
TOWN OF TRITON MUNICIPAL PLAN 2014-2024



PLAN-TECH



ENVIRONMENT

TABLE OF CONTENTS

	Page
1.0 INTRODUCTION	1
1.1 Municipal Plan Preparation	1
1.2 Plan Approval	2
1.3 Plan Review and Amendment	2
1.4 Plan Administration.....	3
1.5 Triton Municipal Plan Review.....	3
1.6 Community Profile	6
1.7 Interpretation.....	10
2.0 GOALS AND OBJECTIVES	10
2.1 Physical Structure.....	11
2.2 Economic Opportunities.....	12
2.3 Housing.....	12
2.4 Transportation.....	13
2.5 Community and Social Services	14
2.6 Environment.....	14
2.7 Municipal Finance.....	15
2.8 Recreation and Tourism.....	16
2.9 Sustainable Development	16
3.0 THE LAND USE PLAN	17
3.1 General Land Use Policies.....	17
3.1.1 General Policies.....	17
3.1.2 Servicing Policies.....	24
3.1.3 Environmental Policies	25
3.2 Specific Policies - Land Use Designations	27
3.2.1 Residential	27
3.2.2 Mixed Use.....	33
3.2.3 Commercial.....	37
3.2.4 Industrial	40
3.2.5 Recreation Open Space	43
3.2.6 Watershed	44
3.2.7 Rural	45

TABLE OF CONTENTS (cont'd)

	Page
4.0 IMPLEMENTATION	47
4.1 Plan Administration	47
4.2 Plan Implementation	48
4.3 Development Regulations.....	49
4.4 Development Control	49
4.5 Public Works and Municipal Services	50

1.0 INTRODUCTION

1.1 MUNICIPAL PLAN PREPARATION

The Triton Municipal Plan is Council's comprehensive policy document for the management of growth within the municipal planning area over the ten-year planning period of 2014-2024. The Plan repeals and replaces the Triton Municipal Plan 1993-2003.

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

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

1.2 PLAN APPROVAL

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

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

1.3 PLAN REVIEW AND AMENDMENT

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

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

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

1.4 PLAN ADMINISTRATION

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

1.5 TRITON MUNICIPAL PLAN REVIEW

The Town of Triton was incorporated in 1961. The Triton Municipal Planning Area Boundary was defined on October 24, 1975, when the Town made a resolution to have its first Municipal Plan prepared. The preceding Triton Municipal Plan was drafted in 1993 and this is the first comprehensive review of

that Plan. The 2014-2024 Municipal Plan updates and accommodates various amendments made to the original documents.

History and Regional Context

Incorporated in 1961, Triton is located in Green Bay South on the Northeast Coast of Newfoundland approximately 40 kilometers from the Trans-Canada Highway (TCH) in South Brook. Triton Island is a hilly and heavily forested island with significant rock outcrop.

The Town of Triton is strategically located next to a deep water port that is frequented by fishing vessels and pleasure vessels alike, and is approximately 126 km from Grand Falls-Windsor and 175 km from Deer Lake and the Deer Lake Regional Airport.

One of the first tasks after incorporation was to construct a causeway linking the Town with Pilley's Island and continuing on to the mainland. The causeway was completed around the mid 1960's. With the new connection to the provincial road transportation system, the socio-economic well-being of the Town was greatly enhanced.

The name Triton appeared in early records as Troytown, Traytown, Treaton and Tory Town and owes its origin to English West Country usage of "Troytown" to refer to a maze either because of the complexity of Great Triton Harbour or because of the difficulty of navigating through off-lying islands to enter Little Triton Harbour.

Little Triton Harbour (or Triton East) was the earliest area of settlement, in the 1830's or 1840's. Little Triton Harbour and Big Triton Island were earlier used as seasonal fishing stations by fishermen from Twillingate. The first time Triton

appears in the Census was in 1845, with a population of 17. There were a few families living southeast of the harbour and they eventually moved to Triton.

