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# TOWN OF HOLYROOD MUNICIPAL PLAN 2013 – 2023

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**PLAN-TECH**



**ENVIRONMENT**



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## **1.0 INTRODUCTION**

### **1.1 MUNICIPAL PLAN PREPARATION**

The Holyrood Municipal Plan is Council's comprehensive policy document for the management of growth within the municipal planning area over the ten-year planning period 2012-2022. The Plan repeals and replaces the Holyrood Municipal Plan 1993-2003.

The Holyrood Municipal Plan has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000, following surveys and studies of land use, population growth, the local economy, present and future transportation and communication needs, public services, social services and other relevant factors.

The Plan outlines the goals, objectives and policies of Council regarding the development of the Municipal Planning Area over the next ten years. This Municipal Plan, consisting of a written text in which the goals, objectives and policies are set out, also includes Land Use Maps indicating the proposed allocation of land into various land use categories. Its aim is to promote the well-being of the community and efficiently utilize land, water, and other resources. The Holyrood Municipal Plan consists of written text and Future Land Use Maps.

## **1.2 PLAN APPROVAL**

For the Plan to gain full legal effect, Council must hold public consultation with area residents and concerned groups and individuals to allow for public input into the planning process. After this consultation, Council must adopt the draft Plan and allow for further input from the general public through a Public Hearing.

Council shall appoint a qualified Commissioner to conduct a formal hearing to consider objections and representations from the public, either opposing or in favour of the Municipal Plan. The Commissioner will formally report his findings to Council as a result of the public hearing. Council may adopt the report in whole, in part or reject the report in its entirety. Council can then formally approve the Municipal Plan and apply to the Engineering and Land Use Planning Division, Department of Municipal Affairs for registration. A notice will then appear in the Newfoundland and Labrador Gazette and a local newspaper advising the public of Council's intent. Once this notice has been published in the Newfoundland and Labrador Gazette, the Plan is legally binding on Council and any person or party proposing to develop, or to change the use of land, anywhere within the Planning Area.

## **1.3 PLAN REVIEW AND AMENDMENT**

Every five years from the date on which the Municipal Plan first comes into effect, Council is required to initiate a review of the Plan. Where necessary, changes may then be made to account for any new policies or land use requirements for the next ten years. The Plan may otherwise be amended at any other time, in whole or in part. Any such amendment will be read together with, and become part of the Municipal Plan and so must not conflict with any other of its policies. If

circumstances do not permit a Plan review to be undertaken within the prescribed time, the current Municipal Plan, and any amendments that had been made to it, will remain in effect until a Plan review is completed and fully approved.

When the Municipal Plan comes into effect, Council is required to develop regulations for the control of the use of land, in strict conformity with the Municipal Plan, in the form of *Land Use Zoning, Subdivision and Advertisement Regulations*. These are also known as the Development Regulations. Normally, these are prepared at the same time as the Municipal Plan, and like the Plan, may be amended at any time to include new land uses and specific regulations.

#### **1.4 PLAN ADMINISTRATION**

The day-to-day administration of the Municipal Plan and Development Regulations is administered by staff members authorized by Council. Council staff issue all necessary permits approved by Council, make recommendations to Council in accordance with the Municipal Plan, and enforce the regulations. The Department of Municipal Affairs may be consulted on any development matters.

#### **1.5 HOLYROOD MUNICIPAL PLAN REVIEW**

The previous Holyrood Municipal Plan came into effect on October 22, 1993. The Plan was reviewed and consolidated in 2000 and came into effect on October 26, 2001. This 2010 Municipal Plan updates all preceding Plans and accommodates various amendments made to the original documents.

### ***History and Regional Context***

Holyrood was believed to be first settled in 1689. Many early settlers were of Irish Catholic descent. It is believed that many settlers relocated from Ireland during high immigration in the 1800's. Holyrood's indirect role in the fishery played a vital role in its settlement. Holyrood harbour offered a consistently rich supply of bait species including caplin and squid to those vessels traveling to the Grand Banks.

With the completion of the Newfoundland Railway in the 1880's, Holyrood became a communication, transportation, telegraph and mail hub for the local communities such as Harbour Main, Chapel's Cove, and St. Mary's Bay via Salmonier Line.

The Town of Holyrood, incorporated in 1969, is located at the head of Conception Bay, and is approximately 30 minute drive to St. John's by using the Trans Canada Highway (Route 1), and 45 km from St. John's along the Conception Bay Highway. Carved by glaciers, Holyrood forms a natural river valley running to the north.

Holyrood is known for its scenic and rugged beauty, it's naturally formed and well protected harbour and marina and its modern, well kept homes. Holyrood embraces the convenience of urban living with the traditional setting of a rural Newfoundland community.

### ***Municipal Planning Area***

The landscape of the Municipal Planning Area is generally rugged and broken, with hills rising to over 270 m and capped by huge rock masses. These are formed by the intrusion of igneous matter in the siltstone and slate, which is found in the area. Many of the houses around the coast lie on a fairly deep ground moraine soil, but this coastal strip is very narrow and provides only limited land that can be developed. There are also scattered pockets of deep moraine soil away from the coast, notably along the Salmonier Line.

The area is dotted by a number of small ponds and two short rivers, the North Arm River and the South Arm River. The coastline is highly indented. The area is well forested, except along the coast.

Holyrood has one watershed designated for municipal water supply: North Arm Brook, which is a large watershed, held in reserve and encompasses a large portion of the planning area in the south. At present, Holyrood's main water supply is from six (6) drilled wells.

### ***Population Characteristics 1996-2011***

The 2011 census population of Holyrood is 1995 which is a -0.5% decrease from 2006. The 2006 census population of Holyrood was 2005, representing a 5.2% increase from 2001 population which was 1906, a significant decrease of -8.7% from its 1996 population of 2087 and 0.99% increase from its 1991 population of 2075. These figures, while slightly different, reflect a positive growth rate of the provincial population increase of 1.8% during the 2006-2011 census period. The Province experienced an in migration of population, while the Town has slight decrease in population.

The population of Holyrood decreased by 12 persons between the years 1991 and 1996. This figure represents a decrease in the population of 0.99%. Between 1996 and 2001, the population had further decreased by 181 persons, or by -8.7%, and further increased again by 99 persons in 2006, or by 5.2%. The population of Holyrood decreased by 10 persons between the years 2001 and 2011 (See Table 1).

**Table 1: Population Change 1986-2011**

Year	Population	Change	% Change
1986	2118		
1991	2075	-43	-2.0%
1996	2087	-12	-0.99%
2001	1906	181	-8.7%
2006	2005	99	5.2%
2011	1995	10	-0.5

### ***Housing***

The 2011 census recorded 866 dwellings, an increase of 141 dwellings as recorded in the 2006 census at 725 dwellings for an increase of 8.3%. Council has been issuing an average of 15 new dwelling permits over the past 10 years, but appears to have increased during the past 5 years. A substantial proportion of new dwelling construction has occurred in all areas of the town.

### ***Economy and Labour Force***

At the time of writing, the 2011 statistics for Economy and Labour Force are unavailable. In 2001, the employable workforce of Holyrood numbered 885 people. This figure increased to 975 in 2006, of which the majority worked

outside of Town and in the St. John's Region. In Holyrood, there is work in service-sector businesses, educational and health care, and some home based, hobby farming. The construction trades have a healthy work force.

Table 3 shows the types of occupations in which these people worked.

**TABLE 3: EMPLOYMENT BY INDUSTRY, HOLYROOD 2006**

Industry	No. of Employees	Percent of Total
Agriculture and other Resource Based Industries	65	7.0%
Manufacturing and Construction	125	13.3%
Wholesale and Retail	145	15.4%
Finance and Real Estate	50	5.3%
Health Care and Social Services	130	13.8%
Educational and Business Services	210	22.3%
Other Services	215	22.8%
TOTAL	940	99.9

### ***Land Use***

While Holyrood was once considered a low-density rural community, it is now undergoing growth and urbanization and density has increased substantially in the past decade. Its convenient location near the St. John's Urban Region makes it a growth centre within the local area. The predominant housing form is the single-family detached house, mostly located on larger lots.

The Town has developed in the form of a long and narrow ribbon along the Conception Bay Highway. The more in-depth developments are some side streets and subdivisions off the highway. The predominantly linear and dispersed form of development has made the provision of municipal water and

sewerage services expensive. Additionally, haphazard developments of the past have created many dead-end streets which prevent future development. Commercial and community-service uses are concentrated along the Conception Bay Highway.

### ***Planning Issues***

With a gradual increase in population, Holyrood still has ample land designated for future residential growth. However, development in the adjoining Town of Conception Bay South has been constrained by the availability of land suitable for large scale subdivision development. Therefore, the Town is experiencing a demand for residential growth along Conception Bay Highway.

## **1.6 ST. JOHN'S URBAN REGION REGIONAL PLAN**

The approved St. John's Urban Region Regional Plan covers Holyrood and designates it as one of the Local Centres where the extent of present development is such that public services must be provided. In the residential areas priority will be given to the provision of a piped water supply and sewage collection facilities. The growth of these areas will depend upon servicing facilities and physical constraints to development.

