

Flatrock Municipal Plan 2024 - 2034



PLAN-TECH



ENVIRONMENT

June 10, 2024

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1.0 INTRODUCTION

1.1 Foreword

The *Town of Flatrock Municipal Plan 2024-2034* establishes guidelines for the sustainable management of development on lands contained within the Flatrock Planning Area Boundary (PAB), as illustrated on the Generalized Future Land Use Map (GFLUM) by setting out a ten-year land use strategy. This Plan provides a policy framework for the Development Regulations to be administered by Council through development and subdivision permits.

In guiding the physical improvement and sustainable growth of the community, the Plan indicates the location and timing of residential development, and the general layout and scheduling of capital works to support development such as: maintenance related to municipal servicing, road works, and pursuing economic development opportunities.

It also identifies plans to address the environmental, social, cultural, economic, and governance needs of the community. As required under the *Urban and Rural Planning Act, 2000*, hereby referred to as “the Act,” all relevant planning issues have been reviewed in the preparation of this Plan and are presented in this document.

The Plan additionally serves as the basis for preparation of the companion regulatory planning document, the Development Regulations. The Regulations address land use zones, development standards and terms and conditions, advertisement and subdivision requirements in support of the Plan’s policies. A Land Use Zoning Map also accompanies the Regulations. Once registered, the Town Council administers the Municipal Plan and Development Regulations through its review of development permits and subdivision applications, and all other proposed land development inquiries.

1.2 Plan Contents

The Town of Flatrock Municipal Plan, 2024-2034, consisting of this document and the associated Generalized Future Land Use Map, constitutes a legal document once approved in accordance with the Act. It proposes the allocation of land for various uses, and includes Council's *vision* (goals, objectives and policies); the plan for the sustainable development of the community; and the timing and costs of recommended capital works over the next decade.

1.3 Flatrock Municipal Plan Review

The Town of Flatrock was incorporated in 1975. The Town introduced its first Municipal Plan in 1988. The preceding Flatrock Municipal Plan was drafted in 2015 and this is a comprehensive review of that Plan. This 2024 Municipal Plan updates and accommodates various amendments made to the original documents.

A Municipal Plan guides growth and development within a Municipal Planning Area. It provides a means of preventing the kind of problems that occur when incompatible land uses take place close proximity to each other. It directs future growth so that it occurs in a manner in which municipal services and land resources are used most efficiently, thus preventing unnecessary increases in servicing costs that would result if development became needlessly spread out. It also ensures that aspects of land development like safety, aesthetics and environmental protection are given proper consideration. The aim of planning is to protect and enhance the qualities of the Planning Area that make it a healthy, prosperous and pleasant place in which to live and work.

1.4 Plan Preparation and Consultation

This Plan was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*. The Plan documents are based on a review of current land uses, available mapping, and other studies of the community and on Council's perception of the land use problems facing the community, opportunities for improvements to its physical environment, and the direction of

future growth. Community and stakeholder consultation have also been pursued in the planning process.

In 2021, the Town Council passed a resolution to undertake a review of the Town's Municipal Plan and Development Regulations. The resolution was forwarded to the Department of Municipal and Provincial Affairs along with a request to initiate an internal provincial consultation process through the Interdepartmental Land Use Committee (ILUC) to solicit feedback from various departments and agencies that may have an interest in land within the Flatrock Planning Area Boundary and the municipal planning process.

Input from Government Departments and Agencies received through the Interdepartmental Land Use Committee (ILUC) have been detailed and positive in support of provincial policy. The Municipal Plan is now the vehicle to relay government policy at the municipal level. Government responses through and municipal policy are more thoroughly discussed under section 4.2, General Land Use Policies.

Input from the ILUC Committee include:

- Approvals from the Government Service Centre, Department of Digital Government and Service NL, are required prior to the start of construction.
 - Preparation and submission of documents must meet the requirements of the *Urban and Rural Planning Act, 2000* including public consultation.
 - The provincial *Highway Sign Regulations* apply within 100 metres for the centreline of all highways constructed and maintained by the Department of Transportation and Infrastructure.
 - Approval from Water Resources Management Division, Department of Environment and Climate Change for any work within any body of water (including wetland), non-domestic water uses, within shore water zones, within or adjacent to a protected public water supply area prior to the start of construction,
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- Any infilling within 15 metres of a body of water must be by permit issued by the Water Resources Management Division, Department of Environment and Climate Change prior to the start of any infilling.
 - Existing and potential agricultural development should be supported.
 - Minimum separation distances should be applied to new developments near existing livestock operations in keeping with environmental guidelines for livestock and poultry producers.
 - Zoning should recognize Crown land applications.
 - GIS and Mapping Division, Department of Fisheries, Forestry and Agriculture must be contacted if any works within the Town have the potential of affecting an existing control survey marker.
 - The Wildlife Division, Department of Fisheries, Forestry and Agriculture identified sightings of Peregrine Falcon as a vulnerable species under the *Newfoundland and Labrador Endangered Species Act* and to be contacted prior to allowing development within 800 metres of any cliff.
 - The Climate Change Branch, Department of Environment and Climate Change outlined results of climate change such as more precipitation and more frequent extreme weather events which may result in increased flooding, storm surges and coastal erosion. The Climate Change Branch recommends that these climate change impacts be considered when allocating land for development in areas in proximity to rivers, floodplains, and the coastline.
 - The Climate Change Branch outlined results of climate change such as more precipitation and more frequent extreme weather events which may result in increased flooding, storm surges and coastal erosion. The Climate Change Branch recommends that these climate change impacts be considered when allocating land for development in areas in proximity to rivers, floodplains, and the coastline.
 - The Geological Survey of Newfoundland and Labrador supports policies requiring a review of new development in areas with slopes greater than 15 percent; preventing development in areas known to be subject to flooding; and establishing buffers along
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waterways, wetlands, and the marine coastline and estuaries. Furthermore, the Geological Survey of Newfoundland and Labrador recommends that: future development be restricted in areas below the 4 metre above mean sea level along the marine coastline and estuaries as areas below this contour are highly vulnerable to coastal flooding; the Town consider the effects of relative sea level risk projections as the frequency of geological hazards will likely increase; the Town recognize that storm surges are forecast to increase in intensity and frequency; a minimum setback of 30 metres from the cliff edge be established to recognize cliff erosion rates and associated risks; and disturbances such as changes to ground surfaces and the removal of sediment and/or vegetation within the coastal setback be avoided.

- The Provincial Archaeology Office, Department of Tourism, Culture, Arts and Recreation identified one archaeological site that are protected under the *Historic Resources Act, 1990*. The site is a WWII Observation Post known as the Beamer. The site is not to be disturbed.

Various meetings were held with Town staff, Council and residents to discuss challenges and opportunities, council priorities and rationale for preparing an updated Municipal Plan and Development Regulations for the community. As part of its background research Plan-Tech Environment Ltd. personnel conducted several site visits to the community.

1.5 Bringing into Legal Effect

The *Act* sets out the process for bringing a Municipal Plan and Development Regulations into legal effect. When Council is satisfied with the draft Municipal Plan and Development Regulations, Council adopts these planning tools and notifies the Minister of Municipal and Provincial Affairs. A Public Hearing of Objections is arranged as per section 16 (1) of the *Act* and notices are published announcing the time and place of the hearing. The commissioner appointed to conduct the hearing reports to Council and the Minister of Municipal and Provincial Affairs on any representations made. By resolution Council approves the Municipal Plan and Development Regulations and requests Registration by the Minister. Notice of the Minister's approval is published in the Newfoundland and Labrador Gazette and the local newspaper, and the Plan

comes into legal effect on this date.

1.6 Plan Review and Amendment

In accordance with section 28(1) of the *Act*, 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.

1.7 Plan Administration

Upon being approved and registered by the Minister, the Town of Flatrock Municipal Plan is legally binding upon Council and all other persons, corporations and organizations as per Section 12 of the *Act*.

Council shall administer the Town's Municipal Plan in several ways:

- By preparing land use zoning and subdivision regulations prepared and approved at the same time as the Municipal Plan.
- By issuing development permits to residents wishing to develop or adaptive reuse of a building or to subdivide in accordance with regulations, and
- By undertaking the capital works and development schemes outlined in the Plan when the financial resources are available.