In 1857, the population increased to 54 people, and gradually increased to 102 by 1884. History suggests that some of the early settlers had winter houses and gardens at Great Triton Harbour and by the 1880's, Great Triton was settled year round. The south side of Triton Island was also been settled at Jim's Cove and Card's Harbour. By 1891, the population of Triton was recorded at 179 which included all of Triton Island.

The first Methodist school/chapel was built between Great and Little Triton in about 1887, and the first Salvation Army citadel was built in 1896. By 1901, the majority of people were Salvation Army and Triton still maintains a heavy Salvation Army presence.

In the earliest days of settlement, ties were strong with Twillingate, where fishermen traded cod. In the 1890's the first stores were kept by families at Little Triton as agents of merchants at Little Bay Islands. A business was established at Great Triton which supplied many fishermen in the area and became involved in supplying schooners for the Labrador fishery. With a strong inshore fishery, a growing involvement in the fishery in Labrador and winter logging for lumber and pulp and paper industries, the population of Triton grew considerably to 470 in 1935 and 625 in 1951. Triton East and West incorporated in 1955 and Jim's Cove and Card's Harbour incorporated in 1958. In 1961 the two municipalities amalgamated as a rural district.

The Town continued to grow with the completion of the causeway in 1968, linking the Triton to Pilley's Island and the mainland. In 1980, the rural district was re-incorporated as the town of Triton.

1.6 COMMUNITY PROFILE

Vision Statement

The Town of Triton is known for its scenic and rugged beauty, its attraction and tourism values. Triton recently completed its Integrated Community Sustainability Plan (ICSP) which defined the Town's vision as the following:

“Triton is an inviting community with sustainable growth that maintains its high standard of living that residents are accustomed to.”

To successfully achieve this vision, the Town of Triton has established the following guidelines in its ICSP:

<i>Environment:</i>	Protect our environment to the best of our abilities from unnecessary harm.
<i>Economic:</i>	Provide an attractive business environment to attract new businesses and to keep existing businesses.
<i>People:</i>	Be a great place to live and work where people are inspired to be the best they can be.
<i>Partners:</i>	Nurture a winning network of partners and building mutual loyalty and cooperation with towns and organizations in the region.

Population Characteristics 1996-2011

The 2011 census population of Triton is 998, representing a -3.0% decrease from the 2006 population which was 1029, a slight decrease of -6.6% from its 2001 population of 1102 and a -11.8% decrease from its 1996 population of 1249. This figure reflects a significant decrease in growth rate compared to the provincial population increase of 5.4% during the 2006-2011 census period.

Table 1: Population Change

Year	Population	Change	% Change
1996	1249		
2001	1102	-147	-11.8%
2006	1029	-73	-6.6%
2011	998	-31	-3.0%

