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**TOWN OF HAPPY VALLEY - GOOSE BAY
MUNICIPAL PLAN 2008 – 2018**

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF HAPPY VALLEY - GOOSE BAY MUNICIPAL PLAN**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Happy Valley - Goose Bay adopts the Town of Happy Valley - Goose Bay Municipal Plan.

Adopted by the Town Council of Happy Valley - Goose Bay on the _____ day of _____, 2008.

Signed and sealed this _____ day of _____, 2008.

Mayor: _____
Leo Abbass

Clerk: _____
Valerie Sheppard

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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

MCIP: _____
Arvo McMillan, MCIP

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF HAPPY VALLEY - GOOSE BAY MUNICIPAL PLAN**

Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Happy Valley - Goose Bay

- a) adopted the Town of Happy Valley - Goose Bay Municipal Plan on the _____ day of _____, 2008.
- b) gave notice of the adoption of the Town of Happy Valley - Goose Bay Municipal Plan by advertisement inserted on the _____ day of _____, 2008 and the _____ day of _____, 2008 in the Labradorian newspaper.
- c) set the _____ day of _____ at _____ p.m. at the Town Hall, Happy Valley - Goose Bay for the holding of a public hearing to consider objections and submissions.

Now under the authority of section 23 of the *Urban and Rural Planning Act 2000*, on the _____ day of _____, 2008 the Town Council of Happy Valley - Goose Bay approves the Town of Happy Valley - Goose Bay Municipal Plan as adopted.

SIGNED AND SEALED this _____ day of _____, 2007

Mayor: _____
Leo Abbass

Clerk: _____
Valerie Sheppard

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- Municipal Plan Amendment No, 1, 2011
- Municipal Plan Amendment No. 2, 2012
- Municipal Plan Amendment No. 3, 2013
- Municipal Plan Amendment No. 4, 2013
- Municipal Plan Amendment No. 5, 2013

TOWN OF HAPPY VALLEY - GOOSE BAY MUNICIPAL PLAN

1 INTRODUCTION

1.1 THE PLAN AND DEVELOPMENT REGULATIONS

This Happy Valley - Goose Bay Municipal Plan 2008 replaces the Happy Valley - Goose Bay Municipal Plan and Development Regulations 1988 - 98 which had been gazetted on August 19th, 1988.

The Happy Valley - Goose Bay Municipal Plan contains goals and land use policies approved by Council and registered by the Minister of Municipal Affairs. The Municipal Plan is binding upon Council and upon all other persons, corporations and organizations within the Happy Valley - Goose Bay Municipal Planning Area.

The Happy Valley - Goose Bay Development Regulations 2008 were approved and registered at the same time as the Happy Valley - Goose Bay Municipal Plan 2008. These development regulations implement the land use policies of the Municipal Plan with land use controls. Included with the Happy Valley - Goose Bay Development Regulations is Newfoundland Regulation 3/011 - Development Regulations under the Urban and Rural Planning Act 2000.

Policies and regulations under the Municipal Plan and Development Regulations must comply with all applicable Provincial and Federal regulations. Prior to adoption by the Town under the Urban and Rural Planning Act, the Department of Municipal Affairs reviews the Plan and Regulations to “to determine provincial and other government agency interests. . . .” (Section 15(3) of the Urban and Rural Planning Act 2000)

Development schemes, design concepts, comprehensive plans, subdivision agreements and concept plans, *further implement the Municipal Plan and Development Regulations* with more detailed designs, design strategies and policies for roads and other facilities, and development.

The Development Regulations which are deemed to implement the Municipal Plan, shall, in addition to any other matter set out under Section 13 (2) of the Urban and Rural Planning Act 2000 and other Sections of the Act and the Development Regulations under the Urban and Rural Planning Act 2000, provide for non-conforming uses, appeals and variances.

While capital works programming does not affect the day to day regulation of land uses under the Development Regulations, it does over the long run affect how and when lands will be developed and the standards of development. Capital Works programming is left to the five-year capital works budgeting process.

1.2 TOWN AND MUNICIPAL PLANNING AREA

The Happy Valley - Goose Bay Municipal Planning Area is the area set out under the Urban and Rural Planning Act for planning and regulatory purposes. The Happy Valley - Goose Bay Town and Municipal Planning Area Boundaries are coterminous, that is, exactly the same.

1.3 BACKGROUND

Land Area

The Happy Valley - Goose Bay Town and Municipal Planning Area have an area of approximately 306 square kilometres or 30,600 hectares, the bulk of which is allocated for rural and environmental protection (conservation) purposes, with the balance used or owned by the Government of Canada and the Airport and allocated specifically for urban residential, commercial, industrial, public and recreational purposes.