Council shall conduct a five-year review of this Plan and revise it to provide for the next 10-year period in accordance with Section 28(1) of the *Act*. Amendments may be made at any time prior to the five-year review in response to new development proposals or changed community priorities as outlined in Section 35(5) of the *Act*. These amendments must follow the process

outlined in Sections 14 to 25 of the *Act*.

1.8 Interpretation

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

The general terms referred to hereinafter are defined as follows:

- “Council” shall mean the Council of the Town of Flatrock.
- “Municipal Planning Area” shall mean the Flatrock Municipal Planning Area.
- “Town” shall mean the Town of Flatrock.

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.

1.9 St. John’s Urban Region Regional Plan

In considering the position of Flatrock 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.
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- 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 junior 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 such as the fishing industry. 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.
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- 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 Flatrock:
 - 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.

2.0 PLANNING CONTEXT

2.1 Background

The Town of Flatrock is located approximately 12 km northwest from St. John's on Route 20. The older section of the Town is situated off Route 20, along Wind Gap Road around the cove and the newer section extends along Route 20 for 4 km towards the north. The Flatrock Municipal Planning Area, which coincides with the Flatrock Municipal Area, covers an area of about 21 km².

2.2 Settlement History and Land Use Patterns

The Town of Flatrock was first settled around 1762. Historically, the major source of employment was found in fishing and agriculture. At present only a small percentage of the work force is engaged in the fishing and farming industries. Today, the emphasis has shifted from these base industries to the service and construction industries of St. John's. To a large

extent, Flatrock is a dormitory town. However, the nearness of St. John's enables residents of the Town to find employment in a wide variety of industries and occupations.

With the downturn in the fishery in recent years, the economy of the Town is now largely dependent on local businesses. In recent years, tourism has been playing an increasing role. Also, proximity of the town to St. John's allows residents to commute for employment opportunities.

A sufficient land base appears to be available to accommodate new business development should opportunities arise. Likewise, for other categories of land uses, such as Residential and Agriculture, a sufficient land base to the west is available to meet the requirements of the Planning Area for the next ten years. Generally, much of the area reserved for expansion of urban development under the previous version of the Plan remains substantially undeveloped.

2.3 Municipal Planning Area

The Town of Flatrock has a defined municipal boundary. The town's infill limits follow an historic pattern of settlement dating back more than 100 years as illustrated in Figure 1. The Planning Area Boundary is governed by Town Council, which exercises control over all development, environmentally sensitive areas, and amenities within the planning area.

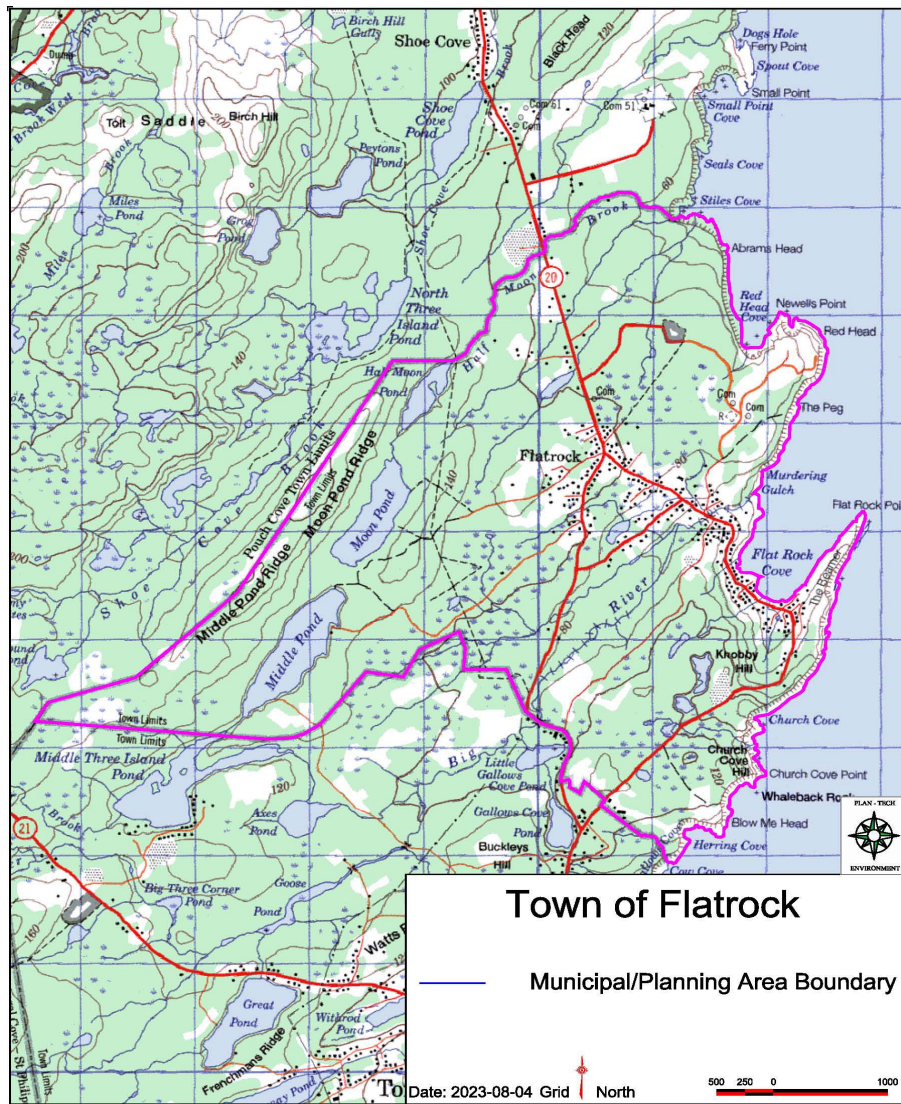


Figure 1: Town of Flatrock Municipal and Planning Area Boundary

2.3.1 Residential Uses

While Flatrock was once considered a low-density rural community, it is now undergoing modest residential growth and urbanization, 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 form of housing is the single-family detached house, located on larger unserviced lots.

The general topography of Flatrock ranges from a relatively flat terrain along Route 20 to a fairly steep valley along Wind Gap Road. Flatrock has two distinct geological areas. The older section of Town, along Wind Gap Road in the area of the harbour, is outlined with exposed bedrock with little soil cover. The area along Route 20 has moderate soil cover (in excess of four metres) with little evidence of exposed bedrock. This section does have isolated boggy areas and evidence of a high-water table. Inland from the coast and settlement, the terrain consists of forested lands with several ponds and is of considerable scenic value.

Currently, there are 675¹ private dwellings in the town, 638 of which are occupied by usual residents. Single detached dwellings number 590 and this continues to be the predominant housing type in Flatrock. There are no apartment buildings and very few buildings more than 2 storeys. Two-person households predominate at 220 and the average household size is 2.7 persons.

The 2021 census recorded 675 dwellings. Residential development in the form of single-family development is expected to continue. Council has been issuing better than 5 new dwelling permits each year which is down slightly from 2016, which had an average of 7 new dwelling units. Substantial new dwelling construction is occurring in all areas of Town on new streets such as Emma's Place, Kevin Butt Place, Hubert's Place, Adam's Place, and Wildberry Ridge just to name a few.

Census data for 2021 regarding household characteristics by tenure reveal there are 605 owners and 50 renters, while the 3-bedroom house predominates at 385 with 70 2-bedroom homes. The following Table 2.1 illustrates private households by period of construction and that more than half of the housing was built prior to 1981.

¹ Statistics Canada 2021 Census

Table 2.1 Dwellings by Period of Construction

Occupied private dwellings by period of construction	655
1960 or prior	55
1961 – 1980	90
1981 – 1990	115
1991 – 2000	40
2001 - 2005	75
2006 – 2010	65
2011 – 2015	145
2016 - 2021	75
Source: Statistics Canada 2021 Census Data	

Based on the Canada Mortgage and Housing Corporation’s (CMHC) affordability benchmark of shelter cost to income ratio (30%), in Flatrock of 655 owner/tenants, 615 spend less than 30% of their income on housing while 40 spend 30% or more, indicating that housing in the town is affordable. The average monthly shelter costs for owned dwellings in Flatrock is \$1,390 and \$1,201 for the province. The average dwelling price in Flatrock is \$368,000 and higher provincially at \$308,833.