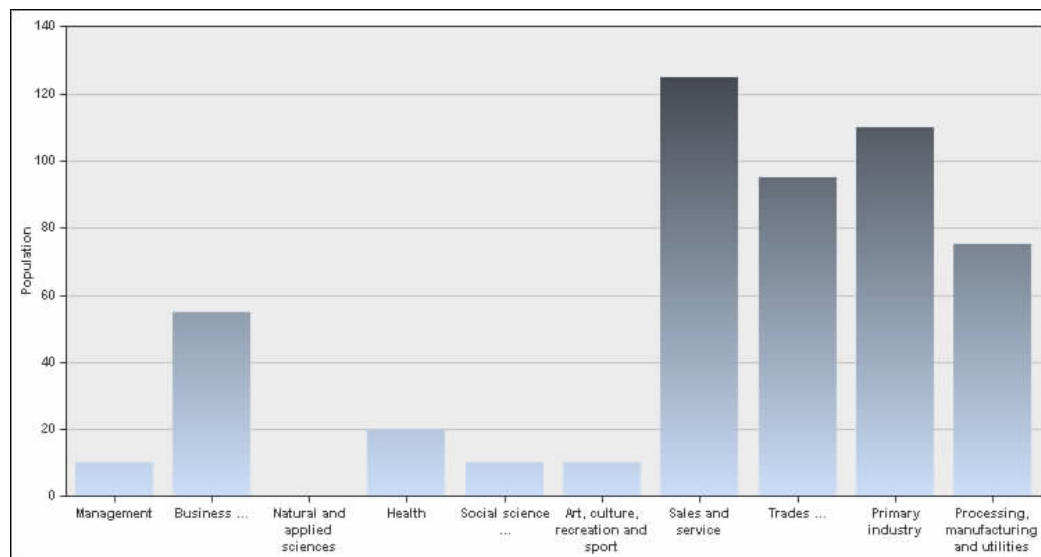
Housing

The 2011 census recorded 448 dwellings, while the 2006 census recorded 429 dwellings. Council has been issuing an average of 40 new dwelling permits since 2006, but new housing starts rose dramatically from 2012 to present day. Housing development is very challenging for Triton. The Town is fully serviced and all new developments require the same services. Triton is built on rock outcrop with very little soil cover. New road construction and housing must be blasted from the rocky outcrop. A substantial proportion of new dwelling construction has occurred primarily in two residential subdivision areas. This new housing trend is expected to maintain at current levels.

New Housing Starts 2006 - 2013	
2006	3
2007	7
2008	5
2009	4
2010	4
2011	5
2012	10
2013	3

Economy and Labour Force

The 2011 Census Data do not provide labour force data. While less accurate, the 2006 census data for labour force is used. In 2001, the employable workforce of Triton numbered 495 people. This figure increased to 855 in 2006, of which the majority worked outside of Town. In Triton, there is work in service sector businesses, primary industries and processing. The construction trades have a healthy work force. The following Table shows the types of occupations in which these people worked.



Land Use

While Triton was once considered a low-density rural community, it is now undergoing growth and urbanization and density has increased in the past decade. The predominant housing form is the single-family detached house with a small percentage of apartments. Most dwellings are located on single lots. In 2010, the Municipal Assessment Agency showed an increase of 20% in residential property value.

The Town has developed in the form of a long and narrow ribbon along the Beothuk Trail, Route 380 which runs through the Town as Main Street and in the Triton West area. The more in-depth developments are located in Jim's Cove and Harvey Road as well as Bayview Heights and Cards Harbour. The predominantly linear and dispersed form of development makes it difficult and expensive for upgrading of municipal services such as water and sewer. Additionally, due to the high concentration of rock outcrop, new residential development is proving to be costly for water and sewer connection to Town services. Commercial and some industrial land uses are being considered along the Beothuk Trail, Route 380, at the entrance to the Town.

Planning Issues

With a decrease in population over the last planning period, Triton still has demand for land for future residential growth, in particular along Card's Harbour and Jim's Harbour. However, minimal development in the adjoining Towns of Robert's Arm and Brighton, Triton appears to have gained in new housing due to availability of new residential areas. However, all Towns are constrained by the availability of land suitable for large scale subdivision development. Therefore, the Town may experience a marginal demand in residential growth.

1.7 INTERPRETATION

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

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

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

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

2.0 GOALS AND OBJECTIVES

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

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

2.1 PHYSICAL STRUCTURE

Goals:

- To provide for development and allocate land for its best use which will enhance the viable functioning of the community.
- To encourage future growth in a manner that ensures land use compatibility and orderly development.
- To control future growth of the town in such a manner as to develop a balanced and attractive community.
- To preserve the rural character of the Town, allowing residents to maintain activities such as small-scale traditional uses without creating problems for neighbouring residents.
- To protect the natural environment and natural resources throughout the Planning Area.

Objectives:

- To allocate land for future development on the basis of its best use considering its physical characteristics and location.
- To ensure that natural areas such as drainage courses, rocky outcrop and rugged shorelines, and steep slopes are protected from development to preserve environmental resources and the rural character of the Town.

- To preserve scenic views of the shoreline and hills, recognizing their value to residents and visitors for recreation and tourism.