Population

The 2006 census, the Town of Happy Valley - Goose Bay shows a population of 7,572, which is a 5% decrease from the 2001 population of 7,969. The 1996 population was 8,655, and in 1986, the Town's population was 7,248.

The population projection for the Town, prepared by Terrain Consulting for the Town in 2005, called for a bottoming out of the population at 6,790 in 2011, then a gradual rise back to 7,235 in 2021.

Within Economic Zone 3 (Central Labrador Economic Development Board Inc.) which includes the communities of Happy Valley Goose Bay, Mud Lake, North West River, Rigolet and Sheshatshiu, the 2001 population was 9,960 and in 1996 it was 10,458.

Low, Medium and High population projections supplied by the Newfoundland Statistics Agency for Economic Zone 3 for the year 2012 range from 9,023 to 9,267 and for the year 2017, range from 8,782 to 9,357 persons. These projections indicate that the region's population, is not likely to vary a great deal over the next five and ten years.

Regional Transportation

Centrally located with an international airport and military base, Happy Valley - Goose Bay is the transportation hub of Labrador. Goose Bay Airport handles domestic and international flights. The Otter Creek float plane base on Terrington Basin serves outfitters and a number of communities with three aircraft companies and several outfitters. Goose Bay Terminal also on Terrington Basin, is the major port on the Labrador Coast that serves the coastal ferries and cargo carriers, along with cruise-ships and other vessels.

Existing and emerging road transportation networks serve the interior and coastal communities. This network connects Happy Valley - Goose Bay to the Straits Area of Southern Labrador, Lab City, Churchill Falls, Postville and, the Province of Quebec. The Trans Labrador Highway is due for completion in 2009.

Unique to Labrador is an extensive winter trails system, used for both transportation and recreation. Happy Valley - Goose Bay is tied into this network.

Federal and Military Presence

The military has historically played a major role in the development of the Upper Lake Melville Area and will continue play a significant role at several levels, both positive and negative.

- CFB 5 Wing Goose Bay and its civilian contractor - Serco - employ together some 560 persons, both uniformed and civilian.
- The Airport is maintained and serviced by the Department of National Defence and the Airport would not maintained to anywhere near its present standards, if at all, without this service.
- However, the result of military activity at the Airport since the early 40's is a legacy of environmental contamination which is having an effect on the development of areas near and around the Base and which requires monitoring and clean-up – a process
- underway at the time of this Plan.

Furthermore, the noise exposure forecast contour levels associated with a major civilian and military airport limit where housing and other noise sensitive developments can occur. Standard policies prohibit residential development above the 35 NEF (Noise Exposure Forecast) contour around an airport, except for infill development or minor extensions to existing residential areas.

Major Public and Private Services

Major public and private services, including the College of the North Atlantic, the Labrador Institute of Memorial University, Mealy Mountain Collegiate, Regional Health Care Centre and Paddon Memorial Home, are located in Happy Valley Goose Bay. An auditorium is being added to Mealy Mountain Collegiate, and this will serve Happy Valley Goose Bay and northern Labrador.

Included among the recreational facilities are E.J. Broomfield Memorial Arena, Ski Mount Shana on the North West River Road and the Happy Valley Goose Bay Biking and Walking Trail system which extends north from the Hamilton River up and beyond the Canadian Forces Base. The Town also has a nine hole golf course - Amaruk - across from the Hamilton Heights subdivision.

Water Supply and Waste Disposal

The Town obtains its water from two sources - one is Spring Gulch, which it purchases from the Department of National Defence (not subject to provincial regulations), and the other is a well-field between the Trans Labrador Highway and the Churchill River. Each source provides roughly half of the Town's water needs. Neither source of water is protected under the Province's Water Resources Act, the first because it lies entirely within the Base property, the other because portions of the well field protection area would lie within Federal property.

Sewage collected from the Airport and Base and the Town is collected and emptied via two outfalls into the Churchill River. The Town is seeking provincial assistance in installing a proper sewage treatment facility.

Unless it is a purely rural use, current policy requires that all development be connected to the Town's municipal water and sewer system.

The Happy Valley - Goose Bay municipal landfill off North West River Road serves the Town and the communities of North West River and Sheshatshiu. Its estimated life is ten to fifteen years. Good management practices, such as better compaction and recycling have already extended its life. There are ongoing discussions about a regional landfill authority. There is a metals recycler at the landfill, and a "Green Depot" located in Happy Valley across from the Town's Works Depot.

Engineering Services Master Plan

The Engineering Services Master Plan has established servicing priorities, which means that new development areas will only come on stream in accordance with that document's priorities as interpreted by the Town Council.

Environment

The major source of soil pollution in this community appears to be the Base, due to activities extending back to the 1940's. Fuel leakage and Base dumps affect lands to the east of the Base (Loring Drive Area, the Golf Course) and to the immediate south - Trans Labrador Highway and the Town's well sites and agricultural activities next to the Churchill River. Monitoring and remediation efforts are underway.