Housing permits issued in Flatrock over the last five-year period average 7 per year. While economic conditions in the province have reduced spending from year-to-year, housing permits seem to be on the rise as shown in Table 2.2 following, indicating optimism in the marketplace.

Table 2.2 Housing Permits: 2016–2021

Town of Flatrock Housing Permits Issued 2016 - 2023	
2023	11
2022	22
2021	11
2020	13
2019	14
2018	9
2017	17
2016	7
Source: Town of Flatrock	

In the future, the municipality may experience changing housing needs as its population ages and household size become smaller.

2.3.2 Commercial Development

Flatrock has little commercial development with 5 businesses and 23 home-based businesses operating in the Town. Due to its proximity to St. John's the population the Town is becoming more of a bedroom community for people employed there. The Flatrock Municipal Plan does not have a specific 'Commercial' designation, however, the Mixed Use designation allows for certain commercial uses on a discretionary basis.

2.4 Demographic Trends

The following discussion of selected demographic indicators is based upon data available from Statistics Canada, Census Profile - 2021 Census. Information was also reviewed available on the Government of Newfoundland and Labrador website, Department of Finance and Community Accounts. This data is gleaned from various sources and tabulated by federal and provincial departments based on 2021 census data and the latest facts and statistics gathered by the province. Selected demographic indicators below are compared for provincial and municipal trends.

2.4.1 Population Characteristics

The Statistics Canada 2021 census data lists the population for Flatrock at 1722. According to the census data, the population of Flatrock has grown consistently since 1996. In the last two census periods Flatrock population has grown by 635 persons or 31% since 1996. Table 2.3 illustrates population change for the town since 1996 indicating a moderate and steady increase in the population. Meanwhile, the population of the Province of Newfoundland and Labrador has changed by +1.0% in the last census period.

Table 2.3 Flatrock Population Change: 1996–2021

Year	Population	Change	% Change
1996	1087		
2001	1138	51	4.7%
2006	1214	76	6.7%
2011	1457	261	14.2%
2016	1683	217	15.5%
2021	1722	39	2.3%

Source: Statistics Canada

2.4.2 Age Characteristics

As with provincial age group characteristics, Flatrock has an aging population. However, the municipality has experienced an increase in total population since the 1996 census, which may be attributed to the migration of individuals into the town from outlying areas in order to be closer to services. Tables 2.4 and 2.5 following, compare age group characteristics for the province and the municipality.

Flatrock 2021 population of 1,722 is almost evenly split between males and females. The population bulge age category 15 – 64 years, is 65.0% of the total population for both the municipality and the province. While the age group 0-15 years is slightly greater in the municipality at 19.7% vs. 14.3% provincially. Of note is the age group 65 - 84 years, which with a population distribution of 19.4% both municipally and provincially is larger than the age group 0-14 years. This reinforces that the province and Flatrock are experiencing an aging population. The average of Flatrock residents at 39.1 years, is slightly less than that of the province at 43.7 years.

Table 2.4 Age Group Characteristics: Flatrock vs. Province

Age characteristics	Flatrock			Province of NL		
	Total	male	female	Total	male	female
Total age groups	1500	730	770	519,715	253,930	265,790
0-14 years	295	140	155	74,440	38,200	36,240
15-64 years	975	495	485	344,245	168,555	175,695
65 years and over	230	100	130	101,025	47,170	53,855
85 years and over	10	0	10	9,360	3,245	6,125
100 years and over	0	0	0	60	20	75

Source: Statistics Canada 2016 Census Data

Table 2.5 Population Distribution: Flatrock vs. Province

% Population Distribution	Flatrock			Province of NL		
	Total	male	female	Total	male	female
0 to 14 years	19.7	19.2	20.1	14.3	15.0	13.6
15 to 64 years	65.0	67.8	63.0	66.2	66.4	66.1
65 years and over	0.7	0.0	1.3	19.4	18.6	20.3
85 years and over	39.1	38.8	39.4	1.8	1.3	2.3
Avg age population	39.3	39.7	39.0	43.7	42.9	44.4

Source: Statistics Canada 2016 Census Data

2.4.3 Household and Family Characteristics

In Flatrock there are a total of 460 census families in private households. Of these 395 identify as couple families (married or common-law) and 170 of those have no children, while 235 have children. There are 65 lone parent families and 45 have one child, 10 have 2 children and 10 are composed of 3 or more children.

2.4.4 Household Income 2021

The average total household income, as reported in 2016 for Flatrock is \$112,362 and slightly higher provincially at \$87,392. There are 70 households whose 2016 income was less than \$30,000 in that time period. There were 280 households in the municipality that reported a 2016 income greater than \$100,000.

2.4.5 Labour Force Status

Labour force status includes a municipality's total population 15 years that is eligible to be in the labour force. In Flatrock 1,175 individuals are in the labour force, while 390 are not in the labour force. The latter may be retired or not actively seeking work. There are 715 employed residents and 70 who are unemployed. The unemployment rate for Flatrock is 8.9% compared to a higher rate of 15.6% provincially. Thus, Flatrock residents have a higher participation in the labour force than the province as a whole.

TABLE 2.6: EMPLOYMENT BY INDUSTRY, FLATROCK 2021

Industry	Employees
Management Occupations	10
Business, Finance and Administration	175
Natural and Applied Sciences	55
Health Occupations	65
Education, Social and Government Services	115
Arts, Culture, Recreation and Sport	30
Sales and Services	240
Trades, Transport and Heavy Equipment	185
Natural Resources and Agriculture	55
Manufacturing and Utilities	15
TOTAL	955

Source: Statistics Canada 2021 Census Data

2.4.6 Education

The residents of Flatrock are well educated. About 1,750 individuals in private households, aged 15 years and over have achieved a high school certificate, diploma or degree while 225 have none. There are 285 individuals with a high school diploma or equivalent and 665 have a post-secondary diploma certificate or degree. The latter include the trades, college and university certificates,

diplomas and degrees at the bachelor level. Thirty individuals hold a Master's degree. Major fields of study include education, social sciences, business, management and public administration, architecture, engineering technologies, health care and personal, protective and transportation services.

2.5 Municipal Finance and Services

In December 2023, the Town Council of Flatrock adopted its Annual Operating Budget for 2024. The budget proposes that all rates and fees for 2024 shall remain unchanged for the coming year. Council's Balanced Operating Budget for 2024 with Revenues of \$2,733,497.49 and Expenses totaling 2,680,732.86.

The Town of Flatrock provides the usual municipal services: road construction and maintenance, snow clearing, street lighting, garbage collection, and recreational sites and facilities. The Town's major service expenditures are road construction and re-surfacing.

2.6 Summary

According to the 2021 census data, the community of Flatrock has experienced an increase in population since 2016, with a current total population of 1,722. The community enjoys steady employment rates, incomes almost on par with the province and housing prices that are affordable. The community has grown in the last decade and offers residents a favourable lifestyle in a pastoral rural setting that is within an easy commute to other larger centres.

2.7 A Strategy for Growth and Change

The development strategy for the Town of Flatrock, Municipal Plan 2024-2034 is to continue to reinforce the patterns of development that have evolved over the last number of decades. The emphasis will be on retaining and strengthening current land use patterns to minimize the inefficient use of land and services. The continued provision of commercial and community services, the enhancement of tourism, recreation and open space opportunities and the protection of significant environmental features and lands will be the focus of this plan.

3.0 VISION, GOALS AND OBJECTIVES

This section outlines the Town’s planning vision, goals, and objectives that will be pursued for the period. The vision statement establishes a broad picture of the community’s future – a future that Council will endeavour to achieve through the implementation of the policies and proposals outlined in the Municipal Plan. A goal is a desired state that reflects the long range desires of Council and is related to an area of concern. It is concrete, realistic, action-oriented and attainable within a period of three to five years. The realization of an objective should move the goal closer to reality. The community vision, goals and associated objectives were determined through consultation with Council and the public.

3.1 Community Vision

In 2010, the Town of Flatrock recently completed an Integrated Community Sustainability Plan (ICSP) as a collaborative project with the adjoining Towns of Pouch Cove and Bauline. The ICSP drafted a vision statement for Flatrock which defined the Town as:

“A prosperous, family-oriented and involved community, striking a balance between development and environmental sustainability while maintaining and enhancing its unique rural community character and natural environment.”