2.2 ECONOMIC OPPORTUNITIES

Goal:

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

Objectives:

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

2.3 HOUSING

Goals:

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

Objectives:

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

2.4 TRANSPORTATION**Goal:**

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

OBJECTIVES:

- To undertake continued improvements to the municipal roads through a regular maintenance program.
- To aim for a proper road system by connecting streets which require a second access.
- To reserve land for future access to backlands.

2.5 COMMUNITY AND SOCIAL SERVICES

Goal:

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

Objectives:

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

2.6 Environment

Goals:

- To provide a pleasant and safe living and working environment in Triton.
- To provide for the health, safety and welfare of the general public.
- To protect and enhance the natural environment for its aesthetic, recreational, tourism and resource values.

Objectives:

- To promote a regular community “clean-up” program.
- To discourage development in areas with slopes greater than 15 percent, recognizing that development in such areas can result in environmental damage and higher costs for servicing and maintenance.
- To 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.
- To protect natural resources from degradation including water, air, soils, traditional agricultural land, forests and scenic areas.

2.7 MUNICIPAL FINANCE**Goal:**

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

Objectives:

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

2.8 RECREATION AND TOURISM

Goal:

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

Objectives:

- Encourage public participation in the planning of recreational open space lands and encourage events such as summer festivals, sporting events, and other attractions.
- Develop public recreational areas and facilities in feasible locations which will service the maximum number of residents of the Town.
- Promote the ice arena as a Regional asset and encourage cooperation with adjoining Towns for maintenance and promotion.

2.9 SUSTAINABLE DEVELOPMENT

Goal

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

Objectives:

- To promote the development of industries that use clean renewable sources of energy.

3.0 THE LAND USE PLAN

The following policies with accompanying Future Land Use Maps constitute the land use component of the Triton Municipal Plan, 2014-2024. Included are all policies which are seen as necessary by Council to ensure that the physical development of Triton is undertaken in an efficient and economic manner during the ten-year (2014-2024) life of this municipal plan. The Land Use Plan is meant to complement the Goals and Objectives outlined in Section 2.

3.1 GENERAL LAND USE POLICIES

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

3.1.1 GENERAL POLICIES

1. Physical Structure:

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

Nothing in the Plan shall affect the continuation of a use which was legally established on the day that this Plan is registered by the Minister of Municipal and Intergovernmental Affairs. Where a building or use exists which does not comply with the intent of the Plan and the designated use, then it shall not be permitted to expand substantially. Minor extensions of

such properties may be approved provided there will be no adverse effects on surrounding properties or the environment.

Municipal and public utility works such as telephone, pollution control and electric utility facilities are permitted uses in all use designations, provided no adverse effect on adjacent land uses is created. In this regard, the size and appearance of such works must be in keeping with adjacent uses and provision shall be made for buffering in the form of landscaped areas between uses.

2. Town Structure

The future form of the Town will likely not change during the next decade. It's linear pattern, with the main road paralleling the coast and bounded on the opposite side by hillsides and bog lands, leaves little leeway for lateral expansion. Further development north of where Route 380 ends and west along the Brighton Road is not possible due to the presence of hills and wetlands.

Future residential development will be required to locate within the confines of the built up areas, with the subdivision behind the Pentecostal Academy being the recipient of most of the new growth.

3. Subdivision Policies:

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

- An investigation of physical features of the site and the opportunities and constraints to development that they represent. Where possible, the layout of proposed lots and roads shall conform to the topography;
- An outline of how the proposed subdivision will integrate with existing development and roads and services on adjacent lands and provide for future access to undeveloped lands in the area;
- Ensure compatibility between the subdivision and surrounding land uses, both existing and future; and
- Review of municipal servicing proposals by the developer and the public costs of providing and maintaining these services.

4. Conveyance to Council of Private Roads

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

5. Access and Public Street

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

6. Easements and Emergency Access

Where land is required for utility easements or emergency access, the land may be obtained for the appropriate agency (such as Newfoundland Power) in the course of approving subdivision or other development applications.

7. Building Setback

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

8. Soil and Drainage

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

9. Infill Development

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

on a lot by lot basis. Lots that do not meet current frontage development standards may be approved for infill residential development under Council's discretion provided there are sufficient lands for the safe development of the lot.