In considering the position of Holyrood in the St. John's Urban Region as established in the Regional Plan, it is essential to recognize one of the basic concepts of the Regional Plan which envisages that the major population growth of the region will be accommodated in the established urban centre (the City of St. John's and its immediately peripheral locations) in order to maximize the use of roads, water supply and all other urban services.

For the planning and development of the designated Local Centres, the Regional Plan establishes the following guidelines:

- Local centres may be able to develop to the fullest extent possible with the constraints established by:
  - The existing and likely future extent of municipal services;
  - The ability of the region to finance the necessary capital works to service such development;
  - The need to protect regional resources including agricultural and forest lands, watersheds and scenic resources;
  - The need to limit as far as possible heavy capital expenditure on additions to the regional road network to handle commuting and other traffic;
  - The amount of infilling possible within presently developed areas;
  - The capacity of existing local roads and the need to achieve a desirable level of transportation service;
  - The effect of additional population on present school facilities.
  
- Within the local centres, residential uses shall generally be of a low density nature with a continuing predominance of single-family dwellings. Consistent with the size of most of the local centres and the policies of educational authorities in the region, school facilities may be limited to the primary and elementary grades.
  
- Commercial uses shall be limited to those of a local nature but may include both retail and highway commercial functions, where such uses are deemed desirable. Industrial activities shall generally be limited to those of a specialized local nature. Other small scale industries providing

local employment to a small number of persons may also be considered appropriate.

- Two prime aims in the local centres will be to encourage the infilling and consolidation of presently semi-developed areas once essential public services to existing development are installed and to develop improved local road systems so that better circulation of traffic may be facilitated.
- The Local Area and Municipal Plans shall recognize and define, where applicable, a core area or areas within which higher density development and development in depth may be possible.
- Two levels of service may be provided in the local centres depending upon local conditions; one area within which water and sewer and full municipal services would eventually be installed would form the heart of each such local centre. Outside of this would be an additional area of somewhat lower density development within which a lesser standard of services would be required.
- In addition, the following two objectives of the Regional Plan are also essential in guiding the planning and development of Holyrood:
  - To prevent development that will require disproportionately costly public services because of location or use and to preserve in its natural state land that should not be developed due to its physical characteristics.
  - To prevent the continuation of 'ribbon development' along the main roads and highways of the region.

## **1.7 INTEGRATED COMMUNITY SUSTAINABILITY PLAN**

The Town of Holyrood Integrated Community Sustainability Plan (ICSP) is a long-term plan to provide direction to the Town to achieve sustainability objectives. The Holyrood Municipal Plan supports the requirement for an ICSP under the Local Government Gas Tax Agreement between the Towns and the Province. It is developed in consultation with community members and provides direction for the Town to achieve sustainability objectives for the environmental, economic, social, cultural, and governance pillars.

The Holyrood Municipal Plan, 2012-2022, along with the Holyrood Strategic Plan (2004), the Holyrood Tourism Plan (2004), and the Holyrood Recreation Report (2009) contributes to the Town's ICSP objectives.

## **1.8 INTERPRETATION**

The following sections and the Future Land Use Maps constitute the legally effective parts of the Holyrood Municipal Plan. In this Municipal Plan:

- “Council” shall mean the Council of the Town of Holyrood.
- “Development Regulations” shall mean the Holyrood Land Use Zoning, Subdivision and Advertisement Regulations.
- “Municipal Planning Area” shall mean the Holyrood Municipal Planning Area.
- “Town” shall mean the Town of Holyrood.

The boundaries between the different land uses designated in the Municipal Plan are meant to be general, except in the case of roads or other prominent physical features where they are intended to define the exact limits of each category.

Nothing in the Plan shall affect the continuance of land uses which are lawfully established on the date that this Plan comes into effect.

## **2.0 GOALS AND OBJECTIVES**

It is the intention of the Municipal Plan to establish a number of goals and objectives. A goal is a desired state which reflects the long-range purpose of the Plan and is related to a major area of concern. An objective is a short-range step toward the goal. It is concrete, realistic, action-oriented and attainable within a period of 3 to 5 years. The achievement of an objective should move the goal closer to reality.

Based on a comprehensive study of the planning aspects of the Holyrood Planning Area, the following are the goals and objectives of this Municipal Plan, which are to be pursued within the ten year planning period.

### **2.1 PHYSICAL STRUCTURE**

#### **Goals:**

- To provide for development and allocate land for its best use within the overall growth strategy as guided by the St. John's Urban Region Regional Plan which will enhance the viable functioning of the community.

- To encourage future growth in a manner that ensures land use compatibility, orderly development and the economic use of municipal services.
- To control future growth of the town in such a manner as to develop a balanced and attractive community.
- To protect the natural environment and natural resources throughout the Planning Area.

**Objectives:**

- To encourage infilling in areas served by municipal water and sewer services.
- To allocate land for future development on the basis of its best use considering its physical characteristics and location.
- To ensure that natural areas such as drainage courses, shorelines, and steep slopes are protected from development to preserve environmental resources and the rural character of the Town.
- To preserve scenic views of the shoreline, ponds and hills, recognizing their value to residents and visitors for recreation and tourism.

**2.2 ECONOMIC OPPORTUNITIES****Goal:**

- To encourage the continued operation of existing businesses through appropriate land use policies.
- To encourage the development of additional employment opportunities to serve the present and future population.

**Objectives:**

- To allocate land so that new businesses will be attracted to Holyrood.
- To support the development of facilities and attractions in promoting the tourism industry within Holyrood.
- To encourage home-based businesses.

**2.3 HOUSING****Goals:**

- To provide for an adequate quality, quantity and mix of housing to serve the needs of the present and future population.
- To provide good quality residential site design and a high standard of municipal services.

**Objectives:**

- To provide an adequate amount of serviced land to accommodate residential development within the municipality.
- To encourage improvement of existing dwelling standards.
- To provide for a mixture of housing types within the municipality.
- To encourage the development of residential infilling lots within built up neighbourhoods.

## **2.4 MUNICIPAL SERVICES**

### **Goal:**

- To provide, where possible, a full range of municipal services to Holyrood in the most economical fashion.

### **Objectives:**

- To ensure that on site services meet the standards of the Government Service Centre.
- To permit new subdivision development in areas which are or can easily be connected to municipal services?
- To provide fire protection to all residents.

## **2.5 TRANSPORTATION**

### **Goal:**

- Ensure that the local transportation system adequately and safely provides access throughout the Planning Area.

### **OBJECTIVES:**

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

- 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.
- To reserve land for future access to backlands.

## **2.6 COMMUNITY AND SOCIAL SERVICES**

### **Goal:**

- To provide a full range of community and social services to Holyrood.

### **Objectives:**

- To ensure that land is reserved throughout the town for recreational open space.
- To ensure public access to the major natural features of the planning area such as the ponds, streams, and ocean shoreline.
- To encourage the multi-functional use of existing community buildings (schools, churches, etc.).

## **2.7 Environment**

### **Goals:**

- To provide a pleasant and safe living and working environment in Holyrood.
- To provide for the health, safety and welfare of the general public.

- To protect and enhance the natural environment for its aesthetic, recreational, and resource values.
- To encourage waste management and participate in the Provincial Waste Management Program.

**Objectives:**

- To continue the Town's initiative in waste management, recycling and composting.
- To provide municipal services at environmentally acceptable standards.
- To promote a regular community "clean-up" program.
- To discourage development in areas with slopes greater than 15 percent, recognizing that development in such areas can result in environmental damage and higher costs for servicing and maintenance.
- To prevent development within the municipal watersheds.
- To maintain a minimum 15 metre buffer of land from the highwater mark of ponds, lakes, and streams, to be kept generally free from development.
- To protect natural resources from degradation including water, air, soils, agricultural land, forests and scenic areas.
- To promote landscaping planning in new subdivision designs.
- To foster a community/family environment by promoting greenbelts, passive parks and walking/hiking trails.

## **2.8 MUNICIPAL FINANCE**

### **Goal:**

- To manage municipal expenditures and revenues so as to provide necessary municipal services within a framework of long-term financial stability.

### **Objectives:**

- To manage municipal expenditures with restraint, aiming for maximum return on investment.
- To manage the municipal debt, considering the Town's ability to meet its expenditures over the long term.
- To encourage a more diversified economic base to generate more revenues through business taxes.

## **2.9 RECREATION AND TOURISM**

### **Goal:**

- To provide recreation facilities and develop new facilities to accommodate recreational and social needs for all age groups in the Town.

**Objectives:**

- Encourage public participation in the planning of recreational open space lands and encourage events such as festivals, sporting events, and other attractions.
- Develop public recreational areas and facilities in feasible locations which will service the maximum number of residents of the Town.
- Promote the Town as a tourist attraction and encourage travelers to visit Holyrood.

**2.10 SUSTAINABLE DEVELOPMENT****Goal**

- To provide the preservation of natural resources and to promote the development of sustainable development activities.

**Objectives:**

- To encourage the use of natural resources like wind and solar energy as alternative sources of renewable energy.
- To promote the development of industries that use clean renewable sources of energy.

## 2.11 GOVERNANCE

### Goal

- To provide municipal administration and services effectively, efficiently, and equitably to all residents, in consultation with the Town's ICSP and within the fiscal capacity of the Town.
- To collaborate with other municipalities in the Region, government, community organizations, and the business community to facilitate opportunities to improve local governance and municipal services.

