2006 to 2.4 in 2016. Interestingly,

Overall, the residents of the Town of Old Perlican are quite satisfied with living in the town. According the Community Accounts statistics calculated by the Provincial Government regarding **community well-being**, 80% indicate that they are very satisfied or satisfied with life in general. Also 78% indicate a strong sense of community; and about 57% self-reported that they were in excellent or very good health.

2.2 Education, Mobility, Employment and Income

The education level of residents of Old Perlican has improved for a wide range of post-secondary achievement, as shown on the graph below. Between 2006-2016, there is a dramatic decrease in individuals without some certification or diploma or degree (from 255 to 95). Education is the key to employment and better lifestyle opportunities. There is also a dramatic increase in the number of individuals who have completed some kind of apprenticeship and College.

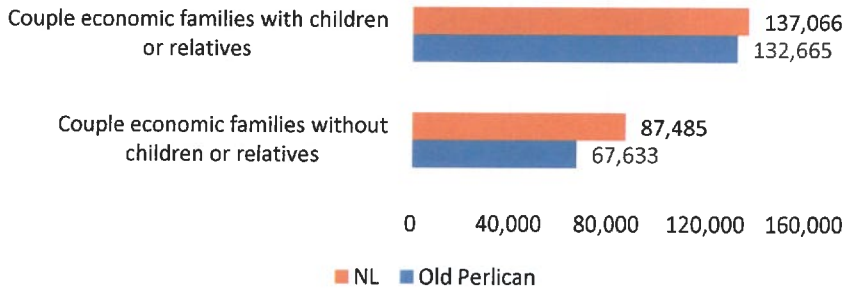
Trend in educational attainment of residents of Old Perlican, 20116-2016



Mobility statistics indicate that in the 1 year before the census in 2016, the population consisted of local people as 95% were non-movers. Of the 5% that were movers, half moved within the province and half from other provinces. Five years before the census, 89% were non-movers. Of the 11% that were movers, these were internal migrants (within the province). This is consistent with the fact that the Fish Processing plant has provided secure employment for a long time and residents have been able to rely on having an income in their community or region.

table below. (Note that 'economic family' refers to a group of two or more persons who live in the same dwelling and are related to each other by blood, marriage, common-law union, adoption or a foster relationship. ... By definition, all persons who are members of a census family are also members of an economic family).

Average total income ($) of economic families in private households, 2016



Note that for Old Perlican there was nothing recorded for lone parent economc families or for persons 15years + not in an economic family.

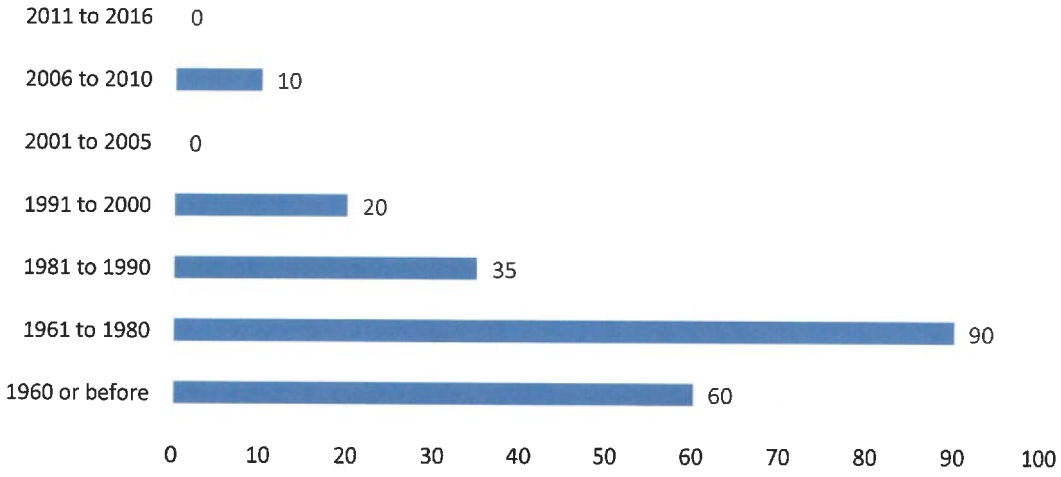
Families with children are most likely to have parents working, so it is no surprise that the income difference is only $5000; whereas, families without children would most likely include pensioners whose lower income brings this category to $20,000 lower than the provincial average. However, as this factor would be true for the rest of the province, it could point out to some other factor in effect in the community.