10. Environmental Preservation and Enhancement

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

Natural Environment

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

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

Built Environment

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

- preservation of trees on sites for new development (i.e., to discourage the traditional practise of clearing development sites of all trees and vegetation);
- development and expansion of recreation lands;
- development of walking trails along shoreline; and
- Encourage the reduction and recycling of solid waste within the Town.

11. Open Space and Recreation

Not more than 10% of the gross area of land developed for subdivision purposes shall be dedicated to the Town as public open space. This land would be suitable for walking trails, tot lots, green belts, etc. Council may accept from the developer in lieu of such area of land, payment of a sum of money equal to the market value of the land which would otherwise be required to be dedicated.

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

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

12. Development Criteria for Non-Residential Sites

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

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

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

13. Heritage Structures and Sites

Houses and other buildings and structures which were built in a traditional or distinctive architectural style (or otherwise are deemed to have historic

or aesthetic value by Council, or a department or agency of a higher level of government) may be considered heritage structures. It is Council's intention to protect heritage structures for aesthetic and historic reasons and for their historic value as a heritage and tourist attraction. Council may enact regulations for such purposes. Historic sites shall also be protected by Council for their historical value and as tourist attractions.

3.1.2 SERVICING POLICIES

1. Municipal Services

Within and near serviced areas, new development shall only be permitted in areas which can be provided with full municipal water and sewage services.

2. On-Site Sewerage Disposal

On-site sewerage disposal system shall be in compliance with the requirements of the Service NL. Sub-service sewerage disposal systems shall be no closer than 30 metres from a waterbody or watercourse.

3.1.3 ENVIRONMENTAL POLICIES

1. Protection of Watercourses, Wetlands, and Waterfowl Habitat

Rivers, streams, ponds, and shorelines shall be protected from pollution and development. The existing vegetation shall be maintained along

banks and shorelines where possible. No development shall be permitted within 15 metres of a watercourse without approval from the Department of Environment and Conservation and, if fish habitat is affected, from Fisheries and Oceans Canada.

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

2. Waste Disposal

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

3. Alterations to the Natural Environment

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

4. Environmentally Sensitive Areas

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

3.2 SPECIFIC POLICIES - LAND USE DESIGNATIONS

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

The Future Land Use Map divides the Planning Area into the following designations:

- Residential
- Mixed Use
- Commercial
- Industrial
- Recreation Open Space
- Watershed
- Rural

3.2.1 RESIDENTIAL

The purpose of the Residential designation is to preserve the amenity and character of existing residential areas and to reserve undeveloped lands for future residential use. Anticipated new housing throughout the Planning Area over the ten year planning period is in the order of 50 dwellings, most of which will be single detached houses. If past trends continue, about 2/3 of this should occur in the main part of Triton as infilling on existing developed roads, or as incremental extensions to existing development. Two areas presently being developed for residential use are Badger Bay Boulevard and Ocean Drive. A small area around Heads Harbour Pond has been identified for future unserviced development and is shown on the Future Land Use Map.

There are undeveloped backland areas throughout town which may be suitable for future residential development as residential subdivisions, and these areas should be reserved for such purposes.

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.

Residential Policies:

1. Land Designation

The Residential land use district is reserved primarily for residential uses and other development compatible with residential uses. The Residential district will consist of two categories for zoning purposes: Residential and Residential Seasonal. In the Residential Zone, building lots shall be in keeping with the traditional development pattern of those areas.

The Plan has designated two established Residential Seasonal cottage areas. One seasonal cottage area is located at the Town's western boundary at Head's Harbour, five km from the town site on Route 380. There may be some Infilling opportunities, and for safety concerns, no further development shall be permitted to front along Route 380. No new access points or roads shall be permitted from Route 380. The second seasonal cottage area is located on the Town's eastern boundary at Vincent's Point and the Brook.

Residential subdivisions may be developed in Residential designated lands, subject to policy 3.2.1.9, Residential Subdivisions, and in accordance with the requirements of the development standards within the appropriate Land Use Zone Table, Schedule C.