### Objectives:

- To encourage strong public interest and participation in municipal governing processes, including Council elections, committee activities, and public participation in decision-making.
- To deliver municipal administration and services effectively, efficiently, openly, and within the Town's fiscal capacity.
- To ensure the Town is governed in compliance with relevant legislation such as the *Municipalities Act* and the *Urban and Rural Planning Act, 2000*.

## **3.0 THE LAND USE PLAN**

The following policies with accompanying Future Land Use Maps constitute the land use component of the Holyrood Municipal Plan, 2012 - 2022. Included are all policies which are seen as necessary by Council to ensure that the physical development of Holyrood is undertaken in an efficient and economic manner during the ten-year (2012 - 2022) life of this municipal plan. The Land Use Plan is meant to complement the Goals and Objectives outlined in Section 2.

### **3.1 GENERAL LAND USE POLICIES**

The following policies can be categorized as general in scope in that they can be applied to more than one land use and to different sections of the Town of Holyrood. They are therefore presented as a separate section of this Land Use Plan.

#### **3.1.1 GENERAL POLICIES**

##### **1. Physical Structure:**

Land uses will be allocated in accordance with the Future Land Use Map attached to this text. Development within the Planning Area will be managed in accordance with the regulations of Council, in adherence with the policies, acts, and regulations of the Province.

Nothing in the Plan shall affect the continuation of a use which was legally established on the day that this Plan is registered by the Minister of

Municipal Affairs. Where a building or use exists which does not comply with the intent of the Plan and the designated use, then it shall not be permitted to expand substantially. Minor extensions of such properties may be approved provided there will be no adverse effects on surrounding properties or the environment.

Municipal and public utility works such as telephone, pollution control and electric utility facilities 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.

## **2. Subdivision Policies:**

Land which borders developed residential areas may be suitable for large-scale residential development in the future. All proposed subdivision developments shall be subject to a comprehensive evaluation by Council. The content of this evaluation will be detailed in the Holyrood Development Regulations and will include:

- An investigation of physical features of the site and the opportunities and constraints to development that they represent. Where possible, the layout of proposed lots and roads shall conform to the topography;
- an outline of how the proposed subdivision will integrate with existing development and roads and services on adjacent lands and provide for future access to undeveloped lands in the area;

- ensure compatibility between the subdivision and surrounding land uses, both existing and future; and
- Review of municipal servicing proposals by the developer and the public costs of providing and maintaining these services.
- Compliance with the Town's Engineering Design Guidelines for Subdivisions.

### **3. Subdivision Development Agreement**

As a condition of approval, Council shall require the developer to sign a subdivision development agreement with the municipality.

### **4. Conveyance to Council of Private Roads**

New subdivision streets shall be constructed and upgraded to the Town's road standards before Council shall assume ownership and responsibility for future maintenance. All new streets shall have a legal land survey and a Deed of Conveyance, approved by the Town's solicitor, before Council assumes ownership.

### **5. Access and Public Street**

All development shall front onto a publicly maintained street, unless otherwise specified in this Plan.

### **6. Easements and Emergency Access**

Where land is required for utility easements or emergency access, the land may be obtained for the appropriate agency (such as Newfoundland

Power) in the course of approving subdivision or other development applications.

Municipal and public utility works such as electrical power, telephone, and pollution control facilities may be permitted in all land-use designations provided that no adverse effect on adjacent land uses or the environment is created. Buffering, where appropriate shall be provided in the form of a suitably landscaped area between any such works and adjacent land uses.

## **7. Building Setback**

Adequate building setback from roads shall be required in order to maintain road standards. Setbacks should be sufficient to allow for landscaping of front yards, vehicle off-street parking and not interfere with the abilities of the Towns snow clearing program. In certain circumstances where topography restricts the development of a lot, a larger setback may be permitted to accommodate the development.

## **8. Soil and Drainage**

Development shall only be permitted on lands having soil and drainage conditions which are suitable for the proposed uses.

## **9. Infill Development**

Council will monitor all infill development to ensure that appropriate standards are maintained with respect to lot size, frontages, road widening, alignments, and any other matter concerning current or future public works. In older developed sections of the Town infill lots may not

meet current standards. Council shall review any proposed development on a lot by lot bases. Lots that do not meet current frontage development standards may be approved for infill residential development under Council's discretionary authority provided they are serviced with municipal services and there are sufficient lands for the safe development of the lot.

## **10. Environmental Preservation and Enhancement**

Council will place high importance on environmental preservation and enhancement, given its importance to residents and to Council's intention of preserving the local environment.

### ***Natural Environment***

The policy of preserving the natural environment will be extended to all natural systems within the Planning Area, including natural drainage systems, wetlands, bogs, and wildlife, plant and fish habitats. The preservation of watercourses and shoreline areas will be a priority within the Planning Area.

Development proposals shall include plans for grading, ditching, and landscaping. Significant alterations to the natural environment (such as changing the drainage pattern or removing vegetation) will be considered during the evaluation of development proposals. Alterations which will adversely affect adjacent property shall not be permitted.

### ***Built Environment***

Council will encourage partnerships and initiatives aimed at changing environmental attitudes, awareness and promoting projects which will enhance the built environment. Examples will include the following:

- preservation of trees on sites for new development (i.e., to discourage the traditional practise of clearing development sites of all trees and vegetation) through the promotion of landscape plans for new development;
- development and expansion of recreation lands;
- development of walking trails along shoreline and the T’Rail Way Provincial Linear Park and other areas of the Town; and
- encourage waste management through the reduction and recycling of solid waste and composting within the Town;

## **11. Open Space/Recreation**

A minimum of 10% of the gross area of land developed for subdivision purposes shall be dedicated to the Town as public open space. This land would be suitable for walking trails, tot lots, green belts etc. 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.

Council shall ensure the preservation of scenic viewpoints and ensure long-term stewardship. Public access to natural areas and open spaces shall be maintained.

It is the intent of this Plan to designate open space areas within the Town for active, outdoor community recreation and passive, outdoor recreational needs. Council shall maintain and wherever, improve the integrity of natural recreational systems such as walking and hiking trails.

## **12. Access and Public Street**

All development shall front onto a publicly maintained street, unless otherwise specified in this Plan.

## **13. Removal of Topsoil**

Removal of topsoil from land will not take place unless a permit has been obtained from the Department of Natural Resources, Mineral Lands Division and a site permit issued by Council.

## **14. Development Criteria for Non-Residential Sites**

All built-up development of non-residential land uses will conform to the following criteria:

- Each site will have direct frontage on a public road.
- Development will be located and designed in a manner that minimizes the impact of traffic, noise, lighting, and signage on adjacent residential areas. Where necessary, screening will be required through the provision of trees, shrubs, banks and berms, landscaping or fencing.
- Properties will be designed and maintained to a high standard with regard to safety, appearance, and compatibility with surrounding land uses.
- Access points to the public street will be limited in number and designed for maximum safety for pedestrians and vehicles.
- Each site will provide space for adequate off-street parking and loading facilities to meet the needs of the proposed development.

- Adequate municipal services must be available to meet the needs of each proposed development.

Development must be in accordance with the Town's Development Regulations and where applicable the regulations of the Departments of Government Services; Environment and Conservation; Transportation and Works, Fisheries and Oceans Canada; and other relevant agencies.

### **15. Heritage Structures and Sites**

Houses and other buildings and structures which were built in a traditional or distinctive architectural style (or otherwise are deemed to have historic or aesthetic value by Council, or a department or agency of a higher level of government) may be considered heritage structures. It is Council's intention to protect heritage structures for aesthetic and historic reasons and for their historic value as a heritage and tourist attraction. Council may enact regulations for such purposes. Historic sites shall also be protected by Council for their historical value and as tourist attractions.

### **16. Sustainable Energy Development**

Council may permit the development of renewable energy sources within certain land use designations. The development of renewable energy sources shall include wind turbine(s). The development of wind energy shall be subject to the following:

- The development of a commercial or private wind turbine(s) shall be at the discretion of Council.
- Any proposed development shall meet all applicable Provincial and

Federal regulatory requirements, in particular those applying to safety and environmental concerns.

- Wind Turbine Tower(s) shall be designed and certified to withstand ice loads. The blades shall either have de-icing capabilities or be constructed of a material (ex. poly carbonate composite) that resists ice build up.
- The development of the wind turbine(s) shall not create hazards or negative impacts for adjacent or nearby property owners.
- Specific development conditions for development of wind turbine(s) for commercial or private uses may include, but not be limited to the following; size of the wind turbine or its generating capacity, height of tower; number of wind turbines; setbacks from existing structures, sideyard and rearyard standards; requirements for screening or buffering; and scale of development.
- Commercial wind turbine(s), where energy is produced for sale to the local power grid, shall be limited to rural designated lands.

Private wind turbine(s) shall primarily be for the generation of electrical power for the property owner. Surplus energy shall be secondary in nature to the primary use requirements of the developer and may be sold to the local power grid.

### **3.1.2 SERVICING POLICIES**

#### **1. Municipal Services**

Within and near serviced areas, new development shall only be permitted in areas which can be provided with full municipal water and sewage services. In areas where water and/or sewage must be pumped, Council

will evaluate the cost of installing and maintaining pumping stations before permitting development to proceed.