Most of the income earned in Old Perlican (72%) is market-generated or employment income, as shown on the table below.

Furthermore, when looking at the Census Canada calculation for the prevalence of low income in communities, in 2016, only 7.1% of the population qualified (as a percentage of income after tax), as compared to 15.4% for the rest of the Province.

These income levels are an important consideration when looking at the type of community services that the Town should invest in to meet the needs of residents. Obviously, those with higher incomes have different purchasing and recreation options than those with lower incomes.

Private Dwellings by Period of Construction, 2016



In terms of reporting the need for major repairs, the reported number is basically consistent between 2006 to 2016 at 4.5% (10) indicating that, despite the age, the residential stock is generally in good condition.

The Single detached dwelling continues to be the predominant dwelling form representing 96% of housing stock. Since 2006, there are fewer recorded row housing units and apartments recorded, 20 in 2006 and 10 in 2016. (including the 'other attached' category). The retirement home does not appear to be included in these numbers. Kingsway Living Baccalieu is a state-of-the art Level I, II, and Enhanced Care Personal Care Home with 45 suites for private or community living.

According to Census Canada, the average value of a private dwelling in 2006 was $80,168 (or $95,440 in 2016 dollars). By 2016, the value of private dwellings was $139,944. This is an almost $45,000 increase in value; however, it is significantly less than the provincial average value of $243,157; and considerably less than the price of homes in the Avalon Peninsula that

The beige-pink colour indicates land alienated from the Crown;
so it is evident that most of the developed community does not have title from the Crown

About 50 ha are zoned 'Residential', of which about 30 ha are already used. Of the remaining 20 ha that appear to be available, much of this land has challenges in terms of access and services.

Services/Retail:

Baccalieu Builders Ltd
Button's Marine/ Castle Building Supplies
Donnas Beauty Salon
Foodland Ltd
Gasland Ltd, Jungle Jim's Eatery, Robin's Donuts
Glamour Beauty Salon
Hopkins Services
Hopkins Funeral Home
Howell's Cabinet Shop
Melanie's Pet Grooming
Munn Insurance
Newfoundland and Labrador Liquor Corporation (is this referred to as 'LOBA')
Noonan's Accounting and Income Tax Services
P. Kelly's Electrical
Quinlan Brothers Apartments
Reg Hopkins & Sons
Tizzards Quick Stop- Esso
Tricon Pharmacy

Note that there are no accommodations within the community, not even AirBnBs. The local Baccalieu Lions Club has a building for their service club activities.

3.3 Employment-Generating Land: Industrial

Industrial development is focused on the Fish Processing plant and harbour. Quinlan Brothers has been a major part of the town's history and a major contributor to the growth, development and sustainability of the region. Founded in 1954, Quinlan Brothers Ltd. is now a third-generation family owned and operated business. The operation has evolved from a traditional local fish processing operation, to a multi-species player in the global fishing industry, exporting our quality products to over twenty countries worldwide. There are two companies, Quinlan Brothers Ltd and Quinsea Fisheries.

expansion of plant facilities as well as harbour-related facilities for both commercial and recreational vessels.