The impact of this pollution is clearly serious and can affect the planning of the community, from two aspects - health impacts (residential and other uses which entail concentrations of people, including care facilities and hotels), legal liability, and use of land for water supply and agricultural purposes.

Climate change, man-made or natural, as measured by temperature change and changes in the onset of different seasons, changes in precipitation volume and type, and in wind directions and velocities.

Sea level change, which taken with wind velocity changes, increases the frequency and severity of storm surges is not likely to affect the community because of the Town's inland location and because it seems that parts of Labrador are still rebounding from the last ice-age.

The appropriate policy responses will be developed as usable information becomes available. Measures typically used to protect the environment, prevent flooding, safeguard drinking water supplies, and so forth, remain useful policy tools, buttressed by appropriate emergency response measures.

Sustainable development is a marginally appropriate concept for any community that is so heavily dependent on the "outside" for all of its basic needs. Notwithstanding, it is still sensible to carry out policies which minimize energy and other costs and cushions or slows the impact of increasing fuel and electricity prices, allows for alternative energy sources, and provides for a reasonable level of comfort and lifestyle choices.

Appropriate policy responses include conservation and recycling measures, maximizing the density of development, implementing building codes that require a high level of insulation, and providing for suitable landscaping around buildings along with retaining as much as possible the natural forest cover through an open space network and providing for a good pedestrian access system for recreational and non-recreational purposes.

2 GENERAL GOALS AND DEVELOPMENT POLICIES

The general goal of this Municipal Plan is to enable the Town to effectively and transparently accommodate the diverse requirements of a complex community in a way that reflects the values of the community and at the same is compliant with applicable provincial and federal policies and regulations, namely:

- to ensure as much as possible the continued presence of CFB Goose Bay by appropriate land use policies which do not jeopardize its use for military aircraft and other military purposes;
- to continue to foster the Town's role as the transportation hub of Labrador through its land use policies in respect of Goose Bay Airport, Goose Port and the highway networks serving the region and Labrador;
- to protect the environmental and rural resources of the community, including wetlands (Municipal Stewardship Agreement) and areas used for agriculture and forestry, recreation and other resources ;
- to make possible the use and development of land for residential, commercial, industrial and public and other purposes in a systematic and environmentally appropriate and sustainable fashion;
- to expeditiously manage change in land use requirements provided that the general framework of the Plan is maintained and the basic goals are sustained.

2.1 FUTURE LAND USE DESIGNATIONS AND POLICIES

To identify land for the future development needs of Happy Valley - Goose Bay, the following land use designations are established in the Plan and designated on Future Land Use Maps:

Residential	Section 3.1
Mixed Development	Section 3.2
Commercial	Section 3.3
Public	Section 3.4
Airport and Defence	Section 3.5
Industrial - Commercial	Section 3.6
Industrial - Commercial North Side	Section 3.7
Industrial	Section 3.8

Rural	Section 3.9
Agriculture	Section 3.10
Open Space	Section 3.11
Environmental Protection	Section 3.12
– Environmental Protection - Management Unit	
Public Utility	Section 3.13

2.2 GENERAL DEVELOPMENT POLICIES

- (1) In addition to any other considerations under this Municipal Plan, the Town may refuse permission for a development where in its opinion services are inadequate or it is uneconomical to provide and maintain these services.
- (2) In order to ensure that development occurs in an orderly manner and that appropriate development opportunities are maximized, subdivisions and other major developments shall be co-ordinated with other existing and proposed developments and the Planning Area's road system and services. These developments may be required to provide for public access to adjacent undeveloped lands.
- (3) Particularly for larger developments, the Town can require that a comprehensive plan of development be prepared and adopted before any development is permitted. This comprehensive plan would show the details of the development and indicate how the balance of the affected area is to be accessed and developed.
- (4) When reviewing a development proposal, the Town shall consider the suitability of a site in terms of steepness of grades, soils and geology, location of waterways and wetlands and shall, when considering approval, ensure that the development has minimal or no negative effects on other properties and bodies of water.
- (5) Proposals for development of industrial land use will consider the policies and recommendations of the Industrial Land Use Strategy attached to the Town's Municipal Plan as Appendix 2.
- (6) If in its opinion, the development of the site having certain characteristics, such as steep or unstable slopes, poor drainage, high water table and so forth, could create problems for the development of the site or nearby properties, the Town can require the submission of a review of the development proposal by a certified engineer, landscape architect or similar professional.

Among other matters, the review shall evaluate the adequacy of site grading, drainage and landscaping and the potential of the development to cause erosion onto and pollution of adjacent properties and bodies of water.