## **2. On-Site Sewerage Disposal**

No on-site sewerage disposal system shall be closer than 30 metres from a waterbody or watercourse.

### **3.1.3 ENVIRONMENTAL POLICIES**

#### **1. Preservation of Trees**

Where necessary, Council may require a Landscape Plan to identify how mature trees shall be preserved and replaced where necessary. Such trees shall be removed only if they become dangerous because of age, disease or proximity to a building; if they are overcrowded, and unduly inhibit light and air circulation for landscape purposes and building occupancy, or if they will unduly inhibit construction.

#### **2. Protection of Watercourses, Wetlands, and Waterfowl Habitat**

Rivers, streams, ponds, and shorelines shall be protected from pollution and development. The existing vegetation shall be maintained along banks and shorelines where possible. No development shall be permitted within 15 metres of a watercourse without approval from the Department of Environment and Conservation and, if fish habitat is affected, from Fisheries and Oceans Canada.

Council shall encourage the preservation and protection of sensitive wetlands that are valuable for controlling flooding; habitat for water fowl or have important aesthetic value to the surrounding areas. Any development proposal within sensitive wetlands areas shall be referred to the Department of Environment and Conservation, Water Resources Management Division, prior to Council approving any development proposal.

### **3. Waste Disposal**

Protective measures shall be taken to prevent or minimize pollution when disposing of sewage and solid waste.

### **4. Alterations to the Natural Environment**

Development proposals shall include plans for grading, ditching, and landscaping. Significant alterations to the natural environment (such as changing the drainage pattern or removing vegetation) will be considered during the evaluation of development proposals. Alterations which will adversely affect adjacent property or watercourses shall not be permitted. Topsoil or sods shall not be removed except with the approval of Council.

## **5. Environmentally Sensitive Areas**

Development shall be prohibited in environmentally sensitive areas such as steep slopes and bogs. Development shall also be prohibited in areas prone to landslides and rockfall. Development shall be prohibited in conservation areas within 30 metres of the rock cliff along the sea wall. These areas are known for coastal erosion. The Future Land Use Map identifies Conservation areas. This policy applies to environmentally sensitive areas in other land use designations.

## **6. Mineral Exploration, Mining and Quarrying**

The Holyrood Planning Area has the potential for mineral deposits. Regulated mineral exploration shall be permitted in the planning area as set out in the policies of this Plan and conditions of the Holyrood Development Regulations. Aggregate mining and extraction shall only be permitted with the approval of a quarry permit from the Mineral Lands Division, Department of Natural Resources and approval of the Town of Holyrood.

The adverse effects of mining and quarrying such as dust, noise, and visual impact shall be minimized through adequate separation from adjacent land uses. Derelict lands are to be rehabilitated by the operator prior to abandonment.

## **7. Upkeep of Properties**

Council shall promote the upkeep of residential properties, businesses, and institutions; encourage the repair or removal of dilapidated buildings and structures; and prohibit indiscriminate dumping. Council shall encourage businesses and contractors to store their materials and heavy equipment at the rear of their property or screen it from view.

## **3.2 SPECIFIC POLICIES - LAND USE DESIGNATIONS**

The land within the Holyrood municipal planning area shall be managed according to the designations shown on Future Land Use Maps 1 and 2 and the policies of this Municipal Plan.

Future Land Use Maps A, B and C divide the Planning Area into the following designations:

- Residential
- Mixed Use
- Town Centre
- Commercial
- Industrial
- Public Use
- Open Space/Recreation
- Open Space/Conservation
- Watershed
- Mineral Workings
- Rural

### **3.2.1 RESIDENTIAL**

The purpose of the Residential designation is to preserve the amenity and character of existing residential areas and to reserve lands for future residential use throughout the Planning Area. The Town has municipal services within the higher density core of the existing residential development, however there are

minor small tracts of land remaining for serviced residential infilling use in the developed area of Town. Infill development on existing roads within built up areas of the town shall be encouraged to increase the density of development and to make efficient use of municipal services such as snow clearing, garbage collection, water and sewer, and reduce operating costs.

## **Residential Policies:**

### **1. Land Designation**

The Residential designation will accommodate both serviced and unserviced residential development. Serviced residential development will be on smaller lots sizes which reflect older development patterns along existing roads in the Town. Within unserviced areas of the Town residential development will be on larger lot size, to facilitate the development of on site services and preserve the rural nature of development within unserviced areas of the Town. Residential subdivisions may be developed in Residential designated lands, subject to policy 3.2.1.xii, Area Concept Plans, and in accordance with the requirements of the development standards within the zone.

### **2. Land Use**

Within lands designated Residential, single-family detached dwellings shall be permitted. Complementary uses such as double dwelling, row dwelling, apartment building, child care, office, home office, boarding house residential (bed and breakfast), medical treatment and special care, agriculture, forestry, personal and professional services, recreation, convenience store or a small scale business use where they are part of a residence may be permitted throughout the area under the discretion of the Council.

Council will consider the impact of the bulk and scale of proposed uses in residential designations to ensure: that development does not adversely affect the residential character and amenity of the area; provision of adequate space for on site parking, loading, and buffering is provided; and the primary use of the lot remains residential. A compatible use will occupy only a minor part of the floor area of the dwelling. Heavy equipment storage shall be prohibited in the residential designation.

Residential growth shall be accommodated in approved comprehensive subdivisions and through the orderly infilling of existing areas serviced in the town to ensure the efficient use of available lands. Subdivisions will be located adjacent to existing built up areas where municipal servicing can be easily and economically provided in the future.

All new development and all newly created residential lots shall have direct frontage onto a publicly-maintained road or in the case of a new subdivision shall have frontage on a road being constructed under the terms of a development permit issued by Council. The costs of providing services to any new subdivision development shall be the responsibility of the developer.

### **3. Density of Development**

Residential development shall be of higher density within the areas of the Town that have municipal piped services. In other outlying areas residential development shall be of a low density type development consistent with large lot rural environment.

#### **4. Environmental Aesthetics**

Residential development, as well as, other discretionary uses that are developed shall preserve the scenic quality of the community, with emphasis on building design and landscaping of new development and with tree cutting limited to that necessary for construction, space around the building, and for the installation of a septic field where required.

#### **5. Recreation Uses**

Compatible recreation uses such as playgrounds and tot lots may be located within Residential areas provided that adequate screening from nearby properties is provided, and safe setback distances from public roads can be obtained.

#### **6. Medical Treatment and Special Care**

Medical Treatment and Special Care shall be limited to only homes for the aged. The development, in the form of apartment style residence for seniors, may be permitted, provided that adequate pedestrian and vehicular access and parking can be provided. The size and scale of the development shall be reviewed by the Council in any decision to permit this form of development within a residential area.

## **7. Bed-and-Breakfast**

Bed-and-breakfast operations may be a permitted use in the residential land use designation and shall clearly be subsidiary to the residential use and shall not adversely affect the residential quality of the area through excessive traffic, noise, or parking of an excessive number of vehicles.

## **8. Office Use**

Office use (including home office) shall be limited to a home based business which may be permitted if contained inside the residence, is clearly subsidiary to the residential use, and there shall be no open storage of materials, equipment or products, and do not adversely affect the residential quality of the area through increased traffic, noise, unsightly premises, and similar considerations. The Town's Development Regulations shall clearly define the various land use zones where this use may be permitted.

## **9. Childcare**

Group or Family Childcare use must not adversely affect the residential quality of an area through excessive traffic, noise, or similar considerations that may be associated with the business. Any Group or Family Childcare business shall operated in accordance with provincial Child Care Services Act and all applicable Regulations.

## **10. Convenience Store**

Within the Residential designated lands, new convenience stores may be permitted as a subsidiary use to a residential dwelling or as a separate structure on its own lot. Council shall encourage the even distribution of convenience stores in appropriate areas throughout the Town. Development standards shall ensure that the size of the convenience store is limited so that it will not interfere with neighbouring residential uses. The Town's Development Regulations shall clearly define the various land use zones where this use may be permitted.

Council will consider the following factors when reviewing applications for a new or expanded convenience store: access to the site; amount of parking to be provided; any adverse impacts upon adjoining neighbours or the neighbourhood in general, and effects of the business on traffic flow.

## **11. Planned Development Areas**

The Planned Development Area designation is used for undeveloped areas of land which border developed residential areas. These lands may be suitable for large-scale residential development in the future. It is Council's intention that these backland areas to be developed in a comprehensive manner, in line with the subdivision policies in subsections 12, 13 and 14 as described below, and to ensure that the land is used wisely and an efficient, safe road network is developed in the area. No development shall take place in a Planned Development area until the land has been appropriately re-zoned in line with the Town's Development Regulations.

***Serviced and Unserviced Development***

In Planned Development Areas which are near municipal services, Council will require the installation of municipal water and sewerage for development to take place. In Planned Development Areas which are sufficiently remote from municipal services or financial cost to provide municipal services are economically unreasonable, Council may permit unserviced development.