The diversity of industrial and commercial services is evident in the following list:

- Barry Group (The)
- Harbour Authority/Marine Service Centre
- Ocean Choice International
- Quinlan Brothers Ltd
- Quinsea Fisheries
- Canadian Coast Guard
  Maritime Search and Rescue

3.4 Environmental Protection

3.6 Town Centre

As mentioned earlier, the 'Town' zone encompasses a wide variety of uses; however, there is no sense of the Town Centre conveyed by either the built environment or signage. The Town invites visitors to '...view the harbour and browse through the Beckett Heritage Home and Twine Loft with their many artifacts, read the history board and observe the War Memorial, all located in the developing Memorial Park...' However, the area needs more development to provide a greater impact as a destination.

The 'centre' of the Town appears to be in the location around the following uses:

- Town Hall
- Beckett Heritage Home
- Fire Hall
- Memorial Park
- St. Andrew's by the Sea United Church

The rich historical record, combined with archaeological resources and sites, need a creative interpretive approach to modernize the area as a 'must see' destination.

3.10 Land Use Planning Objectives

As required by the *Urban and Rural Planning Act, 2000*, the Old Perlican Municipal Plan shall contain planning objectives that shall help to guide management of growth and development within the community and within its Municipal Planning area boundary over the next ten-year period.

The land use planning objectives are:

- *To establish effective land use policies, environmental management approaches and development standards to enable the Town to proactively encourage and manage sustainable land and building development;*
- *To pursue economically efficient and wise use of the developable land supply;*
- *To preserve the scenic historical and rural character of the residential areas of the Town of Old Perlican;*
- *To provide appropriate protection to environmentally sensitive and natural areas, steep slope and flood risk locations, archaeological significant sites, valued local views, and other important local features;*
- *To promote infill land development in areas of existing municipal services;*
- *To respond to the emerging local housing needs for seniors and younger families;*
- *To present options for innovative housing forms for compact lots, panhandle lots and other efficient and affordable residential uses of land;*
- *To encourage expansion of employment generating commercial business growth wherever feasible;*
- *To maximize public access, recreational and economic opportunities of the waterfront in Old Perlican;*
- *To devise pragmatic policy responses to each of the identified Provincial Agency referral comments; and,*

4.0 The Role of the Municipalitiy

4.1 Town Operations and Finances

The Town of Old Perlican operates under a seven-member Council. The next election shall be in September 2022. The Committees of Council include:

- Fire Department
- Old Perlican Ladies Auxiliary (Support/ Raise funds for the Fire Department)
- Ambulance Services
- Old Perlican Recreation and Arena Committee (OPRAAC)
- Youth Recreation Program (Summer Activity & Soccer Program for the youth)

There are also no plans or strategies developed for these topics.

The Town has a balanced budget of about $1.9 million and a debt servicing ratio of 6%, well below the provincial limit of 15%. In terms of property tax income, there are about 283 homes taxed at a 5.5 mil rate and 45 taxes at a minimum tax method; 21 businesses taxes at a 7.4 mil rate and 38 at a minimum tax method and 2 providing grants in lieu; and there are 134 vacant land lots charged $50 per annum.

The Town has seven staff members:

- Town Clerk/ Manager - The Town Clerk handles all administrative and financial responsibilities as well as the land use and development permits;
- Administrative Assistant
- Town Foreman
- Heavy Equipment/ General Maintenance
- General Worker
- Recreation Coordinator
- Janitor

Old Perlican has an excellent relationship with its neighbouring municipalities and unincorporated communities. The town is a member of the Joint Mayors' Association of Trinity-Bay de Verde, and together with the other 8 municipalities on the Trinity /Conception Bay shores the group meets on a monthly basis to discuss common issues and enjoy a night of fellowship and networking. Additional, as the major service centre on the tip of the Bay de Verde Peninsula, smaller neighbouring communities rely on the Old Perlican Volunteer Fire Dept and the Old Perlican Ambulance Service in times of need.

The Town's Volunteer Fire Department provides fire protection to Old Perlican and several smaller communities in the area. The department operates from the Fire Hall on Main Street.