2.3 CONDITIONS – ALL DEVELOPMENT

(1) Services and Access

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

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

Within the municipal servicing limits, development shall be connected to municipal water and sewer services. If deemed feasible by the Town, development adjacent serviced areas may be connected to the Happy Valley - Goose Bay municipal water and sewer systems provided that there is sufficient capacity in the existing systems and provided that the developer agrees to pay for the cost of the extension of the services.

Development lacking either municipal water and/or municipal sewer services shall be approved by the Department of Government Services before a permit is issued by the Town.

(2) Compatibility of Uses, Buffers and Screening

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

2.4 AGRICULTURE

The Town's policy is to protect agricultural operations and resources by requiring compliance with applicable Provincial regulations. Agriculture is a permitted use under the Rural and Agriculture designations. An area off Mud Lake Road is set aside for agricultural and complementary uses under the Agriculture designation.

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

In general, all agricultural operations shall be approved by the Department of Natural Resources, Agrifoods Division.

2.5 AIRPORT AND DEFENCE - GOOSE BAY AIRPORT AND CFB 5 WING

Development in and around the Airport, within the area included under the Goose Bay Airport Department of Transport Canada Zoning Regulations or any development likely to negatively affect the continued operations of the Airport and CFB 5 Wing is not permitted.

2.6 AIRPORT NOISE EXPOSURE FORECAST CONTOURS AND RESIDENTIAL DEVELOPMENT, AIRPORT ZONING REGULATIONS

No residential development, unless it is:

- a) within or immediately adjacent to a built-up residential area with full municipal services;
- b) accessory to the use or operations of the Airport and/or is military in nature and/or falls under the class of commercial-residential (hotels, motels, inns);

shall be permitted above the NEF 35 contour line as shown on the Future Land Use Maps. All development is subject to the Government of Canada Goose Bay Airport Zoning Regulations under the Aeronautics Act and as shown on Future Land Use Map 3. The Town can require that as a condition of a permit for a dwelling, the owner states that the owner is aware of the possible noise from aircraft, and that the owner will not bring legal action against the Town or the Government of Canada for any disturbance, possible health effects, or loss of property value or damage to property caused by aircraft noise or other activities associated with Goose Bay Airport.

2.7 ARCHAEOLOGICAL AND HERITAGE RESOURCES

The Town shall endeavour to conserve and develop its heritage resources. It shall encourage the preservation of buildings and sites of historic interest, through regulation and/or other suitable means, including the designation of selected buildings and sites.

Archaeological sites and discoveries are protected under the Historic Resources Act, 1985. If such a site is discovered, development shall stop and the Provincial Archaeology Office of the Department of Tourism, Culture and Recreation consulted. Also, if any major development is proposed, the Provincial Archaeology Office shall

be advised before an approval is granted by the Town. This is to ensure that the necessary research is carried out before construction begins.

Certain archeological sites may be designated and zoned Environmental Protection where scale and location warrant. For example, a cluster of sites could be designated Environmental Protection, such as may be found south of the Terrington Basin and north of the areas proposed for future development.

2.8 COMPREHENSIVE DEVELOPMENT

At the discretion of the Town a comprehensive development containing one or more individual developments may be permitted as a single comprehensive development on public or private roads and services.

While the use classes and overall density of the comprehensive development must comply with the use zone schedule of the zone in which it is located, other standards can be modified or waived.

The development must be compatible with adjacent development. The comprehensive development itself must access a public road.

The Town may require that a comprehensive development be connected to municipal water and sewer services.

2.9 DISCRETIONARY USES

This section treats the following issues related to the exercise of discretion by the Town:

- a) the criteria for determining for whether or not a use class should be a discretionary use class under the Development Regulations;
- b) the exercise of the discretionary use powers of the Town under the Plan and Regulations and the Urban and Rural Planning Act 2000.

Provided it is one of the uses included within a designation set out in the Municipal Plan, the Town may decide that a use should be set out as a discretionary use under the Development Regulations, where:

- a) it determines that the use could negatively affect the predominant uses of the zone and that in order to mitigate this impact it is desirable to consult with the public and possible affected parties prior to issuing, issuing subject to conditions, or refusing, a permit;
- b) it is necessary to attach conditions to an approval that differ from the standard conditions under the Development Regulations to ensure that the

discretionary use is compatible with nearby uses and the predominant uses of the zone.

In accepting or refusing to accept a discretionary use and attaching conditions to a discretionary use, the Town shall consider:

- a) whether the use is appropriate for the site and the immediate surrounding area;
- b) the policies of the Municipal Plan as it pertains to the Town in general and as they pertain to the designation as shown on the Future Land Use Maps in which the use is located – for example, development within areas affected by the noise exposure forecast contours of the Airport and whether the development is likely to be affected by pollution or other matters.