2. Land Use

Within lands designated Residential, single-family detached and double dwellings shall be permitted. Discretionary uses such as row dwelling, apartment building, boarding house (includes tourist home, and bed and breakfast), convenience store, medical and professional, medical treatment and special care, personal service, child care, recreational open space, office, shop, place of worship, education, agriculture (hobby farming), cultural and civic, professional service, light industry, and antenna, or a small scale business use where they are part of a residence may be permitted throughout the area under the discretion of the Council.

Within the seasonal cottage area, only seasonal residential use shall be permitted. Transportation uses such as wharves, boathouses and docks may be permitted.

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

Residential growth shall be accommodated in approved comprehensive subdivisions and through the orderly infilling of existing areas serviced in the town to ensure the efficient use of available lands.

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

3. Environmental Aesthetics

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

4. Recreation Uses

Discretionary recreation uses such as playgrounds and tot lots may be located

within Residential areas provided that adequate screening from nearby properties is provided, and safe setback distances from public roads can be obtained.

5. Bed-and-Breakfast

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

6. Office Use

Office use (home office) shall be limited to a home based business which may be permitted if contained inside the residence, is clearly subsidiary to the residential use, and there shall be no open storage of materials, equipment or products, and do not adversely affect the residential quality of the area through increased traffic, noise, unsightly premises, and similar considerations.

7. Childcare

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

8. Convenience Store

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

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

9. Residential Subdivisions

In order to ensure efficient use of land and future provision of services, avoid a proliferation of individual cul-de-sacs that are costly to service, and ensure that development is properly located so as not to interfere with optimal future development of adjacent lands, subdivision proposals will be considered only if they conform to the following:

- Conformity to the goals, objectives, and policies of this Municipal Plan;
- Conformity to an area concept plan as approved by Council, which accounts for the development of lands abutting the site;
- A description of the subject lands;
- Consideration of land ownership as it will affect the layout of streets and the optimal use of land and municipal services;
- Access to the site from existing roads and internal road layout;

- Extension and development of municipal piped services for new subdivision;
- Demonstration of the long-term viability of any proposed on-site servicing system through soil analysis and other appropriate site evaluation. Council may require a site assessment as part of a area concept plan which shall accurately depict the conditions of the proposed subdivision site;
- Phasing scheme;
- Provision for lotting;
- Provision for 10% recreation lands or alternative measures if requested by Council;
- Adherence to the Town's engineering and development standards for streets designs, grades, storm drainage, building line setback, access, landscaping, buffers, development standards for each lot, etc.

10. Open Space Requirements

The provision for open space within a residential subdivision development shall be the responsibility of the developer, and if required by Council, shall dedicate not more than 10% of suitable land in new residential areas for recreational open space or alternatively, Council may as an alternative require the developer to pay a sum of money equal to 10% of the assessed value of the area of land prior to any development of the subdivision.

3.2.2 MIXED USE

A mixture of different kinds of development may be found along Main Street, Route 380, and consists predominantly of residential uses interspersed with

businesses, light industry and public buildings. Such areas are placed under the Mixed Use designation. This designation shall ensure that a viable combination of compatible uses can co-exist with the predominantly residential development. Areas designated Mixed Use are intended for the continuation of a traditional mix of land uses.

Part of the Mixed Use designation passes through the Triton watershed in the centre of Town along Main Street, Route 380. While this area is well established with a mixture of churches, schools and recreation facilities, Council shall give careful consideration to any proposed development in this area and shall refer applications to the Water Resources Management Division, Department of Environment and Conservation for comment prior to any approvals.

It is the intention of Council to permit this form of development to continue while ensuring amenity and safety between the different land uses in the Mixed Use land use designation. The Mixed Use area is designated on the Future Land Use map and applies to various locations along both sides of Main Street, Route 380. The following policies will guide the growth and development of the Mixed Development areas.

Mixed Use Policies:

1. Land Use

Within the Mixed Use area, single dwellings, double dwelling, childcare, group child care, boarding house (includes tourist home, and bed and breakfast), medical treatment and special care (home for the aged only), and personal services shall be permitted.