Appendix: The planning process

1. Role and Purpose of Municipal Plan

The primary purpose of the Municipal Plan is to outline the land use intent and supportive land use policies for land located within the Town of Old Perlican Municipal Planning area so as to encourage and provide for the effective management of land development within the community. The Municipal 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.

The Municipal Plan shall 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.

2. Municipal 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 Municipal Plan;
- Policies to be implemented under the Municipal Plan;
- Provision for a 10-year planning horizon;
- The division of land into varied land use classes and permitted uses within; and,
- How the Municipal Plan shall be implemented.

Permissive Content

The *Urban and Rural Planning Act, 2000* 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 and determine the physical, economic and social environment of the Municipal Planning area;
- Provide for the protection, use and development of environmentally sensitive lands;
- Provide for the protection, use and development of natural resources;

(iv) approval in principle of permits,
(v) processing, cancellation, suspension and refusal of permits,
(vi) conditions applicable to a permit or type of permit,
(vii) length of time for which permits are valid, and
(viii) the discretion and variance powers available to the council or regional authority with respect to the issuance of a permit;

(f) requiring that an applicant for a permit be provided with available information and requirements applicable to the application;

(g) requiring that a decision of a council or regional authority with respect to a permit be in writing and state reasons for a refusal of or conditions placed upon a permit;

(h) respecting reasonable minimum notice periods for the council or regional authority for decisions respecting discretionary land use, non-conforming land use and variances;

(i) respecting public notice for permit applications and requiring that the cost of that notice be borne by the applicant;

(j) respecting the non-conforming development and use of land;

(k) respecting financial guarantees of applicants with respect to a proposed development;

(l) respecting appeals of decisions to boards; and

(m) respecting the enforcement of permit requirements.

(2) Regulations made under subsection (1) shall be administered and enforced by the appropriate council or regional authority and shall conform to the requirements of this Act.

(3) Sections 14 to 24 apply, with the necessary changes, to regulations made under this section.

(4) A permit issued under regulations made under subsection (1) only applies to the land for which the permit is given regardless of the transfer, sale or exchange of that land.

(5) Notwithstanding subsection (3) and section 25, where there is a proposed change in a regulation made under this section that has not occurred as a result of a change in a plan, a council or regional authority responsible for the changed regulation shall only give notice of those proposed changes in a newspaper circulated in the area and shall receive representations with respect to those changes before forwarding the regulations to the minister for registration under section 24.

4. 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

6. 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 Old Perlican such as the Town Clerk as under the direction of Town Council.

Upon provincial registration of a Municipal Plan by the Minister of Municipal Affairs and Environment, the Municipal 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 Municipal Plan's potential effect on individual property.

7. 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, 2000,* 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 Municipal 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 Municipal Planning Area. The content of the Development Regulations is varied, and includes land use zone categories for all properties located within the Municipal 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.

APPENDIX B: WATER RESOURCE MANAGEMENT DIVISION POLICIES

5.5 No development shall be carried out in a designated area except in accordance with this policy.
5.6 No person shall carry out any development in a designated area without obtaining prior approval in writing from the Minister.