2.10 ENVIRONMENT

In reviewing an application for a permit, the impact of a development on the land, marine and air environment of the Planning Area shall be considered and Provincial policies on the environment adhered to.

A number of these issues are addressed under separate sections of the Municipal Plan.

2.11 FORESTRY

Commercial and domestic operations within the Planning Area are subject to the approval of the Department of Natural Resources.

2.12 MINERAL EXPLORATION

- (1) Subject to the other provisions of this Municipal Plan, mineral exploration which is not classed as development by virtue of drilling, appreciable ground disturbance, construction of access roads, noise, odour and appearance can be permitted anywhere in the Planning Area, provided that adequate notification is provided to the Town.
- (2) Mineral exploration which is classed as development can be permitted as either a permitted or discretionary use in the Rural and other designations, provided that adequate provision is made for buffering/and or other mitigation of impacts on existing or future development and provided that all necessary approvals are obtained.

- a) Buffering may take the form of a buffer between such mineral exploration and areas set aside for urban purposes within which higher impact mineral exploration is either prohibited outright, or is treated as a discretionary use.
- b) Higher impact mineral exploration shall be subject to conditions that control noise, appearance, duration of the drilling or excavating program and the control of other impacts that may arise. The precise nature of these controls will depend upon the location of the mineral exploration in respect to built-up areas and uses sensitive to noise and ground disturbance.
- c) Where there is ground disturbance, the developer shall provide a site restoration surety and/or other satisfactory guarantees of site landscaping to the Town.

2.13 MINERAL WORKINGS

Subject to the approval of the Mineral Lands Division of the Department of Natural Resources, the Town can allow mineral workings in areas where there are known aggregate supplies and where there is not likely to be conflict between mineral workings and other uses. These mineral workings are subject to controls that will minimize environmental damage and conflict with other land uses and ensure that inactive areas are properly landscaped.

2.14 MUNICIPAL STEWARDSHIP PROGRAM

This section incorporates, through direct citation or paraphrase, the key policy and regulatory elements of the Eastern Habitat Joint Venture Municipal Stewardship Agreement for the Town of Happy Valley - Goose Bay, signed on the 22nd of June 2004.

- (1) Agreements provide both direct and indirect protection to the community wetlands through the establishment of *Stewardship Zones* and *Management Units*. Any amendment to the content or boundaries of the Stewardship Zones and Management Units would require a change to the Stewardship Agreement.
- (2) Stewardship Zone
 - a) The Stewardship Zone encompasses all 'major' wetlands within the Town and Planning Area boundary as shown in the Appendix.
 - b) Under the Stewardship Agreement the Town and its residents become stewards of the wetlands within this zone. When deciding whether or

how to allow a new development or endeavour in the Stewardship Zone, the Town shall take into account the value and vulnerability of the potentially affected wetlands. The Town commits to eliminate or minimize the effects of human activity on wetlands within the Stewardship Zone.

- c) For areas within the Stewardship Zone the Eastern Habitat Joint Venture will provide consultation on wetland habitat enhancement, wetland interpretation, impact assessment and mitigation of wetland development, alternatives to wetland development.

(3) Management Units

There are two Management Units within the Town - one north-west of the Airport at the head of Otter Creek, and the other next to the Churchill River below the Hamilton River Road.

- a) Management Units are those wetlands defined in consultation with the Eastern Habitat Joint Venture as critical to waterfowl.
- b) Since the Management Units are areas on which waterfowl depend for nesting, brood rearing or staging, they require more protection than the overall Stewardship Zone.
- c) Under the Municipal Plan and Development Regulations these areas are designated and zoned Environmental Protection - Management Units (see Section 12) and development and access by motorized vehicles via trails is carefully controlled or in some instances prohibited.
- d) Lands designated Environmental Protection which are also Management Units are shown on the Future Land Use Maps as Environmental Protection - MU to signify that additional restrictions on access and development may be required in sensitive areas.
- e) Non-consumptive and non-destructive human activities, like hiking, canoeing and birdwatching are permitted within the Management Units.

See also Section 2.17 - Waterways and Wetlands.

2.15 ROADS - TRANS LABRADOR HIGHWAY AND OTHER ROADS

- (1) Trans Labrador Highway - in order to protect the Trans Labrador Highway as a major highway, individual accesses (driveways) to this highway are prohibited. Access to the Highway is subject to the approval of the Town and the Department of Transportation and Works.

- (2) Access to the undeveloped portion of the North West River Road is controlled.
- (3) The area around the bridge across the Churchill River is protected by the Environmental Protection designation.

2.16 SOLID WASTE DISPOSAL SITE BUFFER

A 1.6 kilometre radius buffer is set out around the current solid waste disposal site ('sanitary land fill') off North West River Road. Any development within this buffer area must be assessed and approved by the Government Service Centre of the Department of Government Services before it is approved by the Town.