Other discretionary uses may be permitted such as row dwelling, apartment building, cultural and civic, general assembly, club and lodge, catering, indoor assembly, office, personal service, general service, communications, taxi stand, take-out food service, shop, office, convenience store, general and light industry, recreational open space, transportation and antenna may be permitted throughout the area under the discretion of the Council provided they are compatible with the character of the area and do not cause a nuisance by virtue of excessive noise, dust, odour, increased traffic or hours of operation.

2. Site Plans

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

3. Adverse effects

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

4. Access to Street

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

5. Parking

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

6. Office Use

Office use may be permitted as a home based business. The office use, if located within the home, shall be subsidiary to the residential use. The office use may be located in an accessory building on the same lot as the residence. There shall be no open storage of materials, equipment or products, and the use does not adversely affect the residential quality of the area through increased traffic, noise, unsightly premises, and similar considerations. Provisions for parking shall meet the standards as prescribed by Council.

7. Boarding House Residential

Boarding House Residential uses such as Bed-and-breakfast operations shall not adversely affect the residential quality of the area through excessive traffic, noise, or parking of an excessive number of vehicles.

8. Medical Treatment and Special Care

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

9. Childcare

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

10. General Services and Light Industrial Uses

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

3.2.3 COMMERCIAL

Commercial designation is applied to concentrations of retail, restaurants, service and office uses. Often significant cultural and entertainment facilities are located in commercial areas. Generally, the most appropriate areas for such development are along main transportation routes, exposed to traffic. Because these types of uses generate a considerable amount of traffic, local roads and residential areas are generally unsuitable for them. Over the past couple of decades, most commercial development has occurred along Main Street at the entrance to Triton.

Small-scale local and personal-service commercial uses may be permitted within residential areas (see the Residential policies). Commercial uses may also be permitted within the Mixed Use designation. Retail and service commercial uses which serve residents beyond the neighbourhood are intended to be located primarily along the Main Street, Route 380.

Commercial Policies:

1. Land Use

The Commercial designation includes various sites on both sides of Main Street, Route 380, at the Town entrance. Land designated Commercial shall be developed primarily for such commercial uses such as retail and service activities oriented toward highway users. The permitted uses shall include catering, office, medical and professional, personal service, shop, and convenience store passenger assembly (all use classes), business and personal service (all use classes), commercial residential, service station, cultural civic and shop, outdoor

assembly, mercantile (all use classes), light industry, and general industry. Other compatible uses that may be permitted include clubs and lodges, amusement, taxi stand, police station, funeral home, indoor market, office, general services, veterinary, antenna, and recreational open space.

2. Light Industry

Light industry uses may also be permitted where it does not have a negative impact on surrounding development. Light industry uses shall be non-offensive and non-hazardous such as manufacturing, enclosed storage and warehousing, wholesaling and service industries.

3. Open Storage

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

4. Offensive Uses

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

5. Parking

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

6. Buffers

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

7. Access to Street

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

3.2.4 INDUSTRIAL

The Industrial designation includes a marine service centre site at the entrance to the Town, and a fish harvesting plant located at Triton west. Wherever industrial areas abut residential or other types of uses, screening or restriction on the type of industrial activity may be desirable. Similar to commercial uses, most of the small scale industrial land uses are intermingled with existing residences.

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

Industrial Policies:**1. Land Use**

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

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

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

2. Location

Industrial activity shall be located in areas of the Town that are suitable for such forms of development. The two present industrial locations include a marine service centre site at the entrance to the Town, and a fish harvesting plant located at Triton west.

3. Environmental Concerns

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

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

4. Restricted Development

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

5. Open Storage

Property owners with unsightly uses will be required to store their materials in the rear yard. Scrap yards and similar uses will be screened from view of the road by high fences or some other form of buffer as required by Council. Screening and buffering using fences or trees may be required in order to preserve an attractive appearance. Proper site layout and buffering shall be used to prevent or minimize the adverse effects of any proposed development on adjacent residential uses.