**12. Residential Subdivisions**

In order to ensure efficient use of land and future provision of services, avoid a proliferation of individual cul-de-sacs that are costly to service, and ensure that development is properly located so as not to interfere with optimal future development of adjacent lands, subdivision proposals will be considered only if they conform to an area concept plan that accounts for the development of lands abutting the site or for a much large development area and has been approved by Council (See Policy 3.2.1.12 Area Concept Plans).

A priority for development in residential subdivision area will be the preservation of natural characteristics and aesthetics. This will be achieved by the designation of essential conservation areas, strict enforcement of minimum recreational open space requirements, and special provisions in development permits such as landscape plans and subdivision agreements which contain requirements for maintenance of tree cover along lot frontages and lot boundaries.

Building permits shall only be issued or lots fronting onto public streets or for which a road agreement has been reached between the Town and the developer. Services (roads, storm drainage, etc.) will normally be installed at the expense of the developer.

Subdivision Plans, engineering site plans, landscape plans and building designs must meet the approval of Council. Development permits shall not be issued without prior approval of the Service NL for on-site water supply and sewage disposal system for each lot. Individual Lot layouts and the siting of buildings must follow development standards of the Town's Development Regulations.

### **13. Area Concept Plans**

The development of a new residential subdivision will be subject to an area concept plan that shall be approved by Council. Area concept plans are required to ensure that subdivision development proceeds in an orderly and efficient fashion to make optimal use of land and municipal services. Generally, area concept plans shall be for areas large enough to show the relationship between adjacent parcels of land and proposed roads. Concept plans that deal with individual cul-de-sacs proposed on single parcels of property shall not be approved unless it can be proven the development will not interfere with the optimal development potential of surrounding lands.

An area concept plan shall address all needs pertinent to planning and development of the area concerned, including:

- Conformity to the goals, objectives, and policies of this Municipal Plan;
- A description of the subject lands;
- Proposed use of all land in the area concerned, taking into account Council's aim to promote orderly development and the economical use of municipal services;
- Access to the site and internal road layout, taking into account the existing road network in the vicinity;
- Consideration of land ownership as it will affect the design and development of streets and subdivisions with adjacent lands;

- Description of impacts on adjacent land uses;
- Assessment of possible impacts on the natural environment of the area;
- Phasing scheme for the proposed subdivision development;

When reviewing area concept plans, Council shall seek public input from town residents in the pre approval process. The area concept plan shall provide opportunity for local residents to view any proposed development plans and provide comments to the Town.

#### **14. Subdivision Development Plans**

Whereas area concept plans will address development of relatively large areas and will account for the physical relationships between a number of adjoining parcels of land, subdivision development plans will address specific proposals for development of a site in a relatively short time frame. The subdivision plan will be more detailed and will address all needs pertinent to development of the site including, but not limited to:

- Conformity to the goals, objectives, and policies of this Municipal Plan;
- Conformity to an area concept plan as approved by Council, which accounts for the development of lands abutting the site;
- A description of the subject lands;
- Consideration of land ownership as it will affect the layout of streets and the optimal use of land and municipal services;
- Access to the site from existing roads and internal road layout;
- Extension and development of municipal piped services for new subdivision;
- Demonstration of the long-term viability of any proposed on-site servicing system through soil analysis and other appropriate site evaluation. Council may require a site assessment as part of a area concept plan which shall accurately depict the conditions of the proposed subdivision site;
- Phasing scheme;
- Provision for lotting;
- Provision for 10% recreation lands or alternative measures if requested by Council;

- Adherence to the Town's "Engineering Design Guidelines for Subdivisions" for standards for streets designs, grades, storm drainage, building line setback, access, landscaping (landscape plan if required), buffers, development standards for each lot, etc.

## **15. Backlot Development**

Backlot development may be permitted at the discretion of Council in developed areas behind existing dwellings where vacant parcels of land exist which are of sufficient size for a building lot, but which do not have the required frontage on a publicly maintained street. In such cases, the following requirements shall be met:

- The site is located in an area designated for Residential development in the Holyrood Development Regulations;
- Approval for on-site water supply and sewage disposal must be obtained from Council and the Government Service Centre;
- The development of the lot does not prejudice the use of adjoining backland. Where there is potential for additional development in the area, the lot and access shall be developed in a manner which will accommodate future development. In such cases, access to the public street must be of sufficient width (15 metres) to accommodate future public use;
- Where there is no potential for additional development, the access shall be treated as a private driveway and only one backlot development shall be permitted;
- Council shall be satisfied that the backlot development will not detract or restrict other types of development on adjacent lands;
- Approval of any backlot development shall not affect the legal conformity of any existing lots;
- To ensure that Council can meet its responsibility for public safety and emergency access, the dwelling on a backlot shall be a minimum of 40 metres and a maximum of 100 metres from a public street.
- Standards for backlot development shall be established in the Holyrood Development Regulations.

## **16. Open Space Requirements**

The provision for open space within a residential subdivision development shall be the responsibility of the developer, and if required by Council, shall dedicate a maximum of 10 percent of suitable land in new residential areas for recreational open space or alternatively, Council may as an alternative require the developer to pay a sum of money equal to 10 percent of the assessed market value of the area of land prior to any development of the subdivision.

### **3.2.2.MIXED USE**

A mixture of different kinds of development may be found along the Conception Bay Highway and consists predominantly of residential uses interspersed with businesses, light industry and public buildings. Such areas are placed under the Mixed Use designation. This designation shall ensure that a viable combination of compatible uses can co-exist with the predominantly residential development. Areas designated Mixed Use are intended for the continuation of a traditional mix of land uses.

It is the intention of Council to permit this form of development to continue while ensuring amenity and safety between the different land uses in the Mixed Use land use designation. The Mixed Use area is designated on the Future Land Use map and applies to the north side of Salmonier line and along both sides of Northside Road. The following policies will guide the growth and development of the Mixed Development areas.

**Mixed Use Polices:****1. Land Use**

Within the Mixed Use area, single dwelling use, double dwelling, recreation open space and conservation shall be permitted. Other uses may be permitted such as row dwelling, apartment building, boarding house residential, cultural and civic, child care, home based business, home for the aged, medical, personal and professional services, office, general assembly, passenger assembly, club and lodge, funeral home, indoor assembly, communications, taxi stand, police station, antenna, convenience store, shop, catering (restaurant and take-out food service), general service, and light industry may be permitted throughout the area under the discretion of the Council provided they are compatible with the residential character of the area and do not cause a nuisance by virtue of excessive noise, dust, odour, increased traffic or hours of operation.

**2. Site Plans**

Council may require the developer to provide a comprehensive site plan for any proposed developments, indicating building locations, delivery areas, parking spaces, access, landscaping and buffer areas, and where other development components are to be located. In assessing proposals, Council shall be primarily concerned with aesthetic factors, scale and conformity with the desired character of the area, and compatibility with other land uses in the vicinity, in particular any residential development.

### **3. Adverse effects**

Adverse effects of any proposed development on adjacent residential uses shall be prevented or minimized through proper site layout, scale of development, and buffering. The type of buffer that may be required is subject to the site specifics of the particular proposed development.

### **4. Access to Street**

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

### **5. Parking**

Adequate off-street parking and loading facilities shall be provided for any non residential development.

### **6. Office Use**

Office use may be permitted as a home based business. The Office use, if located within the home, shall be subsidiary to the residential use. The Office use may be located in an accessory building on the same lot as the residence. There shall be no open storage of materials, equipment or products, and the use does not adversely affect the residential quality of the area through increased

traffic, noise, unsightly premises, and similar considerations. Provisions for parking shall meet the standards as prescribed by Council.

## **7. Boarding House Residential**

Boarding House Residential uses such as Bed-and-breakfast operations must not adversely affect the residential quality of the area through excessive traffic, noise, or parking of an excessive number of vehicles. The number of rooms shall be established in the Holyrood Development Regulations.

## **8. Medical Treatment and Special Care**

Medical Treatment and Special Care shall be limited to only homes for the aged in the form of residence for seniors may be permitted, provided that adequate pedestrian and vehicular access and parking can be provided. The size and scale of the development shall be reviewed by the Council in any decision to permit this form of development within a residential area.

## **9. Childcare**

Group or Family Childcare use must not adversely affect the residential quality of an area through excessive traffic, noise, or similar considerations that may be associated with the business. Group or Family Childcare business shall operate in accordance with provincial Child Care Services Act and all applicable Regulations.

## **10. General Services and Light Industrial Uses**

General services uses and light industrial uses shall be small scale uses such as small workshops, laundry mat, and warehouses. The use shall be carried out in a separate building from any residence. There shall be no outdoor storage of equipment or materials. Activities associated with the use are not hazardous and do not create a nuisance by reason of noticeable noise, odour, dust or flames, or result in electrical interference.

### **3.2.3 TOWN CENTRE**

#### **Town Centre**

The Town Centre designation is applied to those in the core of the Town along Conception Bay Highway from the Northside Road intersection to Bennett's Road, and extending along the east side of the Holyrood Access Road to its intersection with the transmission line. This area is currently developed as the Town centre with a mix of commercial, residential, cultural and civic, and services uses. There is still minimal vacant land within the Town Centre designated area that can accommodate future developments along the lines of the current mix of uses. It is expected that most new proposals will be for the re-development of existing properties.