2.17 WATERWAYS AND WETLANDS

- (1) The Provincial policy is to protect waterways and wetlands. These policies are set out in statutes, particularly the Water Resources Act, the Environmental Protection Act and various policy directives, including Newfoundland and Labrador and Policy Directives W.R. 91-1 - Infilling Bodies of Water, W.R., W.R. 97-1 - Development in Shore Water Zones and W.R.-97-2 - Development In Wetlands. The Lands Act provides for a 15 metre Crown Land reserve along all Crown waterways, although in certain instances it is 10 metres. However, Depending upon the nature of the property title, this may be further varied. Provincial policy restricts development 15 metres of a waterway or wetland to uses which are relatively benign, and/or cannot be located elsewhere.
- (2) Sound environmental and engineering practice and protection of the Town's amenities make it the general policy of the Town to protect as much as possible all waterways and wetlands of the Happy Valley - Goose Bay Municipal Planning Area.
- (3) A protective buffer of undisturbed soil and vegetation shall be preserved along the shoreline of all waterways and wetlands, except very minor ones. The buffer shall be sufficient to prevent erosion, retain natural drainage features, prevent siltation, preserve public access and protect fish habitat.
- (4) Subject to the appropriate approvals and reviews, only trails and accessory uses and uses requiring direct access to a body of water may be permitted in these buffer areas.
- (5) The matter of adequate and usable legal public access to the waterway may be used as a consideration in the review of an application for a structure within a buffer and/or waterway.

- (6) Any activity that has the potential to affect fish habitat shall be forwarded to Fisheries and Oceans Canada for review.

The minimum buffer is measured from the ordinary high water mark as shown on the Future Land Use Maps of the river, stream, pond, lake or other body of water and wetland, or, if the embankment is steep, then the buffer is measured from the top of the embankment.

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

See also Section 2.14 - Municipal Stewardship Program.

2.18 WATER SUPPLY PROTECTION

The wells tied into the Town's municipal water supply system are protected under the Municipal Plan by a 1.2 kilometre radius buffer that overlays other designations except where it intersects Government of Canada Department of National Defence property which is designated Airport and Defence and the Churchill River.

No development is permitted that is likely in any way to interfere with the property functioning of the well field wells and this includes restrictions on certain uses of land that could pollute the wells.

The provisions of the Development Regulations concerning public water supply shall comply with provincial policy.

All development within the Well field Protection Area shall be approved by the Department of Environment and Conservation before approval is granted by the Town.

2.19 WIND MILLS, WIND TURBINES AND OTHER ENERGY FORMS - "UTILITIES"

Wind Mills, Wind Turbines

Subject to specific area characteristics, such as proximity of other developments that may be sensitive to the aural, visual (aesthetic) and environmental impacts, wind mills, wind turbines and wind farms can be allowed in certain designations.

Such facilities (utilities use class under the Development Regulations) must be approved by all relevant Provincial and Federal departments and agencies and public utilities before a permit is issued by the Town.

Wind farms, which are grouped wind mills and wind turbines, and other large scale facilities, can only be allowed away from developed areas and after full review by other agencies, particularly, in light of the military and civilian aviation activity in the area - the Department of National Defence and Transportation Canada.

Other Energy Sources

In addition, the Town can consider for approval small hydro projects, solar energy systems, fuel fired generators and other alternate energy forms for approval – subject to the necessary approvals.

Unless the use is purely accessory to a development, for example, a solar panel on a dwelling roof, these uses fall within the utility use class under the Development Regulations.

3 DESIGNATIONS

3.1 RESIDENTIAL DESIGNATION

The Residential designation is applied to existing and future residential areas of Happy Valley - Goose Bay and its Planning Area.

The Residential Designation enables the Town to zone for a wide array of residential uses and other uses that are compatible with residential uses. Under this designation the Town can zone for different mixes of housing types and different mixes of compatible non residential uses.

Subject to conditions specified in the Development Regulations, accessory buildings and uses, conservation, public utilities, recreational open space and trails are allowed.

3.2 MIXED DEVELOPMENT DESIGNATION

The Mixed Development designation is mainly applied to the historic main business area of Happy Valley, which includes a mix of businesses, public buildings and uses and dwellings. It can also be applied to other areas where it is desirable to encourage a mixture of residential and other development.

The Mixed Development designation allows for residential, commercial, public and institutional, assembly, and industrial, transportation and other compatible land uses as permitted and discretionary uses.

Subject to conditions specified in the Development Regulations, accessory buildings and uses, conservation, public utilities, recreational open space and trails are allowed.

3.3 COMMERCIAL DESIGNATION

The Commercial Designation is applied to major commercial sites. Residential development can be allowed provided it does not interfere with businesses.