In order to achieve this *vision statement*, a number of goals have been identified to provide the foundation for specific objectives and land use policies as described in the following sections. The following community goals reflect the Vision Statement which will guide the Town of Flatrock over the next decade.

3.2 Community Goals

Based on a comprehensive background study of the Flatrock Planning Area, the following goals and objectives have been developed for a ten-year planning period. The goals and objectives also reflect the intent of the ICSP.

Goal A: Physical Structure

A1. To provide for development and allocate land for its best use which will enhance the viable functioning of the community.

A2. To encourage future growth in a manner that ensures land use compatibility and orderly development.

A3. To control future growth of the town in such a manner as to develop a balanced and attractive community.

A4. To preserve the rural character of the Town, allowing residents to maintain activities such as small-scale traditional agricultural uses creating problems to neighbouring residents.

A5. To protect the natural environment and natural resources throughout the Planning Area.

Objectives:

1. To allocate land for future development on the basis of its best use considering its physical characteristics and location.
2. 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.
3. To preserve scenic views of the shoreline, ponds and hills, recognizing their value to residents and visitors for recreation and tourism.

Goal B: Economic Development

B1. To encourage the continued operation of existing businesses through appropriate land use policies.

B2. To encourage the development of additional employment opportunities to serve the present and future population.

Objectives:

1. To support the development of facilities and attractions in promoting the tourism industry within Flatrock.
2. To encourage home-based businesses.

Goal C: Housing

- C1.** To provide for an adequate quality, quantity and mix of housing to serve the needs of the present and future population.
- C2.** To provide good quality residential site design and a high standard of municipal services.

Objectives:

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

Goal D: Transportation

- D1.** To provide a safe and efficient network of local roads that adequately serves the residents of Flatrock.

Objectives:

1. To maintain existing municipal roads through a regular maintenance and improvement program.
2. To improve the road network by connecting streets which require a second access.
3. To reserve land for future access to backland.

Goal E: Community and Social Services

- E1.** To provide a full range of community and social services to Flatrock.
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Objectives:

1. To ensure that land is reserved throughout the town for recreation and open space.
2. To ensure public access to the major natural features of the planning area such as the vistas, ponds, streams, and ocean shoreline.
3. To encourage the multi-functional use of existing community buildings/halls, etc.).

Goal F: Environment

F1. To provide a pleasant and safe living and working environment in Flatrock.

F2. To provide for the health, safety and welfare of the general public.

F3. To protect and enhance the natural environment for its aesthetic, recreational, tourism and resource values.

Objectives:

1. To promote a regular community “clean-up” program.
2. To discourage development in areas with slopes greater than 15%, recognizing that development in such areas can result in environmental damage and higher costs for servicing and maintenance.
3. To maintain a minimum 15 metre buffer of land from the highwater mark of ponds, lakes, streams and shorelines to be kept generally free from development.
4. To protect natural resources from degradation including water, air, soils, traditional agricultural land, forests and scenic areas.

Goal G: Municipal Finance

G1. To manage municipal expenditures and revenues so as to provide necessary municipal services within a framework of long-term financial stability.

Objectives:

1. To manage municipal expenditures and revenues so as to provide necessary municipal services within a framework of long-term financial stability.
 2. To manage the municipal debt, considering the Town's ability to meet its expenditures over the long term.
 3. To encourage a more diversified economic base to generate more revenues.
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Goal H: Recreation and Tourism

H1. To provide recreation facilities and develop new facilities to accommodate recreational and social needs for all age groups in the Town.

Objectives:

1. To encourage participation in the planning of recreational open space lands and encourage events such as the summer festivals, sporting events, and other attractions.
2. Develop public recreational areas and facilities in feasible locations which will service the maximum number of residents of the Town.
3. Promote the Town along with the East Coast Trail as a tourist attraction and encourage travelers to visit Flatrock.

4.0 THE LAND USE PLAN

The following policies with accompanying Generalized Future Land Use Maps constitute the land use component of the Flatrock Municipal Plan, 2024-2034. Included are policies which are seen as necessary by Council to ensure that the physical development of Flatrock is undertaken in an efficient and economic manner during the ten-year (2024 - 2034) life of this municipal plan.

4.1 Provincial Interests

According to the *Urban and Rural Planning Act, 2000*, government departments must be provided with an opportunity to provide input with respect to the Flatrock Municipal Plan, 2024-2034. The Department of Municipal and Provincial Affairs requested input from government departments by a referral to the Interdepartmental Land Use Committee. In addition, a review of the land use atlas was conducted to ensure that other government interests are identified.

The draft Municipal Plan and Development Regulations are reviewed by the Department of Municipal and Provincial Affairs to determine provincial interests. The Department may make recommendations for changes. Before registration, the adopted and approved Municipal Plan and

Development Regulations are reviewed by the Department of Municipal and Provincial Affairs to determine whether they are contrary to law or a policy of the province.

PI-1 Digital Government and Service NL Permits

It is the policy of Council that permits from the Government Service Centre, Department of Digital Government and Service NL, be provided to the Town prior to the issuance of a building permit.

PI-2 Water Resources

It is the policy of Council that a permit, issued under the *Water Resources Act, 2002*, be provided to the Town for any work in any water body, including a wetland, before work commences. Any effluent or runoff leaving the site must conform to the requirements of the *Environmental Control Water and Sewage Regulations, 2003*.

PI-3 Non-Domestic Water Use

It is the policy of Council that a proponent obtains a water use license, under the *Water Resources Act, 2002*, for any non-domestic water use from any water source for any purpose. This applies to all non-domestic water uses within an existing, new, or planned water use from any source.

PI-4 Infilling within 15 Metres of Bodies of Water

It is the policy of Council that no infilling shall occur within 15 metres of a body of water without a permit from the Department of Environment and Climate Change, Water Resources Management Branch, in accordance with the *Water Resources Act, 2002*.

PI-5 Survey Control Markers

There are approximately 18 survey control markers within the Flatrock Planning Area which are identified on both the Future Land Use Map and the Land Use Zone Map. It is Council's policy that all new land surveys be geo-referenced to an existing Control Survey Marker. Missing Survey Markers must be reported to the GIS and Mapping Division, Department of Fisheries, Forestry and Agriculture.

PI-6 Wildlife and Vulnerable Species

It is the policy of Council that due to sightings of the Peregrine Falcon; the Wildlife Division be contacted regarding and development within 800 metres of a cliff. The Wildlife requests that the Peregrine Falcon, which is listed as vulnerable under the provincial *Endangered Species Act*, be contacted regarding sightings.

PI-7 Stewardship Conservation Areas

Council is committed to protecting conservation areas identified in the Municipal Wetland Stewardship Agreement. Any proposals for development within the Stewardship Conservation Areas shown on the Generalized Future Land Use and Zoning maps shall be referred to the Wildlife Division, Department of Fisheries, Forestry and Agriculture. Council shall work with the Wildlife Division and the Eastern Habitat Joint Venture to develop a conservation plan for these conservation areas based on an all-bird conservation approach.

PI-8 Domestic Wood Cutting

It is the policy of Council to identify domestic harvest blocks on the Generalized Future Land Use and Zoning Maps. Within the areas identified as domestic harvest blocks, Council shall refer any applications for non-forestry related uses to the Forestry Branch, Department of Fisheries, and Agriculture. A cutting permit is required to cut timber on or remove timber from Crown Lands in accordance with the *Forestry Act*.

PI-9 Highway Signs

It is the policy of Council to refer all applications for signs within control lines of all provincial highway to the Government Service Centre, Department of Digital Government and Service NL for approval, if applicable, under the *Highway Sign Regulations, 1999*. The control lines extend 100 metres from the highway centreline.

PI-10 Climate Change

It is Council's policy to recognize climate change, and the environmental and physical impact of more frequent and extreme weather events, that may result in increased flooding, sea surge, coastal erosion and sea level rise.

PI-11 Development Below the 4.0 Metre Contour

It is the policy of Council establish development limits below the 4-metre contour along marine estuaries and the marine coastline to reduce the impact of flooding in low-lying areas. Where there is no established development pattern, physical structures and buildings shall not be permitted below the 4-metre contour. Where there is an existing development pattern below the 4-metre contour, Council may consider new land uses or the repair and extension of existing development subject to appropriate mitigation measures such coastal protection works or enhanced engineering standards. Council shall monitor lands above the 4-metre contour that may be at risk from coastal erosion, flooding, and sea surges and seek input from the Climate Change Branch, Department of Environment and Climate Change.