6.0 ACTIVITIES NOT PERMITTED IN A DESIGNATED AREA

6.1 Placing, depositing or discharging or permitting the placing, depositing or discharging into a body of water and sewage, refuse, chemicals, municipal and industrial wastes or any other material which impairs or has potential to impair water quality.
6.2 Using an intake pond, lake or specified buffer zone for any activity detrimental to water quality and not permitted in the Act.
6.3 Using ice covered water body for transporting logs, riding skidoos/motor vehicles/all-terrain vehicles, leading of animals, or any other activity which impairs or has potential to impair water quality.
6.4 Using or operating existing facilities in such a manner which impairs or has potential to impair water quality.
6.5 Residential development (a sub-division of four or more lots), vehicle maintenance facilities, warehouses, service stations, industries, and chemicals and salt storage depots.
6.6 Storage and disposal of pesticides and manure, application of manure and chemicals in specified buffer zones, extensive land clearing, and peat land drainage without adequate treatment.
6.7 Clear cutting of forest in sensitive areas, establishment of camps and camp facilities, storage of chemicals, application of pesticides, drainage of peat land for afforestation, and application of toxic fire retardants.
6.8 Resorts, hotels/motels, and golf courses.
6.9 Activities, operations or facilities associated with aggregate extraction and mineral exploration such as work camps, vehicle parking and maintenance facilities, washing of aggregates, asphalt plants, discharge or deposit of waste material into a body of water, and significant disturbance to land for mineral exploration purposes.
6.10 Application of herbicides in the right-of-way, and use of chemically treated utility poles and other related structures.
6.11 Aquaculture development and associated activities having potential to impair water quality.
6.12 Processing and manufacturing plants having potential to impair water quality.
6.13 Cemetery, waste disposal facilities, and any other storage or disposal facilities that the Minister considers environmentally unacceptable.

7.0 ACTIVITIES REGULATED IN A DESIGNATED AREA

In a designated area, no person shall undertake any of the following activities without obtaining prior written approval from the Minister:
7.1 Expansion and upgrading of the existing activities, operations or facilities.
7.2 Construction of residential, commercial, industrial and institutional facilities or any other related activity including land clearing or drainage, construction of access roads, servicing of lands for subsequent use, or extension and upgrading of existing buildings or facilities.
7.3 Development of farm lands for crop production, forage production, vegetable production, and blueberry and other fruit production.

9.1 The proponents shall provide the following widths of buffer zones along and around water bodies from the high water mark in a designated area:

Water Body	Width of Buffer Zones
Intake pond or lake	a minimum of 150 metres
River intake	a minimum of 150 metres for a distance of one km upstream and 100 m downstream
Main river channel	a minimum of 75 metres
Major tributaries, lakes or ponds	a minimum of 50 metres
Other water bodies	a minimum of 30 metres

9.2 No development activity shall be permitted in buffer zones except those which are intended to promote vegetation.

10.0 RESPONSIBILITIES OF MUNICIPAL AUTHORITY

The municipal authority or person responsible for the operation and maintenance of a waterworks shall:

10.1 Ensure that no development activities are undertaken in a designated area without approval from the Minister.

10.2 Ensure that approved development activities are undertaken in strict compliance with the terms and conditions of the approval.

10.3 Where an approval or this policy is violated, serve a stopping order on the violator after obtaining prior approval from the Minister for stopping any work or operation either permanently or temporarily which is not carried out according to the terms and conditions of the approval and has impaired or has potential to impair water quality.

10.4 Request the Minister for the appointment of a Watershed Monitoring Committee and the development of a watershed management plan, if the designated area is under increasing pressure for multiple development activities.

11.0 CORRECTION OF HARMFUL CONDITIONS

If the quality of water has been impaired by any activity, practice, or action taken deliberately, negligently or accidentally, the Minister may order the proponent

- to provide alternate water supply for the affected community for as long as is necessary to restore the existing water supply system;
- to restore the water quality to its original condition; or
- to take necessary measures including the removal of facilities, undertakings, cabins, etc. and to rehabilitate the affected area at his/her expense in order to rectify the water pollution related problems.
-

12.0 CERTAIN POWERS OF THE MINISTER

(A) Cancellation of Approval

The Minister may revoke an approval:

12.1 For failure of the proponent of any development or activity to comply with the terms and conditions stipulated in the approval.