The Commercial Designation allows small and large scale commercial, public and institutional and general and light industrial uses that benefit from location along an arterial or other major roads. This designation also allows assembly uses, medical care, educational, transportation and other uses.

No hazardous industrial uses are permitted under this designation.

Subject to conditions specified in the Development Regulations, accessory buildings and uses, conservation, public utilities, recreational open space and trails are allowed.

3.4 PUBLIC DESIGNATION

The Public Designation is applied to sites of major public and institutional uses, including the Melville Hospital, College of the North Atlantic and Mealy Mountain Collegiate.

The Public Designation is primarily designed to accommodate large scale institutional developments such as educational and health care facilities and assembly uses. Included among the permitted uses are apartment buildings which can also be used to accommodate seniors' housing, collective residential (residences for schools and hospitals and similar facilities) and public buildings and offices. Other compatible uses, including places of worship and cemeteries, are allowed as well.

Subject to conditions specified in the Development Regulations, accessory buildings and uses, conservation, public utilities, recreational open space and trails are allowed.

Windmills and other alternative energy forms (Section 2.20) can be allowed as a discretionary use, provided that such uses are compatible with the existing and future development of the area.

3.5 AIRPORT AND DEFENCE DESIGNATION

The Airport and Defence designation is applied to Goose Bay Airport and Department of National Defence lands and other major blocks of Government of Canada lands in the general vicinity of the Airport, along Hamilton River Road and the tank farms on the east side of Hamilton River Road.

Development within this designation is controlled by the Government of Canada.

3.6 INDUSTRIAL - COMMERCIAL DESIGNATION

The Industrial - Commercial designation is applied to areas where it is deemed desirable to allow commercial and other uses within a predominantly industrial area.

Permitted uses in this designation are general industry, light industry, transportation and commercial, business and personal service and office uses.

Facilities for the recycling of paper, metals and other products can only be allowed if there is no outdoor storage.

Subject to conditions specified in the Development Regulations, accessory buildings and uses, conservation, public utilities, recreational open space and trails are allowed.

Utilities can be allowed as a discretionary use, provided that such uses are compatible with the existing and future development of the area.

3.7 INDUSTRIAL - COMMERCIAL NORTH SIDE DESIGNATION

Indicated on Future Land Use Map 2 as Industrial - Commercial North Side the North Side Industrial Park takes in the former R.C.A.F. portion of the Goose Bay Airport which, though physically part of the Airport, now lies outside the Airport proper. It is being developed for a mixture of airport and non-airport related industrial and commercial uses in a comprehensively planned manner.

To ensure that development in the North Side Industrial Park is compatible with the civilian and military Airport operations, any uses within this designation can only be approved by the Town after it has been reviewed, and if necessary, approved, by the Goose Bay Airport Authority, the Department of National Defence – CFB 5 Wing or its successor – and/or other relevant Federal and Provincial agencies. The North Side Industrial Park shall be zoned Industrial Commercial North Side on the Land Use Zoning Map.

Every attempt will made to ensure that development occurs within the framework of a comprehensive plan.

Permitted uses in this designation are general industry, light industry, transportation and compatible commercial, business and personal service and office uses.

Subject to conditions specified in the Development Regulations, accessory buildings and uses, conservation, public utilities, recreational open space and trails are allowed.

Utilities can be allowed as a discretionary use, provided that such uses are compatible with the existing and future development of the area.

3.8 INDUSTRIAL DESIGNATION

The Industrial Designation is primarily designed to accommodate heavy industrial and light industrial uses, transportation and compatible commercial and other uses as permitted uses. Scrap yards, mineral workings and hazardous industry, including tank farms, are to be treated as discretionary uses.

This designation may be applied to other planned industrial parks and sites as the need arises.

Subject to conditions specified in the Development Regulations, accessory buildings, accessory uses, conservation, public utilities, recreational open space and trails are allowed.

Utilities can be allowed as a discretionary use, provided that such uses are compatible with the existing and future development of the area.

3.9 RURAL DESIGNATION

The Rural Designation is designed to allow uses best suited for a non-urban location lacking municipal services.

Permitted Uses in this designation are; antenna, cemetery, conservation, forestry, public services and public utilities, recreational open space, seasonal residential in areas zoned seasonal residential under the development regulations and transportation.

Discretionary Uses in this designation are agriculture, animal, campground, general industry, mineral exploration, mineral working, scrap yard, seasonal residential in areas zoned rural under the development regulations, single dwelling, solid waste disposal and utilities.

General industry is limited to the repair and maintenance of equipment, processing and storage related to agriculture, forestry, mineral working and/or solid waste disposal uses. General industrial uses shall be located on the same site as the primary use.