PI-12 Geological Hazards

It is Council's policy to recognize the hazards associated with storm surges, sea level rise and coastal erosion. Land within 30 metres of Flatrock Harbour, or within 30 metres of a cliff edge, shall not be developed for urban uses unless there is an established development pattern. Where there is an established urban development pattern, Council may permit new land uses, including structures and buildings, and the repair and extension of existing buildings and development subject to appropriate mitigation measures.

PI-13 Tourism Accommodation

All development providing tourism accommodation shall be registered in accordance with the *Tourism Accommodation Act*.

PI-14 Archaeological Sites

There is one known archaeological site located within the planning area and on record with the provincial archaeological office. This site is protected under the *Historic Resource Act, 1990*. The site is a WWII Observation Post which is located on southeast shores of Flatrock Cove located on a point of land known as “The Beamer”. This site is not to be interfered with.

4.2 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 Flatrock. They are therefore presented as a separate section of this Land Use Plan.

GLUP-1 Community Structure

It shall be Council’s policy to direct new development in accordance with the Generalized Future Land Use Map, as amended from time to time, and in accordance with the policies of this Plan. Generally, new residential development shall be located in areas of Town that can easily and economically serviced. New commercial and business development shall be concentrated along the Pouch Cove Highway especially in areas designated Mixed Use.

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 and Provincial 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.

GLUP-2 Subdivision Policies

It shall be Council’s policy that all proposed subdivision developments shall be subject to a comprehensive evaluation by the Town. The content of this evaluation will be detailed in the Flatrock 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
- A review of municipal servicing proposals by the developer and the public costs of providing and maintaining these services.

GLUP-3 Non-conforming Uses

It is the policy of Council, in accordance with Section 108 of the *Urban and Rural Planning Act, 2000*, to recognize that any development or land use that legally exists on the day this Plan comes into effect, may continue. Where a building or use exists which does not comply with the intent of the Plan and the designation use, it shall not be allowed to substantially expand. Minor extensions may be approved provided there will be no adverse effects on surrounding properties or the environment and a change from one non-conforming use to another more acceptable use may be permitted.

GLUP-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 Deed of Conveyance prior to Council assuming ownership.

GLUP-5 Development Agreement

It shall be Council's policy as a condition of approval, to require the developer to enter into a development agreement with the Town.

GLUP-6 Public Open Space

It shall be Council's policy that 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, parks, 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 fair market value of the land which would otherwise be required to be dedicated.

GLUP-7 Easements, Right of Way and Emergency Access

It shall be Council's policy that where land is required for utility easements, a Right of Way or emergency access, such land shall be obtained for the appropriate agency while approving subdivision or other development applications.

GLUP-8 Soils and Drainage

It shall be Council's policy that development shall only be permitted on lands having soil and drainage conditions which are suitable to permit the proper siting and development of the proposed uses.

GLUP-9 Building Setbacks

It shall be Council's policy that building setbacks from roads shall be provided in accordance with the Flatrock Development Regulations to preserve the right-of-way widths specified in this Plan. Such setbacks should be sufficient to allow appropriate landscaping and to permit the parking and movement of vehicles clear of any road allowance.

GLUP-10 Access to a Public Street

It shall be Council's policy that all development shall front onto a publicly maintained street, unless otherwise specified in this Plan.

GLUP-11 National Building Code of Canada

Council shall direct developers to the latest edition of the National Building Code of Canada to ensure that new energy efficiency requirements are followed for all new development.

4.3 Environmental Policies

EP-1 Preservation of Trees

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.

EP-2 Protection of Watercourses, Wetlands, Fish and Waterfowl Habitat

Rivers, streams, ponds, and shorelines shall be protected from pollution. The existing vegetation shall be maintained along banks and shorelines where possible. No development shall be permitted within a minimum of 15 metres to 30 metres of a watercourse without approval from the Department of Environment and Climate Change and if fish habitat is affected, from Fisheries and Oceans Canada.

EP-3 Alterations to the Natural Environment

Development proposals for altering the natural environment shall include plans for grading, ditching, and landscaping. Significant alterations (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.

EP-4 Land for Environmental Protection

When considering a subdivision or other major development, it is the policy of Council to require portions of the development site to be set aside from development or the clearing of vegetation in order to reduce and control stormwater drainage, erosion, and other environmental impacts. Section 13(3) of the *Urban and Rural Planning Act 2000* provides Council with the Authority to require land to be set aside for environmental purposes. Land for such purposes shall not be included in the calculation of land for public use as set out in Section 37(1) of the *Act*.

EP-5 Mineral Workings

The adverse effects of mining, quarrying and mineral exploration 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.

Mineral exploration shall be permitted in the planning area as set out in the policies of this Plan and conditions of the Flatrock Development Regulations. Aggregate mining and extraction shall only be permitted with the approval of a quarry permit from the Mineral Lands Division, Department of Industry, Energy and Technology and approval of the Town of Flatrock.

EP-6 Quarries and Aggregate

Currently, there are no areas covered by a quarry permit or quarry lease in the Flatrock Planning Area and there are no identified areas of aggregate resource potential.

EP-7 Storm Water Management

Managing stormwater runoff is becoming increasingly challenging through the incidence of more intense storms and further urban development resulting in increased water runoff. Council shall require land to be developed on the basis of zero net runoff unless otherwise approved. Council shall encourage alternative zero net methods of storm water management such as retention ponds and other techniques that decrease water run-off.

- Where possible, the Town shall encourage and support development designs and infrastructure that incorporate stormwater best management practices. The Town may require land to be developed on the basis of zero net runoff.
 - Development shall be designed so that run-off from the development does not negatively impact adjoining properties.
 - Proposals for development, including the clearing of land, shall include plans to manage stormwater runoff to prevent sedimentation and excessive flooding.
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Ep-8 Habitat Management Plan

The Town of Flatrock has signed a Municipal Wetland Stewardship Agreement which is an important link in wetland conservation. Through this agreement, the town agrees to manage wetlands within its jurisdiction with technical advice from the partners of the Eastern Habitat Joint Venture.

The Goals of the Habitat Management Plan are to:

- To conserve wetlands and associated uplands located within designated Management Units and to promote enhancement and/or restoration of those areas.
- To maintain and/or increase wildlife use of those areas, particularly by waterfowl and other avian species.
- To increase public education and awareness of the importance of wetland habitats for conserving waterfowl and other wildlife as well as for other wetland functions.

The Management Plan benefits are the maintenance of healthy wetlands and populations of waterfowl, other species and water quality. The Plan presents opportunities for canoeing, hiking, photography, bird watching, and an opportunity to learn more about nature, especially wetlands and waterfowl conservation.

EP-9. Stewardship Agreement

With the signing a Municipal Wetland Stewardship Agreement, the Town of Flatrock shall:

- Ensure that significant wetland and upland areas designated as Management Units are protected from destruction or degradation and to contact the Wildlife Division in a timely manner when activities are proposed that may habitat.
 - Incorporate the Stewardship Agreement and Habitat Conservation Plan into its Municipal Plan with the assistance of the Wildlife Division.
 - Educate residents and development planners about the stewardship program and their responsibilities, with the assistance of the EHJV partner.
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- Implement, over time, the Habitat Conservation Plan recommendations in the community at large with the assistance of the EHJV partners.
- Participate in the Stewardship Association of Municipalities Inc (SAM), a province-wide organization made up of municipalities which have signed Stewardship Agreements.

EP-10. Stewardship Zones

Stewardship Zones has been established within the Town of Flatrock Planning Area Boundary for the protection of wetlands and waterfowl habitats. The rural lands located to the west of the existing developed area of the Town have been designated as Stewardship Zone.

Applications for development located within the Stewardship Zone and within wetland areas shall be reviewed by Council to ensure that sensitive waterfowl habitats are preserved and protected. Council shall refer development proposals within sensitive wetland habitat to Wildlife Division, Department of Environment and Conservation, for review and comment. Council may use mitigating measures to reduce any habitat degradation that may result from development within the Zone.