12.2 Where the approval was issued in error on the basis of incorrect or incomplete information.

POLICY FOR DEVELOPMENT IN SHORE WATER ZONES

POLICY DIRECTIVE

Division:	Water Resources Management	P.D.	W.R. 97-1
Prepared By:	Anil Beersing	Issue Date:	June 3, 1997
Approved By:	Martin Goebel, Director	Re-Issue Date:	Jan 17, 2001
Approved By:	Ken Dominie, ADM	Review Date:	
Authorized By:	Paul L. Dean, DM	Superseded:	
Oliver Langdon	Minister	Cancelled:	

Subject:
Development in Shore Water Zones

1.0 INTRODUCTION

The shore water zone is the interface between land and water, and includes the land along the edge of an ocean, or a fresh water body. The shore water zone owes its unique ecological attributes to the area encompassing both the land draining into the water body and the water body itself. Unplanned and imprudent development on shore water zones, including infilling and waste disposal, may have detrimental effects on water quality, water quantity, and on terrestrial and aquatic life and habitat. Human impacts on salt water shore zones, caused by, for example, untreated sewage disposal, surface runoff from urban and industrial sites, etc., has led to closures of bays to aquaculture and shellfish harvesting. The economic impacts of environmental damage of fresh water shore zones include loss of recreational opportunities, depreciation of land values, etc. Shore water zones are also areas that are subject to flooding, with possible adverse impacts on life and property along the zones.

2.0 OBJECTIVES

This policy shall establish the criteria for issuing a permit under Section 48 of the Water Resources Act, SNL 2002 cW-4.01, for all development activities in and affecting shore water zones. The objective of the policy is to permit developments of shore water zones such that potential economic losses and impacts on water quantity, water quality, and terrestrial and aquatic habitats and life are minimized.

3.0 LEGISLATION

Water Resources Act, SNL 2002 cW-4.01, ("the Act") sections 30, 48 and 64

4.0 DEFINITIONS

Body of Water (Statutory definition from the Act) "body of water" means a surface or subterranean source of fresh or salt water within the jurisdiction of the province, whether that source usually contains liquid or frozen water or not, and includes water above the bed of the sea that is within the jurisdiction of the province, a river, stream, brook, creek, watercourse, lake, pond, spring, lagoon, ravine, gully, canal, wetland and other flowing or standing water and the land occupied by that body of water

Shore Water Zone "Shore Water Zone" means the land that is intermittently occupied by water as a result of the naturally fluctuating surface water level in a body of water which can be either a fresh or salt water body and, in either case, the low water mark and high water mark of the water body defining the edges of the shore water zone.

5.3.2 Construction of marinas, boathouses, jetties, wharves, moorings and other docking facilities which would require only minor disturbances to water circulation patterns within the shore water zone and which have limited impacts on sediment deposition or accretion rates along the shore water zone.

5.3.3 Extension and upgrading of existing buildings, structures and facilities within shore water zone areas.

5.3.4 Development related to recreational activities including the setting up of camp grounds, permanent and semi-permanent facilities, etc., along shore water zones.

5.4 Implementation of Mitigative Measures

All developments which are permitted within shore water zones and which could result in potentially adverse changes to water quantity or water quality of the shore water zone shall require the implementation of mitigative measures to be specified in the terms and conditions for the environmental approval.

5.5 Restoration Measures

The terms and conditions of the environmental approval shall specify the restoration measures to be implemented upon cessation of activities or abandonment of facilities on shore water zones.

4.0 DEFINITIONS

Body of Water: (Statutory definition from the Act) "body of water" means a surface or subterranean source of fresh or salt water within the jurisdiction of the province, whether that source usually contains liquid or frozen water or not, and includes water above the bed of the sea that is within the jurisdiction of the province, a river, stream, brook, creek, watercourse, lake, pond, spring, lagoon, ravine, gully, canal, wetland and other flowing or standing water and the land occupied by that body of water

Wetland: (Statutory definition from the Act) "wetland" means land that has the water table at, near or above the land surface and includes bogs, fens, marshes, swamps and other shallow open water areas

Wetland development: "Wetland development" means the carrying out of an activity or operation which includes the construction of ditches, mechanical disturbance of the ground, alteration of normal water level fluctuations, infilling, drainage, dredging, channelization, and removal of vegetation cover and/or organic matter on a wetland for social or economic benefits, or the making of any change in the use or the intensity of use of any wetland which affects its hydrologic characteristics or functions.