Agriculture, mineral exploration, mineral workings, scrap yards and solid waste disposal sites shall be suitably buffered and set back from residential zones and waterways and wetlands in accordance with this municipal plan and the development regulations. Areas with high concentrations of seasonal residences shall be zoned Seasonal Residential under the Development Regulations. Seasonal Residences shall be a permitted use within the Seasonal Residential Zone. Within areas that are zoned Seasonal Residential development is limited to uses compatible with seasonal residential development.

Subject to approval by the relevant provincial and federal agencies Seasonal Residential discretionary use within a Rural Zone under the Development Regulations may only be permitted if the Town is satisfied that it will not create an obligation to provide municipal services and that it will not have a negative impact on resource exploration and development within the Rural designation and zone.

A single dwelling may only be permitted as a use accessory to an agricultural operation.

3.10 AGRICULTURE DESIGNATION

The Agriculture designation is applied to specific large scale agricultural properties and areas where a high level of protection is needed to ensure the continued success of the agricultural operations.

Agriculture, forestry, mineral exploration, recreational open space and appropriate accessory buildings and uses are permitted in this designation.

Utilities can be allowed as a discretionary use, provided that such uses are compatible with the existing and future development of the area.

3.11 RECREATIONAL OPEN SPACE DESIGNATION

The Recreational Open Space Designation is primarily used to accommodate outdoor oriented recreational uses and other compatible uses.

Permitted uses include campgrounds, outdoor assembly (major playing fields, race tracks, etc.), cemeteries and recreational open space and trails.

Indoor assembly, marinas and uses accessory to marinas, and mineral exploration classed as development can be allowed.

Other compatible uses can be permitted in this designation.

Subject to conditions specified in the Development Regulations, accessory buildings and uses, conservation and public utilities, are permitted.

Utilities can be allowed as a discretionary use, provided that such uses are compatible with the existing and future development of the area.

3.12 ENVIRONMENTAL PROTECTION AND MANAGEMENT UNIT DESIGNATIONS

The **Environmental Protection Designation** is designed to protect environmentally sensitive areas, including major wetlands and waterways and where appropriate due to scale and location in relatively undeveloped areas – archaeological sites.

The permitted uses in the Environmental Protection designation are conservation and domestic cutting operations (forestry use class). The only discretionary uses in the Environmental Protection Designation are public services and public utilities, recreational open space and trails and utilities.

Where necessary to protect wild-fowl habitat, trails for motorized vehicles can be limited or even prohibited within the **Environmental Protection - Management Unit Designation** as described under Section 2.14 of this Municipal Plan.

All development under either designation is subject to the approval of the Minister of Environment and Conservation before a permit is issued by the Town.

3.13 PUBLIC UTILITY DESIGNATION

The Public Utility Designation is applied to major Newfoundland Hydro and Newfoundland Power transmission line corridors and facilities together with major trunk water and sewer corridors and the town's sewage treatment plan. Public utilities, utilities and related facilities and recreational open space and trails are allowed under this designation.

Development in these corridors is subject to the approval of the appropriate agencies and authorities.

3.14 LIGHT INDUSTRIAL DESIGNATION

The Light Industrial Designation is applied to areas exclusively set aside for warehousing and other low impact light industrial development.

Permitted uses in this designation are antenna, conservation, light industry (limited to warehouses only), public services and utilities and offices accessory to a light industrial use.

Discretionary uses in this designation are mineral exploration, recreational open space and utilities.

Except for offices, no accessory uses shall be allowed.

3.15 CENTRE GOOSE BAY DESIGNATION

The Centre Goose Bay Designation is established to accommodate a major comprehensively planned multi-purpose development anchored by major shopping facilities at the junction of Hamilton River road and the Trans Labrador Highway as shown on Future Land Use Map 2.

Uses that can be entertained for approval as permitted or discretionary uses include uses within the following Use Groups of Schedule B of the Development Regulations;

- Assembly Use Group - except for the campground use class

- Institutional Use Group - except for penal and correctional detention use class
- Residential Use Group - except for seasonal residential and mobile homes
- Business and Personal Service Use Group
- Mercantile Use Group
- Industrial Use Group - Service Station Use Class only
- Non-Building Use Group - Agriculture (horticultural operations only). Forestry (tree nursery only). Antenna, Conservation, Recreational Open Space and Transportation only.

Unless it is an existing development or parcel of land having frontage on Hamilton River road, all development within this designation is subject to a comprehensive plan and development agreement which has been approved by the Town and subject to the standards established by the Town. However, no development will be permitted to have a negative effect upon the overall development of this designation and the implementation of the comprehensive development plan, including the development of services and accesses for the comprehensive development.

All development in this designation shall be connected to the Town's municipal water and sewer system.

APPENDIX

MUNICIPAL STEWARDSHIP AGREEMENT

APPENDIX

INDUSTRIAL LAND USE STRATEGY