## **Policies**

### **1. Location**

The Town Centre designated lands shall be located within the area generally located on both sides of the Conception Bay Highway from Northside Road intersection to Bennett's Road, and extending along the east side of the Holyrood Access Road to its intersection with the transmission line. This area has excellent access to main collector streets and provides good access for local residents. The area also provides key location for commercial development while still being interspersed with a mix of residential development serving the local population.

### **2. Land Use**

It is the intent of Council to see the Town Centre developed as a central, consolidated, commercial core within the Town while still maintaining a residential character. Until the Town Centre evolves, Council had decided that all land uses, with the exception of residential uses, shall be discretionary. The permitted use shall be residential. Other land uses shall be at the discretion of Council and shall include: assembly uses, business and personal services, and commercial uses. Examples of uses include: large and small retail outlets, residential, office buildings, veterinary, catering, cultural and civic, theatre, passenger assembly, taxi stand, medical and professional services, general and personal services, public uses and services. Other uses that may be permitted include: funeral home, child care, apartments, catering (lounge), hotels and motels, indoor and outdoor markets, clubs and lodges, recreational open space, light industry, and amusement.

### **3. Site Development**

It is the intent of this Plan to develop the remaining land within the Town Centre in a planned, comprehensive manner, with the result being a high quality commercial centre capable of attracting retail facilities. The development shall be in a manner that preserves the residential, environmental and social integrity of surrounding areas. Before development is approved, a site plan shall be submitted for the consideration of Council. Site plans will provide dimensional layouts indicating location, scale, and design of proposed facilities and landscaping. In assessing proposals Council will be primarily concerned with aesthetic factors, conformity with the desired character for the area, and compatibility with other land uses in the designation.

### **4. Pedestrian Mobility**

Any development of land within this designation shall be in accordance with the Council's intent of maximizing pedestrian mobility. This shall be done through an emphasis on consolidated development and provision of standard walkways, development of other walking trails within the overall Town Centre, adjoining residential areas, and recreation lands.

### **5. Building Design**

The Council shall encourage the design and building of retail enterprises with a high standard for physical appearances. The Council shall encourage the development of a facade that provides a pleasant appearance to the traveling public.

## **6. Landscaping**

All development shall be required to have landscaping around the properties. The Council may require a Landscape Plan prior to approval of any development. The Council may require that landscaping of properties be completed before issuing an occupancy permit. To enhance the appearance of retail business and other developments the Council shall encourage the development of green spaces or planting of shrubs, bushes and flowers along the frontage of properties to enhance their appearance and increase the amount of green space development.

## **7. Apartment Buildings**

Apartment buildings may be permitted at the discretion of Council and may be limited to those located above a main floor of permitted commercial uses. The apartment development shall be required to meet parking requirements as outline in Town Development Regulations. Parking shall be located at either the side yard or rear yard of the property and be considered separately from parking requirements of the permitted commercial use.

## **8. Signage**

One of the most distracting features in urban areas, in particular town centres is the overwhelming presence of signage associated with retail and business uses within central retail areas and business districts. Conception Bay Highway is a provincial highway and the location of signs may require the approval of the Department of Transportation and Works. The Council shall encourage the best

possible siting of signs within the areas to ensure that visual aesthetics are maintained. All signage shall comply with the Town's Development Regulations. Council shall limit the use of portable signs and other signs that are low lying and impede visual view planes of drivers and pedestrians traveling the Conception Bay Highway. Council shall encourage designs that are more appropriate for the area and proper siting of signs.

### **9. Public Uses**

The Council shall encourage the grouping of public uses within the Town Centre. The ability to arrange these uses within reasonable walking distance from each other and the development of above standard walkways and walking trails shall increase pedestrian use within this area and make the area a place where residents have a feeling of connectivity with all the uses within the Town Centre.

### **10. Buffers**

Council shall establish adequate buffers between commercial developments and any other non-compatible uses. These buffers may be a separation of open space, planting screens, privacy fences, or any other means to reduce the negative impacts between non-compatible uses. The siting of the new development may also be controlled by Council to ensure that activities on the property do not cause negative impacts such as noise, odours, fumes, light, and other visual effects. Such measures could be the control of which side of a building has a loading door; location of exhaust gas vents/air condition units, garbage bins, etc.

## **11. Offensive Uses**

Commercial uses that are judged incompatible with the surrounding developments through excessive emissions of noise, smell, chemicals or other pollutants, shall not be permitted. Developments of a commercial nature that have associated emissions with operations may be permitted in other areas of the Town. Property owners with unsightly uses shall be required to store their materials inside and keep their premises well maintained and tidy. Any development that requires outside storage shall be required to maintain the property in a high standard of appearance.

### **3.2.4 COMMERCIAL**

The Commercial designation is applied to local and highway commercial uses. The intent of the Plan is to allow the continuation of these uses, most of which are long-standing. The Town has also designated a future commercial area to the east of the Town Centre designation from the Holyrood Access Road to an area just north of Furey's Wood Path.

Small-scale local and personal-service commercial uses may be permitted within residential areas (see the Residential policies). Commercial uses may also be permitted within the Mixed Use designation. Retail and service commercial uses which serve residents beyond the neighbourhood are intended to be located primarily along Conception Bay Highway within the Town Centre designation.

## **Commercial Policies:**

### **1. Land Use**

Land designated Commercial shall be developed primarily for commercial uses such as retail and service activities. The permitted uses shall include: catering (restaurants only), child care, commercial residential, office, medical and professional, personal service, shop, service stations and convenience store. Other compatible uses that may be permitted include clubs and lodges, amusement, passenger assembly, general assembly, taxi stand, police station, funeral home, indoor market, office, shopping centre, general services, veterinary, catering (take-out food service and lounges), light industry, antenna, outdoor market and recreational open space.

### **2. Open Storage**

No open storage shall be permitted in the front or side yards of any commercial property. Property owners will be required to keep their premises well maintained and tidy.

### **3. Parking**

Adequate off street parking, loading and safe access to the street shall be provided. Parking shall meet requirements as outline in Schedule D of the Town's Development Regulations.

#### **4. Buffers**

Proper site layout and buffering shall be used to prevent or minimize the adverse effects of any commercial development on adjacent residential uses.

#### **5. Access to Street**

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

### **3.2.5 Industrial**

The developed industrial area of Holyrood is exceptionally large for the size of the Town, mainly because of the existence of the power generating plant and the former oil refinery site, both of which occupy adequate space for their operation and possible expansion. Two former fish plants, located on the north side of the harbour on sites limited in size, have little vacant land for expansion. At present, these plants are not in operation and there is no indication that the two fish plants intend to start up in the near future. One of the sites has been re-developed as part of Marine Institute Learning Marine Base and has been re-designated to Public Building use.

The Town has selected a site on the northeast corner of the Trans Canada Highway and the Holyrood Access Road as a future Industrial Business Park.

Prior to any new development a Concept Plan shall be prepared to the Town's satisfaction which shall define the best use of land. Generally, an area concept plan shall be for an area large enough to show the relationship between adjacent parcels of land and proposed roads. The concept plans shall determine the feasibility of a business park development and determine if it will affect the optimal development potential of surrounding lands. Requirements for area concept plans shall be similar to those requirements as described in policy 3.2.1.13, but for industrial development.

Examples of light industrial uses include the bus service depot and across from the Fury Building. Similar to commercial uses, most of the small scale industrial land uses are intermingled with existing residences.

The following policies will guide the growth and development of the Industrial areas.

### **Industrial Policies:**

#### **1. Land Use**

Land designated Industrial shall be developed primarily for industrial uses such as general industries, general services and light industries. Permitted industrial uses shall be compatible with neighbouring residential uses in terms of noise, dust, glare, vibration, smell, traffic, and related factors.

Other uses that may be permitted include office, communications, service station, general services, antenna, shop and transportation provided they are directly related to an industrial enterprise. Hazardous industry uses such as scrap yards shall not be permitted.

Uses that are complementary to industrial uses such as educational, passenger assembly and catering may only be considered where the use is part of an industrial operation.

## **2. Location**

Industrial activity shall be located in areas of the Town that are suitable for such forms of development. A site located at the intersection of the Holyrood Access Road and the Trans Canada Highway has been identified for future industrial expansion. Also, land has been designated for industrial use in the northern part on Town near the generating station.

## **3. Environmental Concerns**

Tanks or apparatus connected with the storage of fuel shall be required to provide adequate containment and dykes. Council shall require that all fuel storage tanks greater than 2500 litres be approved and inspected regularly by the Service NL. Council shall require the siting of fuel storage tanks within the industrial designations in a manner that will not adversely affect the amenities or safety of the adjoining properties.

Any fuel storage tanks proposed for removal shall require compliance with the Pollution Prevention Division, Department of Environment and Conservation and Service NL. Environmental Audits may be required prior to site remediation to determine the presence of hydro-carbons in surrounding soils.

#### **4. Restricted Development**

Industrial uses that are determined to be incompatible with the natural environment or nearby development through excessive emissions of noise, smell, chemicals or other pollutants, shall not be permitted.

#### **5. Open Storage**

Property owners with unsightly uses will be required to store their materials in the rear yard. Scrap yards and similar uses will be screened from view of the road by high fences or some other form of buffer as required by Council. 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 residential uses.