EP-11. Management Units

Preliminary field assessments of wetlands within the planning boundaries of Flatrock were conducted in the summer and fall of 2010 by the staff of the Wildlife Division. The goal of these assessments was to determine the viability of particular areas within the municipal boundaries for waterfowl and wetland stewardship, protection and enhancement.

Little Pond, Long Pond, Muddy Pond, Sinnots Pond and Kennedy's Pond have been identified as Management Units. All but Sinnots Pond have a 50 meter no development buffer. Sinnots Pond has a large wetland area identified which encompasses both sides of Wind Gap Road and is more clearly defined on the Future Land Use Map. Passive recreation uses shall be permitted provided they do not disturb or destroy wetlands or waterfowl habitat.

EP-12. Review Process

Stewardship Zone Development Proposal Process:

- Where a development is proposed within the Stewardship Zone, and the Town is unsure of the impacts to the conservation of the area, the Town shall refer the proposal to the Wildlife Division for a 30 day review. The Wildlife Division shall provide advice to the Town on the possible impacts of the proposal and mitigative measures that can be implemented. The Town's decision shall be consistent with the spirit of the Stewardship Agreement.
- Where a proposed Municipal Plan amendment, regulation or bylaw may affect land within the Management Units, that proposal shall be referred to the Wildlife Division for a 30 day review to ensure that it is consistent with the purpose of the Management Plan. Any proposed amendment to this Municipal Plan that may have an impact on a Management Unit must be approved by both partners.
- Proposed development within the Management Unit that may potentially threaten or negatively impact the habitat of the Unit, shall require the approval of the Wildlife Division.

EP-13 Stormwater Management Plan

Recently, the Town completed a hydrologic and hydraulic study of the existing stormwater infrastructure, as well as a study of environmentally sensitive areas within the Town's Planning Area. Flatrock has many wetlands and bogs that may be environmentally sensitive, and that could possibly serve as natural stormwater detention. Therefore, the Town developed a stormwater management plan to aid in future development.

The main goals of the Stormwater Management Plan were to:

- Identify current flooding issues,
 - Identify and survey environmentally sensitive areas,
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- Recommend system improvements for the existing stormwater infrastructure, and
- Recommend design guidelines for future stormwater infrastructure.

A measured outcome of the stormwater management plan was an assessment of environmentally sensitive wetlands in the Town of Flatrock. The plan identified current drainage issues and secondly it would aid in minimizing the impacts on sensitive ecosystems.

The Stormwater Management Plan made three recommendations:

1. Upgrade hydraulic structures in priority areas.
2. Reconsider the Land Use Zone Map where wetland areas conflict with areas for future development, and
3. Follow the City of St. John's Subdivision Design Manual for Stormwater Management with modifications particular to the Town of Flatrock.

The wetlands have been assigned ranks for Conservation Priority as described below:

LOW: Wetlands (or portions of wetlands) that are:

- Apparently fragmented from their parent wetland.
- Apparently hydrologically isolated from watercourses and waterbodies.
- Are already impacted to some degree by infilling or other development.

HIGH: Wetlands (or portions of wetlands) that are:

- In direct association with a watercourse or waterbody, or otherwise are a component of watershed connectivity.
- Large enough to provide important functions by virtue of their size alone, regardless of existing impacts.
- Sufficiently distant from existing disturbance to be considered in ecologically pristine condition.

The wetlands consisting of layers of HIGH and LOW ranks of Conservation Priority are identified as a layer on the Future Land Use and Land Use Zoning Maps.

4.4 Servicing Policies

SP-1 Groundwater Assessment

New subdivisions shall require a groundwater assessment be undertaken to determine the acceptable quality and quantity of drinking water. The *Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced, by Individual Private Wells*, provide administrative and technical guidance to developers. The Water Resources Management Division, Department of Environment and Climate Change, should be contacted prior to new residential subdivision development.

SP-2 On-Site Sewerage Disposal

On-site sewerage disposal system shall be in compliance with the requirements of the *Private Sewerage Disposal and Water Supply Standards*, Department of Digital Government and Service NL. Sub-service sewerage disposal systems shall be no closer than 30 metres from a waterbody or watercourse.

4.5 Specific Policies – Land Use Designations

LUD-1

The land resources of the Flatrock Planning Area shall be managed in accordance with the proposed land uses shown on the Generalized Future Land Use Map and the land use policies contained within this Municipal Plan. Seven land use designations apply to the municipality of Flatrock.

LUD-2

The Generalized Future Land Use Maps establish the pattern of development by dividing the Planning Area into the following land use designations:

- Residential
 - Mixed Use
 - Industrial
 - Public Use
 - Conservation
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- Recreational Open Space
- Agriculture
- Rural

The following policies are applied specifically to the land use designations listed above.

4.5.1 Residential

Residential is the major land use in Flatrock. 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 does not provide municipal services such as water and sewer. 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, and reduce operating costs.

Substantial new dwelling construction is occurring mostly in the northern areas of Town on new streets such as Emma's Place, Kevin Butt Place, Hubert's Place, Adam's Place, and Wildberry Ridge just to name a few. There are very few areas of land in the older part of Town capable of development. Very little infilling of residential areas remains. Future residential development will consist mostly of new subdivision development.

Objectives:

1. To promote a safe residential environment by controlling the classes of land use and characteristics of development permitted within residential areas.
2. To promote infill development along existing roads to make efficient use of municipal services such as snow clearing, garbage collection and reduce operating costs.
3. To ensure that residential development takes place in a manner that does not prejudice access to and appropriate development of neighbouring land.

Policies:

RES-1: It is the policy of Council to encourage and support a mix of housing types and densities

within designated residential areas.

RES-2: It is the policy of Council to encourage and support the design and development of high quality and innovative forms of housing.

RES-3: It is the policy of Council to encourage and support the development of housing appropriate to the needs of seniors as well as affordable housing.

RES-4: Development of residential units shall be permitted only in areas with direct access to a public street.

RES-5: It is the policy of Council that Home Based Businesses are a permitted use in residential areas in accordance with provisions as outlined in Schedule C of the Development Regulations.

RES-6: 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 on the Flatrock Generalized Future Land Use Maps.
 - Approval for on-site water supply and sewage disposal must be obtained from Council and Service NL.
 - 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.
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- Where there is no potential for additional development, the access road 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 32 metres and a maximum of 100 metres from a public street, and
- Standards for backlot development shall be established in the Flatrock Development Regulations.

Residential Density

The areas designated as Residential Use on the *Generalized Future Land Use Map*, shall be further categorized on the *Land Use Zoning Map* as the following zones:

- **Residential Medium Density (RMD)**
- **Residential Rural (RR)**

The detailed requirements of these zones are outlined in the Schedule C of the Development Regulations. All residential development shall comply with the general land use policies of this Plan and as set out by regulation in the Development Regulations, Schedule C.

Residential Medium Density (RMD) Policies

This designation is applied to areas where priority will be given to new residential development or to maintaining existing residential neighbourhoods during the Planning Period.

Policies:

- Res-1:** It is the policy of Council to permit specific uses in the form of single dwelling, double dwelling, and recreational open space as the primary use within the Residential Zone.
- Res-2:** It is the policy of Council to permit on a discretionary basis row dwelling, apartment building, short-term (tourism) accommodation, personal care home, place of worship, convenience store, child care, bed and breakfast operation, cultural and civic uses, personal services, light industry, and cemetery; subject to terms and conditions as outlined in Schedule C of the Development Regulations.
- Res-3:** Compatible open space and uses such as parks, may be permitted as a discretionary use within residential areas, provided that:
- a) The use does not conflict with neighbouring uses.
 - b) The dominant use within the area is residential, and
 - c) Adequate pedestrian and vehicular access and on-site parking can be provided.
- Res-4:** Local convenience stores and other limited commercial uses which serve local neighbourhood needs may be permitted within residential areas provided that the commercial use is clearly subsidiary to the residential use (e.g., where the commercial use is contained within the residence), as outlined in Schedule C of the Development Regulations.
- Res-5:** Local commercial uses within Residential areas should be located in proximity to a major road.
- Res-6:** Short-Term (Tourism) Accommodation may be permitted at the discretion of council and subject to terms and conditions as set out in Schedule C of the Development Regulations.
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Res-7: Infilling between existing buildings and properties shall be permitted subject to the policies of this Plan and other requirements for servicing, design and safety as outlined in the Development Regulations, and from appropriate provincial agencies, including Department of Digital Government and Service NL and the Department of Environment and Climate Change.