5.0 POLICIES

5.1 Developments Not Permitted

5.5.1 Infilling, drainage, dredging, channelization, removal of vegetation cover or removal of soil or organic cover of wetlands which could aggravate flooding problems or have unmitigable adverse water quality or water quantity or hydrologic impacts shall not be permitted.

5.5.2 Developments of wetlands which are located within the recharge zones of domestic, municipal or private groundwater wells shall not be permitted.

5.5.3 Placing, depositing or discharging any raw sewage, refuse, municipal and industrial wastes, fuel or fuel containers, pesticides, herbicides or other chemicals or their containers, or any other material which impairs or has the potential to impair the water quality of wetlands shall not be permitted.

5.2 Developments Requiring Written Permission

The following developments affecting wetlands shall be permitted subject to the prior written permission of the Minister of Environment and Climate Change (the "Minister") in accordance with the Act:

5.2.1 Removal of the surface vegetation cover of wetlands for extraction of peat, or for preparing the area for agricultural or forestry activities.

5.2.2 Construction of ditches, tile fields and other types of flow conveyances to drain wetlands for extraction of peat, or for preparing the area for agricultural or forestry operations.

POLICY FOR INFILLING BODIES OF WATER

POLICY DIRECTIVE

Division:	Water Resources Management	P.D.	W.R. 91-1
Prepared By:	Martin Goebel, P.Eng.	Issue Date:	April 1, 1991
Approved By:	Martin Goebel, Director	Re-Issue Date:	Jan 17, 2001
Approved By:	Ken Dominie, ADM	Review Date:	
Authorized By:	Paul L. Dean, DM	Superseded:	
Oliver Langdon	Minister	Cancelled:	

Subject:
Infilling Bodies of Water.

1.0 OBJECTIVE

To adopt a consistent approach to development proposals involving infilling bodies of water in order to protect the water resource, the adjacent lands and the development itself.

2.0 LEGISLATION

Water Resources Act, SNL 2002 cW-4.01, ("the Act") sections 30, 48 and 64

3.0 INTRODUCTION

A recent trend has been observed by the Water Resources Management Division for various developers and proponents to request environmental approval for infilling bodies of water. The purpose of most of such requests is to make new land for property development for a variety of uses. Granting of approvals without reasonable justification gives a mistaken impression that this department is not consistently and adequately protecting the water resources of this province as required under the Act.

Proponents can be classified into several categories:

- private individuals
- municipalities or community councils
- voluntary or service organizations
- commercial developers

Infilling projects affect the natural environment in terms of the ecology, hydrology, hydraulics and aesthetics of flood plains, ponds and lakes as well as coastal marine areas. Such infilling often does not give due recognition to the value of the water resource involved nor does it recognize common hazards such as flooding and erosion.

The proximity of water to such developments is creating an additional future liability for the province. Should there be flooding or erosion of the filled area, shall the province be obliged to undertake emergency rescue or protection of occupants and property? Would the province be obliged to provide compensation for damage. If flood protection measures are implemented in the future, shall the province be forced to expropriate the owners in order to gain access to the body of water?

include community recreation areas, playgrounds, nature areas, public beaches, breakwaters, and other similar land uses.

4.9 Any land created by approved infilling must not be vulnerable to flooding and related effects such as erosion. Furthermore, permitted infilling may in no way impact on or increase any risk of flooding or alter the drainage of any adjacent property.

4.10 Applicants for Crown Lands shall be advised that their application shall not be considered for approval unless the proposed use(s) shall meet the requirements of this policy directive.

APPENDIX C: FUTURE LAND USE MAP