6. Parking

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

7. Access to Street

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

3.2.5 RECREATION OPEN SPACE

The intent of this Plan is to designate lands used for active and passive recreation to meet the needs of Triton residents and visitors. Passive recreational uses such as walking trails may be permitted, provided that they will have no adverse effect on the site.

Policies:

1. Land Uses

Permitted uses include recreation parks, linear trail systems, walking trails for pedestrians and cross-country skiers in winter shall be permitted. Indoor assembly uses (recreation facilities) such as an ice arena and outdoor facilities such as sports fields, community festival areas, and picnic and day use parks shall also be permitted.

Other uses that may be included within this designation are outdoor assembly; cultural and civic, catering (take-out food service), transportation, and antenna.

2. Effects Surrounding Property

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

3. Recreation Uses

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

4. Town Recreation Facilities

Existing recreational facilities owned by the Town shall be properly equipped and maintained. The Recreation facilities the regional stadium, and the swimming pool and day use facility located outside the built portion of the Town on the Brighton Road. The Town has other recreational facilities, but these are found in the areas designated as Mixed Use. New playgrounds and recreation areas will be developed by both land developers and the Council to meet the future recreational needs of the community.

3.2.6 WATERSHED

The protected watershed boundaries of Triton Pond include much of the built-up sections of Triton, including two churches, a school, municipal depot, sports field complex, and a number of dwellings. The Watershed designation will not interfere with these existing uses, but will help ensure that these and any future uses will not impair the quality or quantity of the water supply.

Part of the Mixed Use designation passes through the Triton watershed in the centre of Town along Main Street, Route 380. While this area is well established with a mixture of churches, schools and recreation facilities, Council shall give careful consideration to any proposed development in this area and shall refer applications to the Water Resources Management Division, Department of Environment and Conservation for comment prior to approval.

Passive recreation uses may be permitted provided they have no negative impacts on the watershed.

3.2.7 Rural

The remaining lands within the Triton Planning Area are designated Rural and are intended to be used primarily for rural resource and open space uses. 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.

Rural Policies:

1. Land Uses

The uses permitted in the designated Rural areas include agricultural, forestry, outdoor recreation and conservation uses, provided these uses do not detract from the rural character of the area.

2. Discretionary Uses

Uses that may be allowed at the discretion of Council include single dwelling, veterinary, outdoor market, outdoor assembly, office, general industry, light industry, mineral working, recreational open space, cemetery, animal, utilities, transportation and antenna. This will apply particularly to uses that need to be located close to resources or for some other reason cannot be located close to the built up areas of the Town.

3. Residential Use

Single residential dwelling use may only be permitted in conjunction with a permitted use such as forestry or agriculture.

4. Rural Industry

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

5. Forestry

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

4.0 IMPLEMENTATION

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

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

4.1 Plan Administration

For the purposes of administering the Plan, the Future Land Use Maps shall be read only in conjunction with the Goals, Objectives and Policies outlined in this

document. All development applications will be carefully evaluated as to their conformity to the Plan. The full conformity of all proposals to the Plan shall be required by Council.

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

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

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

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

4.2 Plan Implementation

The preparation, adoption and approval of the Triton Municipal Plan represent only a part of the planning process. The Plan cannot implement itself and can

be functional and effective only through Council's actions and efforts to carry it out.

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

- control future development by enforcing the Triton Development Regulations and the policies of this Plan;
- undertake the capital works program on a progressive basis geared to the available resources of the community and financial assistance from the provincial government;
- make necessary amendments to the Plan if conditions of the community change, and
- Undertake a review of the Plan every five years.

4.3 Development Regulations

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

4.4 Development Control

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

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

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

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

4.5 Public Works and Municipal Services

In order to properly implement the goals and objectives of the Plan, an annual public works program will be adopted and implemented by Council. This will include a financial overview and preparation of a "Financial Evaluation for Municipal Capital Works Projects" which outlines proposed capital works to be undertaken by Council over a seven year period, subject to the availability of government funding.

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