Residential Rural

Residential Rural designated land is for development of new lots with larger lot size. Development will be required to provide for onsite services such as water and sewer. A high priority will be attached to meeting physical and environmental site criteria. Maintaining a quality rural community character will be important. Average lot size shall be large enough to maintain this character and blend with adjacent development. Development criteria for this designation and any other specific requirements is established in Schedule C of the Development Regulations.

4.5.2 Mixed Use

The predominant land use surrounding the Harbour is residential. The area also contains a number of commercial and tourist related businesses. To provide opportunities for further small scale general and light industrial development, while protecting residential development, this area is designated Mixed Use on the Generalized Future Land Use Map and will also be categorized on the Land Use Zoning Maps as Mixed Development (MD). The detailed requirements of this zone are outlined in the Schedule C of the Development Regulations.

Policies:

MU-1: It is the policy of Council to permit the following uses: single dwelling, double dwelling and recreation open space as the primary use of land in the Mixed Development land use zone.

MU-2: It is the policy of Council to permit discretionary uses such as row dwelling, apartment building, short term (Tourist) accommodation, commercial residential, cultural and civic, general assembly, passenger assembly, club and lodge, catering, funeral home, child care, indoor assembly, medical & professional, office, personal service, general service, communications, taxi stand, medical treatment and special care (home for the aged only), shop, convenience store, general industry, light industry, place of worship, transportation and antenna subject to terms and conditions as outlined in Schedule C of the Development Regulations.

MU-3: General and Light industrial uses will be considered provided that the surrounding residential uses are not negatively affected by the general and light industrial use due to noise, smoke, odour, dust, vibrations or unsightly appearance; the light industrial use is designed and built in a style which is compatible with the surrounding land uses; a buffer is provided between the light industrial use and surrounding residential uses; and adequate off-street parking and loading facilities are provided for each general and light industrial land use. General industry uses shall be limited in scope and shall not detract from the residential character of the neighbourhood.

4.5.3 Industrial

Industrial development is presently very limited in the town and is mostly of a light industrial use. The site of Wind Gap Road are considered light industrial use.

The areas designated as Industrial on the *Generalized Future Land Use Map*, shall be further categorized on the *Land Use Zoning Map* as Industrial Light (IL). The detailed requirements of this zone are outlined in the Schedule C of the Development Regulations.

Objectives:

- To reserve sufficient land in appropriate locations to accommodate industrial growth and relocation during the planning period.
- To minimize land use conflict between industrial uses and urban development.

Policies:

IG-1: It is the policy of Council to permit light industry and general service uses. Light industry uses such as saw-mills, portable bandsaws, lumber yards and industrial uses contained primarily within buildings wherein the scale and type of storage or work activity will not be intrusive or otherwise objectionable to neighbouring residential areas.

IG-2 It is the policy of Council to locate intrusive industrial uses in suitable locations to minimize land use conflict with urban development, and to protect other land uses and the natural environment from adverse effects of industrial operation.

4.5.4 Public Use

Lands designated Public Use are intended for purposes that serve the general public. There are a number of public buildings or facilities in the town that form the basis of the social and economic fabric of the community. Facilities required to deliver municipal services to residents, such as the Town Hall, are also within the intent of this designation. Council will continue to support and encourage the development of public uses to expand the economy and enhance the quality of life for residents.

Lands that are designated Public Use on the *Generalized Future Land Use Maps* are also categorized on the *Land Use Zoning Maps* as Public Buildings (PB).

Policies:

- PU-1:** It is the policy of Council to permit the following use classes: educational, cultural and civic uses, general assembly, indoor assembly, outdoor assembly, Medical Treatment and Special Care, government or public offices, place of worship, recreational open space, child care and police station.
- PU-2:** It is the policy of Council to permit the following discretionary uses: Indoor assembly, outdoor assembly, office, cultural and civic, club and lodge, catering, take-out food service, and antenna subject to terms and conditions outlined in Schedule C of the Development Regulations.
- PU-3:** The development of new public uses will be permitted subject to the following conditions:
- a) The site is adjacent to arterial or collector streets, and
 - b) The proposed development is compatible with surrounding land uses, and will provide for protection of adjacent residential uses through controls on signage in addition to the provision of landscaping and buffering if required.

4.5.5 Open Space

The Town of Flatrock has an abundance of natural open spaces, recreational areas and magnificent shorelines, public access to water and impressive views. Open spaces provide lands for small parks and playgrounds, for walking and hiking, and can provide buffers between potentially conflicting uses. They may also provide habitat for wildlife.

Lands designated for open space shall be used for purposes that serve several functions including the provision of opportunities for active and passive recreation, the separation of incompatible uses, and the protection of sensitive natural areas and wildlife habitats. Lands that are unsuitable for development due to steep slopes or that are necessary for protect waterways or wildlife will be identified for conservation.

Objectives:

- To provide outdoor recreational opportunities for residents.
- To protect physical resources, such as environmentally sensitive lands and wildlife habitat.
- To preserve access to and protect the environmental quality of ponds, watercourses and shorelines.
- To ensure that cemeteries, historic sites and sites of architectural and archaeological significance, are preserved and maintained.

Two categories of Open Space land uses designated within the Planning Area are:

- **Open Space Recreation; and**
- **Open Space Conservation**

Lands that are designated Open Space Recreation and Open Space Conservation on the *Generalized Future Land Use Map* are also categorized on the *Land Use Zoning Map* as Open Space Recreation (OSR) and Open Space Conservation (CON).

Limited open space and recreation uses are also permitted within all other land use designations and land use zones as described by this Plan and outlined in the Development Regulations.

Open Space Recreation

Areas designated for open space recreation will be reserved primarily for active outdoor recreational uses including playing fields, sports grounds, parks and playgrounds. Structures and small-scale buildings that enhance outdoor recreation use may also be allowed.

Areas designated for open space recreation will be reserved primarily for active outdoor recreational uses including playing fields, sports grounds, parks and playgrounds. Structures and

small-scale buildings that enhance outdoor recreation use may also be allowed.

Policies:

OSR-1: It is the policy of Council to permit the following use classes: recreational open space and outdoor assembly.

OSR-2: It is the policy of Council to permit the following discretionary uses: Indoor assembly, outdoor assembly, office, cultural and civic, club and lodge, catering, take-out food service, and antenna subject to terms and conditions outlined in Schedule C of the Development Regulations.

OSR-3: At its discretion, Council may also permit structures and small scale buildings that are accessory to the main outdoor recreation use and outdoor assembly use subject to terms and conditions outlined in Schedule C of the Development Regulations.

OSR-4: Open Space Recreation land shall provide pedestrian access to recreation facilities and act as a buffer between incompatible land uses (e.g., Industrial and Residential uses).

Open Space Conservation

Land designated for Open Space Conservation (CON) shall serve 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.

Policies:

- OSC-1:** It is the policy of Council to permit conservation uses and cemeteries in the Open Space Conservation land use zone.
- OSC-2:** It is the policy of Council to permit the following discretionary uses: antenna subject to terms and conditions outlined in Schedule C of the Development Regulations.
- OSC-3:** The approval by Council of new cemeteries in the Open Space Conservation zone will be contingent on access to an existing public road, a layout that facilitates public access, and no requirement for additional public services.
- OSC-4:** No permanent buildings or structures shall be permitted on lands designated for Open Space Conservation Uses.
- OSC-5:** It is the policy of Council to permit at its discretion transportation uses associated with wharves, docks, off-shore supply, tour boats which may be located along the seashore.

4.5.6 Agriculture

Land designated Agriculture includes provincially designated Agricultural Development Area lands. It is the intent of this Municipal Plan to protect the land designated for Agriculture uses within the Planning Area. No development shall be permitted within this designation unless it is directly connected with or ancillary to agriculture uses or unless it is approved by the Department of Fisheries, Forestry and Agriculture. Non-agricultural uses, including conservation, recreation or other types of rural uses may be considered by Council, provided it can be demonstrated that there will be no adverse impact upon agricultural uses.