#### **6. Parking**

Adequate off street parking, loading and safe access to the street shall be provided. Parking shall meet requirements as outline in Schedule D of the Town's Development Regulations.

## **7. Access to Street**

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

### **3.2.6 Public Use**

Land designated Public Use shall include government, church, educational and other uses for general or limited public access. Facilities required to deliver municipal services to residents, such as the Town Hall, are also within the intent of this designation.

Holy Cross church and school, located on the north side along with the Memorial University Marine Base, are designated as Public Use. Other public use buildings include the Roman Catholic Parish Hall, the Post Office, the RCMP Detachment, the Town Library, the Town Hall and Fire Hall.

### **Public Use Policies**

#### **1. Land Use**

Within the Public Use designation, the predominant use of land shall be for community-oriented facilities such as schools, places of worship, child care, government offices, municipal buildings, general assembly, recreation, open space, conservation, recreation buildings, and their accessory uses.

Complementary uses may be permitted, provided that they will not conflict with the operation of existing facilities or the future development of public uses. The complementary uses may include recreational open space such as parks and playing fields, office, indoor assembly, outdoor assembly, catering, antenna, and home for the aged.

## **2. Compatibility with Residential Uses**

The development and operation of new facilities and buildings for public use shall not impose adverse effects on adjacent residential areas in terms of traffic, noise, and hours of operation.

## **3. Location**

Public buildings and uses are encouraged to locate in the central part of the community and within easy walking distance of most residents.

## **4. Access**

Access points to the public street shall be limited in number and properly designed, in order to keep the street safe and efficient for both vehicles and pedestrians.

## **5. Parking**

Adequate off-street parking shall be provided.

### **3.2.7 Open Space/Recreation**

Land designated as Open Space/Recreation is for active and passive recreational non-building uses such as parks, playgrounds, outdoor swimming areas, and buildings which are accessory to the open space uses. Council shall endeavour to reserve land at various places in the Town for Open Space/Recreation uses.

Within the built-up areas of the Town, recreational facilities are rather limited. Existing recreational uses include the Salmonier Line Recreation Facilities, Holy Cross Park, Holyrood Marina and the beach, the latter being utilized for a passive recreation area.

#### **Open Space/Recreation Policies:**

##### **1. Land Uses**

Permitted uses include parks, sports fields, linear trail systems, pathways to serve pedestrians, bicyclists and cross-country skiers are permitted. Recreational facilities permitted shall include two types: indoor and organized facilities (e.g., social clubs, boy and girls club, recreation centre) and outdoor facilities (e.g., sports fields, open concert/stage areas, and picnic/camping parks). Other uses may be permitted include office in association with a permitted use, amusement (such as youth centre) and personal service (gym).

## **2. Effects Surrounding Property**

Development and operation of recreational facilities shall not impose adverse effects on adjacent residential and other uses in terms of noise, traffic and hours of operation.

## **3. Recreation Uses**

The Town shall promote and expand its main recreational site, Holyrood Municipal Park located off the Holyrood Access Road and the Centennial Recreation Centre, located off the Salmonier Line. These areas have a well equipped with sports and playground facilities, and developed swimming area.

Additional recreational facilities will be provided in areas where they are needed and when the Town's financial resources permit. Since most of the regional and local recreational facilities are less accessible to the older age groups, the provision of additional facilities will give special consideration to these groups.

## **4. Trail Development**

The development of passive recreation facilities such as walking or nature trails, and associated interpretation programs may be permitted provided they will not have an adverse impact on the natural environment and residential properties.

### **3.2.8 Open Space/Conservation**

The intent of the Open Space/Conservation designation areas is to protect certain lands within the Town which by reason of their intrinsic character, are sensitive, vulnerable, or ecologically significant, or have natural or recreation values. They include wetlands, watercourses, bodies of water, shoreline frontages, steep cliffs, as well as, open natural spaces such as woodlands, green belts, buffers, natural trails, areas of scenic attraction for public enjoyment, etc. In most cases, these areas are located where municipal services cannot be feasibly extended. The T'Railway Provincial Park shall be designated as Open Space/Conservation.

Cemeteries which are located separately from a church are designated as Open Space/Conservation. Those cemeteries which are accessory to a church property are included in the Public Use designation.

To maintain a protected transportation corridor, the Trans Canada Highway shall be designated as Open Space/Conservation. Existing Highway Commercial uses shall be maintained as a permitted land use designation.

#### **Open Space/Conservation Policies:**

##### **1. Land Uses**

The Open Space/Conservation designation shall protect and conserve environmentally sensitive, the Trans Canada Highway and important lands from adverse development. Development associated with conservation shall be permitted. No permanent buildings or structures shall be permitted on lands

designated for Conservation Uses, except those necessary for environmental protection (e.g., for erosion control).

Passive recreational uses such as walking trails may be permitted, provided that they will have no adverse effect on the site. Uses that are complimentary to a recreational open space or conservation use may also be permitted at Council's discretion. Such use may include animal grazing, or other forms of agriculture.

## **2. Compatible Uses**

Within the designated Open Space/Conservation areas, recreational open space such as parks, and their accessory uses may be permitted. Uses that are complementary to a recreational open space use may also be permitted at the Council's discretion.

## **3. Cemeteries**

New cemetery sites may be located in areas designated for Open Space-Conservation at Council's discretion. Approval shall be contingent on the use having access to an existing public road, require no additional municipal services and is designed to facilitate public access.

Expansion of existing cemeteries to areas outside those designated for Open Space-Conservation may be permitted by amendment to this Plan and once the area is re-zoned to accommodate the expansion area.

### **3. Conservation Buffer Waterbodies**

Along the shoreline of all water bodies and water ways, a conservation buffer area shall be established which includes all land within 15 metres of the high water mark along shoreline. Proposed developments affecting water bodies or watercourses, such as stream crossings, watercourse alterations, and other public works, may be permitted in limited circumstances where it is shown they will have minimal adverse impact. The number and size of such activities will be minimized. Any such proposed development shall be referred for review and approval to the Department of Environment and Conservation, and the Department of Fisheries and Oceans, and any other relevant agencies before Council issues any permits for development.

### **4. Preservation of Natural landscape**

It is also essential that all the visual amenities and undevelopable areas such as the shoreline, rivers, brooks, streams, flood plains, steep slopes, and rock outcrops are preserved and retained in their natural state. This can add to the open space system and complement the rural development patterns. Areas of scenic attraction and with recreational potential shall be preserved and protected.

### **5. Open Space Access and School Areas**

Public access shall be preserved to Conservation areas. Wherever possible, greater provision will be made to open space in areas adjacent to schools.

## **6. Private Land Ownership**

Where any lands designated for Open Space/Conservation are under private ownership, this Plan does not indicate that the lands will necessarily remain as Open Space/Recreational indefinitely, nor shall it be construed as implying that these Open Spaces/Conservation areas are free and open to general public or will be purchased by Council. Council shall review any proposals to develop any such lands in the Open Space/Conservation land use designation and their applications for re-designation of such lands for other purposes may be given due consideration by Council.

## **7. Excessive Slope**

Extensive areas of land having slopes in excess of 15 percent are designated Conservation. Development is not considered feasible on such slopes because of excessive runoff and erosion and high costs to install and maintain services, and risk to public safety.

### **3.2.9 Watershed**

The Town has a relatively large watershed designated for protection, a large portion being south of the Trans Canada Highway. There are two watersheds, one which drains into both the North Arm River and one which drains into the Harbour Main Pond. While the present six (6) drilled wells are meeting the water supply needs of the Town, Council has been interested in an alternate source of surface water, one that can meet the demands of the entire community.

Proposed water sources include the North Arm River and Harbour Main Pond, but no final decision has been made about the future source.

As future regional water supplies are being considered, protection of future water sources become important. Any development in such area should be coordinated with the Department of Environment and Conservation, Water Resources Management Division and the Department of Municipal Affairs, Engineering and Land Use Planning Division.

Within the Watershed area south of the Trans Canada Highway, the Hawke Hill Ecological Reserve has been established for the purpose of protecting the best representative area of alpine barrens east of the Long Range Mountains and a representative portion of the Alpine Health Ecoregion for scientific study and educational purposes.

### **Watershed Policies:**

#### **1. Land Use**

Land designated Protected Water Supply shall be protected and the only permitted uses shall be conservation and passive outdoor recreation uses. Forestry activities and silviculture, and antenna may be permitted within the Protected Watershed Area, subject to the approval of the Department of Environment and Conservation, Water Resources Management Division and the Department of Natural Resources.

Established uses in the designated Watershed Area will be limited to passive recreational activities such as hiking, fishing, and canoeing, until such time as a resource use study is completed as part on the North East Avalon Regional

(NEAR) Plan Review (ongoing) which shall carefully consider the Watershed Area's resources and uses which are compatible with the municipal water supply priority.

## **2. Continuation of Established Uses**

It is the policy of the Plan to allow the continuation and minor expansions of existing uses in the designated Watershed Area, provided that the future water quality in the area is not adversely affected.

## **3. Transmission Corridors**

The proposed future Lower Churchill Hydroelectric Transmission Line Corridor crosses the designated Watershed area. The current proposal is for a 65 m corridor which will in part coincide with the existing transmission line corridor south of the Trans Canada Highway. Council will ensure that any potential adverse effects on the water supply are to be mitigated.

