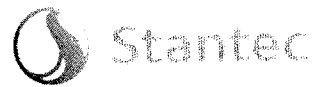


**Town of St. Alban's
Municipal Plan 2017**



Prepared for:
Town of St. Alban's

Prepared by:
Stantec Consulting Ltd.

June 13, 2017

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF ST. ALBAN'S MUNICIPAL PLAN**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of St. Alban's:

- a) adopted the Town of St. Alban's Municipal Plan on the 6th day of June, 2017.
- b) gave notice of the adoption of the St. Alban's Municipal Plan by advertisement inserted on the 15th day and the 22nd day of June, 2017 in the Advertiser newspaper.
- c) set the 11th day of ~~July~~^{July} 2017 at 1:00 p.m. at the St. Alban's Fire Hall for the holding of a Public Hearing to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of St. Alban's approves the St. Alban's Municipal Plan as adopted.

SIGNED AND SEALED this 4th day of August, 2017.

Mayor: _____

Jamie LeRoux

Clerk: _____

Sandra Cox

(Council Seal)

4305-2017-001
Sept 8/17
Eddie Jayo

URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF ST. ALBAN'S MUNICIPAL PLAN

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of St. Alban's adopts the St. Alban's Municipal Plan.

Adopted by the Town Council of St. Alban's on the 6th day of June, 2017.

Signed and sealed this 4th day of August, 2017.

Mayor: _____

Jamie LeRoux

Clerk: _____

Sandra Cox

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

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

MCIP: _____

(MCIP Seal)

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PART I INTRODUCTION



TOWN OF ST. ALBAN'S MUNICIPAL PLAN 2017

INTRODUCTION
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1.0 INTRODUCTION

1.1 FOREWARD

The Municipal Plan 2017 is an update of the 2009 Municipal Plan objectives and policies. It includes the updated Future Land Use Maps, which have been prepared in accordance with the requirements set out by the Department of Municipal Affairs.

The St. Alban's Municipal Plan (hereafter referred to as "the Plan") contains goals and land use policies approved by Council and registered by the Minister of Municipal Affairs. The Plan is binding upon Council and upon all other persons, corporations and organizations within the St. Alban's Municipal Planning Area.

In order to implement the Plan, the St. Alban's Development Regulations 2017 are approved and registered at the same time as the St. Alban's Municipal Plan 2017. The provisions of the Development Regulations set out the requirement for variances and non-conforming uses among other matters. Included with the St. Alban's Development Regulations is Newfoundland Regulation 3/011 – Development Regulations under the *Urban and Rural Planning Act 2000*.

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

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

1.2 BACKGROUND

The community of St. Alban's has long had a vision for community growth and prosperity. Once known as Ship Cove, St. Alban's was first visited by a young surveyor named Captain James Cook in 1765. The Town became established in the 1860's. In 1961, Ship Cove was renamed St. Alban's at the suggestion of resident priest Father St. Croix. St. Alban's started to become more than a religious centre and trading premise for the coastal region and began cutting pulpwood for Bowater. Bowater soon became a major employer in the community. In 1964, St. Alban's also became the major supply centre for the construction on the Bay d'Espoir hydroelectric project. The community grew in population through the traditional birth of large families and through the development of strong family and community ties, not in spite of limited economic stability. Business and organizations often survived hard times by rallying around the strongest community trait – determination.

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As at the date of the writing of this revision of the Municipal Plan, St. Alban's continues to be a thriving community with a population of 1,233 people and opportunities for future development. In 2011, the median age in the Town was 49.4 years with the overall population ageing significantly between 2006 and 2011 and expected to continue to age in coming years. Approximately 86 percent of the population is aged 15 years and over with 12 percent of the population within the 60 to 64 age range.

As of 2011, there were 515 private dwellings occupied by usual residents. An additional 19 dwellings have been built in St. Alban's since 2011.

Major employers within the community include the Bay d'Espoir hydro plant and aquaculture facilities. Other employment sectors include manufacturing and utilities, education, law, community and government services, business, finance and administration as well as some natural resources and agriculture services.

In 2010, the Town completed an Integrate Community Sustainability Plan (ICSP) and identified the following vision for the community.

We recognize the strong values and accomplishments of the past and will work together to build a prosperous future through gainful employment, growth and entrepreneurship.

Celebrating Our Past ... Challenging Our Future.

We will work together to keep St. Alban's a community that future generations will be proud to call "Home". We envision a pro-active, productive community with enriched lifestyles.

The vision developed by the community and the goals identified within the ICSP have been incorporated where applicable in this Plan.

1.3 PURPOSE AND GENERAL INTENT OF THE MUNICIPAL PLAN

The Plan will serve to guide future physical development within the Planning Area so that it will take place in a manner that will be most beneficial to the health, safety and convenience of the public. Conservation of financial and material resources required to service and maintain the Town will be a priority, as will be the protection of the natural environment from pollution and other hazards.

Compact development will be promoted to make the most use of present municipal services. Residential areas will be consolidated mainly by infilling along existing serviced roads and by controlling sprawl into unserviced areas. This will assist in reducing the amount of pipe in the ground and length of street to be serviced and therefore long-term maintenance costs will be

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minimized. The Town's resource lands will be preserved to for their continued use as resource lands.

The location of future development and its visual quality will affect the living environment of the community. The Town is small and its residential areas can easily be disrupted by inappropriate development. The Plan can ensure that any such development will not infringe on the character of the Town and the amenities that it wishes to protect.