Policies

- Ag-1** It is the policy of Council that Agricultural use directly connected with or ancillary to an existing agricultural use may be permitted in association with the approval of the Land Development Advisory Authority, Department of Fisheries, Forestry and Agriculture.
- Ag-2** It is the policy of Council that the operation of agricultural uses shall not impose adverse effects on adjacent residential and other uses in terms of noise, traffic and hours of operation.
- Ag-3** It is the policy of Council that Seasonal residential use such as and recreation cottage use shall be prohibited on lands designated for Agriculture use.
- Ag-4** It is the policy of Council Agricultural Buildings such as greenhouses, root cellars and storage buildings associated with agricultural use may be permitted at the discretion of Council.

4.5.7 Rural

The remaining lands within the Flatrock Planning Area are designated Rural. No development shall be permitted on land within this designation except those associated with agriculture, forestry, mineral workings, and outdoor recreation. Uses such as public utilities or road construction and maintenance, consistent with the objective of retaining the qualities of the rural environment, may be permitted.

The Rural area contains wood stands that are valuable as a long-term domestic wood supply for residents of Flatrock. The northern end of the Planning Area has a large domestic cutting area and is identified on the Land Use Zoning Map.

Mineral working may be permitted as a discretionary use by Council. Mineral working shall be subject to conditions outlined in the Flatrock Development Regulations. Mineral working may include the extraction, exploration, processing or storage of gravel, sand, rock or any other mined material, concrete and asphalt making, rock crushing, quarrying, and sand and gravel pits and other types of mining in general.

Lands that are designated Rural on the *Generalized Future Land Use Maps* are also categorized on the *Land Use Zoning Maps* as Rural.

Policies:

RUR-1: It is the policy of Council that no development shall be permitted within Rural areas except that associated with agriculture, forestry, outdoor recreation, mineral exploration, and conservation.

RUR-2: It is the policy of Council to permit the following discretionary uses: single dwelling, veterinary, outdoor market, general industry, service station, mineral working, recreational open space, animal, utilities, transportation and antenna subject to terms and conditions outlined in Schedule C of the Development Regulations.

RUR-3: Council shall require buffer distance separation between permitted or discretionary uses and ponds, watercourses and other types of development.

5.0 Implementation

The Municipal Plan will be implemented over the next ten years through decisions of Council and government agencies such as the Departments of Environment and Climate Change, Municipal and Provincial Affairs, Transportation and Infrastructure, Digital Government and Service NL and Fisheries, Forestry and Agriculture that have responsibility for various aspects of development that affect the Town.

Of particular importance to Council are the following:

- a) Effective administration of the Plan.
- b) The adoption of a five-year capital works program updated annually.
- c) The adoption of Development Regulations.
- d) The adoption of development schemes and plans of subdivision, and
- e) The procedure for considering amendments to the Plan.

5.1 Administration of the Plan

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

The boundaries of land use designations shown on the Generalized Future Land Use Map 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 of 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.

Once conformity to the Plan has been established, Council will ensure that all development proposals are given a comprehensive review that shall include circulation to all affected public departments and agencies. Council's final decisions will be based on the desire to guide the development of Flatrock in the best long-term interests of its citizens.

All persons wishing to develop land for any purpose within the Flatrock Municipal Planning Area shall apply to Council for permission through the established procedure. Council may refuse or approve applications, with or without conditions. The appeal of all Council decisions to the appropriate Appeal Board will be permitted in accordance with the Part VI of the *Urban and Rural Planning Act, 2000*.

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

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

5.2 Financial Evaluation for Municipal Capital Works Projects

In its **2023 Municipal Capital Works Projects** (see Table below) Council commits to the improvement of the (List of Capital Works Projects).

The following table identifies priority Capital Works projects and studies that have been identified to implement the Plan over the Planning Period. Projects shall be pursued with due consideration of the financial position of the Town, its revenue sources and funding.

Proposed 2023 Flatrock Municipal Capital Works Projects

PROJECT	FUNDING APPROVED (\$)	STATUS
1. Red Head Road Ditching Phase 1 and 2	\$506,345.00	In Progress Work to Begin September 2023
2. Red Head Road Ditching Phase 3	\$258,715.50	In Progress Work to completed Spring 2024
FUNDING TOTAL: \$765,060.20		
Source: Flatrock 2023 Budget		

Council's ability to undertake major public works during the Planning Period will depend largely on its financial management program. Overall, the objective will be to minimize the increase in municipal debt load and to economize on project costs where possible.

The following are regarded as important components of a financial management program for the municipality:

- (a) All proposed public works, which qualify for assistance from the provincial or federal governments, should be financed on this basis. This shall include cost sharing programs with the provincial government and grants.
 - (b) Funds raised by the municipality to undertake public works shall be obtained from local revenues where possible. The principle source from which funds could be realized for this purpose is new development. Minor public works in particular should be financed from current accounts where possible.
 - (c) Mill rates and service fees shall be managed during the Planning Period to keep pace with inflation and to ensure that an acceptable level of municipal services can be achieved.
 - (d) Additional borrowing to undertake major public works shall preferably be on the basis of government guaranteed loans.
 - (e) Annual locally generated revenue shall be applied against the municipality's long-term debt. Payments shall be in keeping with the policy of the Department of Environment, Climate Change and Municipalities and agreement between the Town and Department.
 - (f) For subdivision development, Council shall pursue a break-even policy for development that will require the developer to pay for the installation of all services to municipal standards.
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5.3 Development Regulations

Once this Municipal Plan has been adopted, Council will proceed to adopt Development Regulations pursuant to Section 35 of the *Urban and Rural Planning Act, 2000*.

The regulations will be drawn up so as to implement the Goals, Objectives and Land Use Policies of the Municipal Plan. The document will contain general land use and subdivision regulations designed to control all land subdivision and development within the Flatrock Municipal Planning Area

All land within the Planning Area will be covered by land use zones which will provide for such detailed requirements as lots size and coverage, building setbacks and parking regulations.

Council may refuse or approve applications, with or without conditions. Decisions of Council made according to the provisions of this Plan and the accompanying Development Regulations may be appealed to the appropriate Appeal Board established under Part VI of the *Urban and Rural Planning Act, 2000*.

5.4 Procedures for Amending the Municipal Plan

The administration and implementation of a Municipal Plan is a continuous process. During the planning period, conditions in the town may change, and where necessary, amendments to the Municipal Plan may be undertaken as per Sections 14 to 25 of the *Urban and Rural Planning Act, 2000* and adopted by Council.

In accordance with Section 27 of the Act, Council will charge a proportion of the cost of carrying out an amendment to the person or association of persons, who request and amendment. The proportion to be charged will be set by Council as part of its annual budget process in setting its Schedule of Rates and Fees. The costs may include, but are not limited to, research, and preparation of amendments, public notice and consultation, administrative processing costs, and the costs associated with a Public Hearing.

Any such amendment will be read with and form part of this Plan. After five years from the date on which

this Plan comes into effect, Council shall review the Plan and revise it if necessary. Any revision should take account of development that can be foreseen during the following ten years. Amendment and review of the Plan shall be carried out in the same manner as this Plan was brought into effect.

5.5 Procedure for Considering Re-Zonings

Development Regulations can be changed through text amendments (the addition of a permitted use within a use zone, additions to or changes in a condition, or a change in definition) or through map amendments (a change to the zoning map) as per Sections 14 -25 of the Act. The consideration of any proposals to amend the Development Regulations, Council shall require a clear proposal to be submitted that shows:

- (a) The location of the subject property, to scale, showing lot dimensions, area, street frontages.
- (b) The proposed means by which the site is/will be serviced.
- (c) The proposed location of all driveways and parking areas.
- (d) Areas that are to be landscaped or left in a natural state.
- (e) The proposed location of all buildings on a site.
- (f) Identification of adjoining land uses, natural hazards, or sensitive natural areas, and
- (g) The identification by a qualified consultant, of steep slopes and construction methods that will be employed to ameliorate potential negative or hazardous effects of the proposed development.

When considering proposals for developments that necessitate amendments to the Development Regulations, Council shall give regard to the goals, objectives, and land use policies outlined in this Municipal Plan, and whether or not the proposal is in conformance with the intent of the Municipal Plan, Development Regulations and all other Town policies and regulations.