## **4. Hawke Hill Ecological Reserve**

Within the Watershed area south of the Trans Canada Highway, the Hawke Hill Ecological Reserve has been established for the purpose of protecting the best representative area of alpine barrens east of the Long Range Mountains and a representative portion of the Alpine Health Ecoregion for scientific study and educational purposes. Scientific research at the site will be encouraged, and educational use of the Reserve will be permitted where it does not conflict with the general objectives of preservation and scientific research.

## **5. Mineral Workings**

Mineral workings shall be limited to mineral exploration within the designated protected Watershed areas. Any exploration activities must be approved by the Department of Environment and Conservation, Water Resources Management Division, and Department of Natural Resources, as well as Council.

## **6. Forest Harvesting**

Selective forest harvesting may be permitted within Watershed areas, subject to approval of the Department of Environment and Conservation Water Resources Management Division. Maintaining water quality is the overriding priority.

### **3.2.10 Rural**

The remaining lands within the Holyrood Planning Area are designated Rural and are intended to be used primarily for rural resource and recreational open space uses. No development shall be permitted on land within this designation except those associated with agriculture, forestry, mineral workings, outdoor recreation, resource conservation, or other uses as may be outlined in this Municipal Plan.

Uses that may be allowed at the discretion of Council include outdoor assembly uses and rural industrial activity associated with the resource base. This will apply particularly to uses that need to be located close to resources or for some

other reason cannot be located close to the built up areas of the Town. Such activities include outdoor assembly uses like playground, sports fields, hockey rinks, etc.

Activity concerning electric power transmission, other public utilities or road construction and maintenance, consistent with the objective of retaining the qualities of the rural environment, may be permitted.

### **Rural Policies:**

#### **1. Land Uses**

The uses permitted in the designated Rural areas include agricultural, forestry and mineral working uses; public or private recreational uses characterized by large areas of open space, provided they do not detract from the rural character of the area;

#### **2, Compatible Uses**

Other uses that are compatible with permitted uses may also be permitted at the discretion of Council. These uses may include; single dwelling, rural industrial use, service station, mineral workings, cemetery, outdoor markets, veterinary, and sports fields/ playgrounds.

#### **3. Residential Use**

Single residential dwelling use shall only be permitted in conjunction with a permitted or discretion uses.

#### **4. Mineral Working**

Mineral workings shall include the extraction, exploration, processing or storage of gravel, sand, rock or any other mined material, concrete and asphalt making, rock crushing, quarrying, sand and gravel pits and other types of mining in general. Aggregate extraction may be permitted at the discretion of Council. All but very small scale mineral workings and related activities shall be prohibited within general view of roads and developed areas and development of new mineral workings activity at any location in the Planning Area shall not be permitted where it would create a negative impact on visual amenities as determined by Council. Council shall ensure that aggregate mining will have minimal impact upon adjoining land uses, particularly the visibility of gravel pits. Buffering and screening may be required to minimize dust and noise. Open pits shall be rehabilitated by the operator prior to abandonment.

Mineral extraction operations shall be conducted in a manner which shall minimize the adverse effects on water quality, fish and wildlife. All mineral operations will be required to complete a site rehabilitation plan as a part of the development application. Council shall not permit other development activities within 150 m of existing quarry operations that may jeopardize their operation or future expansion. Proposed operations shall be evaluated in conjunction with the Department of Natural Resources and the Department of Environment and Conservation.

## **5. Rural Industry**

Rural industry may be permitted under discretion of Council where it is demonstrated that a rural rather than urban location is necessary or desired for the development of the industry, and where it will have no detrimental affect on adjacent uses or the rural and scenic environment.

## **6. Cottage Development**

New cottage development shall not be permitted in the Rural area, in keeping with policies of the St. John's Urban Region Regional Plan. Conversion of existing cabins to permanent dwellings shall not be permitted unless the cabins are included within the Residential designation. This is to prevent premature urban expansion and demand for services in rural areas.

## **7. Forestry**

The Rural area contains forests which provide a long-term domestic wood supply, recreational opportunities, and wildlife habitat. It is important that this resource be well managed. This Plan will support initiatives of the Department of Natural Resources to manage the forests for continued use by the public during and beyond the planning period.

### **3.2.11 Mineral Working**

A number of quarry developments and similar operations as well as some potential aggregate resource areas exist in the Municipal Planning Area. Aggregate resources contained within the Town of Holyrood contribute greatly to the concrete aggregates requirements for the Avalon Peninsula.

The Town wishes to ensure proper operation and restoration of the sites used for this type of land use.

#### **1. Land Use**

Within the designated Mineral Workings areas, aggregate extraction, mineral exploration and related operations may be permitted. Council shall ensure that the adverse effects of aggregate extraction, mineral exploration and their related operations such as dust, noise, and visual impact on the adjacent properties and environment be kept to a minimum. In order to separate such operations from other incompatible uses, adequate buffers shall be provided by the operator in the form of undeveloped land between Mineral Workings and other uses.

#### **2. Site Rehabilitation**

All derelict lands resulting from aggregate extraction, mineral exploration and their related operations shall be properly rehabilitated by the operators. Council may consider the appropriateness of utilizing worked out quarry sites for industrial uses which can not be accommodated in the urban areas and which do not need the provision of urban type services.

## **4.0 IMPLEMENTATION**

The Municipal Plan will be implemented over the ten-year planning period through the decisions of Council and agencies such as the Department Transportation and Works, Department of Natural Resources, Department of Municipal Affairs and the Department of Environment and Conservation. Of particular importance to Council are the following:

- Effective administration of the Plan;
- The adoption of a five year capital works budget;
- adopting Land Use Zoning, Advertisement and Development Regulations
- adopting Development Schemes and plans of subdivision, and
- The procedure for considering future Amendments to the Plan.

### **4.1 Plan Administration**

For the purposes of administering the Plan, the Future Land Use Maps shall be read only in conjunction with the Goals, Objectives and Policies outlined in this document. All development applications will be carefully evaluated as to their conformity to the Plan. The full conformity of all proposals to the Plan shall be required by Council.

The boundaries between land uses designations are meant to be general, except where they coincide with roads or other prominent physical features, where they are intended to define the exact limits. It is intended that no amendment to this Plan shall be required to permit minor adjustments to these boundaries. Other than such minor changes, no development shall be permitted that does not conform to this Plan.

All persons wishing to develop land for any purpose within the Holyrood Municipal Planning Area shall apply to Council for permission through the established procedure. Council may approve applications with or without conditions. The appeal of all Council decisions to the Regional Appeal Board shall be permitted.

Prior to the major development of land within the Planning Area, a development agreement may be required, which will be signed by both the developer and the Council. This agreement shall establish the conditions under which development may proceed and shall be binding to both parties. Conditions governing developments may also be enforced by being attached to the development permit.

Nothing in this Plan shall affect the continuance of land uses which are lawfully established on the date that the Plan is adopted by Council.

## **4.2 Plan Implementation**

The preparation, adoption and approval of the Holyrood Municipal Plan represent only a part of the planning process. The Plan cannot implement itself and can be functional and effective only through Council's actions and efforts to carry it out.

In order to implement this Plan, Council must take the necessary action, as required by the *Urban and Rural Planning Act, 2000* as outlined below:

- control future development by enforcing the Holyrood Development Regulations and the policies of this Plan;
- undertake the capital works program on a progressive basis geared to the available resources of the community and financial assistance from the provincial government;

- make necessary amendments to the Plan if conditions of the community change, and
- undertake a review of the Plan every five years.

### **4.3 Development Regulations**

To implement this Plan, Council shall prepare and adopt Development (Land Use Zoning, Subdivision and Advertisement) Regulations on the basis of this Plan. These regulations are intended for Council's control over future use of land and development within the Planning Area and they outline land use zoning, development standards and application procedures necessary to implement this Plan.

### **4.4 Development Control**

The Plan is a legal document which is binding upon all persons, groups, or organizations, including the municipal Council. Council shall exercise proper control over development within the Planning Area in accordance with this Plan and the Development (Land Use Zoning, Subdivision and Advertisement) Regulations.

All persons wishing to develop land for any purpose within the Planning Area shall apply to Council for permission on the prescribed application form(s) and shall submit a detailed plot/sketch plan of the proposal indicating the location and dimensions of the land and of the development. Council shall examine the application on the basis of the Development Regulations, which reflect the policy of this Plan, may approve the application, approve it with conditions, or refuse it.

An applicant who receives a refusal decision from Council on a development application may appeal that decision to the Eastern Regional Appeal Board.

Development in areas under the control of Council as well as other government departments will be referred to the concerned departments for review.

#### **4.5 Public Works and Municipal Services**

In order to properly implement the goals and objectives of the Plan, an annual public works program will be adopted and implemented by Council. This will include the annual preparation of a Capital Works Program which outlines proposed capital works to be undertaken by Council subject to the availability of government funding.

The Town of Holyrood provides the usual municipal services (water and sewer, road construction and maintenance, snow clearing, street lighting, garbage collection, volunteer fire brigade and recreational sites. The Town's major service expenditures are the water and sewer systems, followed by road construction and re-surfacing.