An important consideration will be the cumulative effect of gradual change. A series of undesirable or improperly located developments, that might seem insignificant individually, may collectively lead to an economic burden, endanger health and safety, detract from the appearance of the surrounding landscape, or cause other problems over the course of a few years. Through proper planning and administration of Development Regulations, such negative effects can be avoided.

2.0 GOALS AND OBJECTIVES

The following goals and objectives represent a framework for the long and short-term development of the planning area, and provide a basis for development of the Plan's policies. A goal is a desired state or condition that the Town would like to achieve over the long-term. An objective is a short-term step toward achieving that goal.

2.1 CONSERVATION OF FINANCIAL RESOURCES

Goal:

Maximize the efficiency and cost effectiveness of municipal servicing.

Objectives:

A compact town is more economical to service; therefore, Council intends for future growth of the Town to take place in a logical, orderly manner within or adjacent to existing built-up areas by:

- encouraging development within existing serviced areas before extending servicing;
- extending servicing only when it becomes necessary to do so and in accordance with a development plan; and
- avoiding extending servicing to areas where the cost to do so would be exorbitant.

2.2 LAND USE AND DEVELOPMENT

Goal:

Ensure that land uses are properly allocated throughout the planning area so that sufficient space is available to accommodate future growth and development and that conflicts between incompatible uses are avoided. Future development considers the safety and the physical and social well-being of present and future residents so the Town remains a pleasant place to live and work. Future development will strive also take into consideration climate change (i.e., flooding, sea surge, and coastal erosion).

Objectives:

The safety, health, and common well-being of residents are of paramount importance in a Municipal Plan. Therefore, Council intends to:

- protect residents and residential areas from development that could negatively affect their health, safety, well-being, or lifestyles by regulating the location and type of development that can occur throughout the Planning Area and by allocating sufficient land for future development in consideration of its best use based on its physical features, location and serviceability;
- ensure that all development conforms to requirements of provincial and federal government departments of Government Services, and Environment and Conservation;
- ensure that fire and emergency vehicles have adequate access to all buildings;
- carry out improvements to the water system as needed to ensure water quality and quantity are adequate; and
- provide for an adequate supply of suitable land for new housing development.

2.3 ENVIRONMENT

Goal:

Protect the natural environment and preserve the scenic quality of the planning area.

Objectives:

Protection of the natural environment is of vital importance. Council intends to:

- ensure that future development occurs with minimal disruption and without polluting the land or waterbodies of the Town or surrounding areas;

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- preserve and enhance scenic areas in and around the planning area;
- prevent undesirable development from taking place in environmentally sensitive or aesthetically pleasing areas (such as the coastline, hillsides, ponds, rivers, and streams);
- clean up, or require those responsible, to clean up or rehabilitate places where development has left an area in an unsightly condition, where garbage or other refuse has been left or where pollution of any form has occurred; and
- ensure that all commercial, industrial and residential properties are kept clean, landscaped and free from refuse.

2.4 ECONOMIC GROWTH

Goal:

Encourage economic and business opportunities that may expand and diversify the employment base. It will be the goal of Council to support the local business sector of the community to every extent possible in keeping with the financial integrity of the Town Council.

Objectives:

Council intends to facilitate economic development by striving to within means and capacity:

- provide for future commercial and industrial development to take place in appropriate locations;
- encourage and support the expansion and promotional needs of local businesses;
- entice residents to become independent business people by becoming local entrepreneurs;
- develop infrastructure required to achieve the complete tourism potential of the area and maintain/enhance the necessary infrastructure in and around the Town to meet the needs and wishes of residents and tourists;
- provide the necessary infrastructure required to sustain the future needs of the aquaculture industry in the area through new construction or utilization of nearby facilities previously established; and
- improving the potential for tourism-related business, with the added benefit of improving the living environment for residents by:
 - encouraging preservation of buildings and structures that reflect the history and heritage of the Town;

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- o preventing development from negatively affecting scenic areas or views; and
- o encouraging people to clean up and otherwise improve the appearance of their buildings and to properly landscape the surrounding lots, especially in the case of restaurants and other businesses that may cater to tourists.

2.5 TRANSPORTATION

Goal:

Ensure that the local transportation system adequately and safely provides access and reliability for all persons throughout the planning area.

Objectives:

In order to properly provide an efficient, safe and economic street system Council intends to strive to:

- prevent unorganized development of streets and intersections and ensure that any new streets are developed only when necessary and in conformity with an overall plan;
- identify roadways that can be constructed within the Town boundaries that helps the flow of traffic through town; and
- upgrade and maintain existing roads under a regular maintenance program.

2.6 RECREATION AND WELL-BEING

Goal:

Ensure that facilities for a wide variety of recreation and social activities that all residents can use remain available. Walking trail development will be encouraged within the Town and it shall be the intent of Council to consider within its capacity the development of a Trails Master Plan.

To advocate for a system of health care that responds to the medical needs of residents.

Objective:

Recreation facilities and activities that all residents can make use of and participate in, and community services that help improve the quality of people's lives can foster a good community spirit and contribute to residents' overall well-being. With this in mind, Council intends to strive to:

- continue to provide a range of community services and facilities to properly satisfy the health, educational, recreational, social and safety need of the Town's population and

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ensure that all citizens, including the elderly and disabled have access and opportunity to use them;

- develop and restore trails;
- designate specific areas within the town limits as Recreational Areas to prevent development in key natural tourists locations;
- provide emergency measure services that focus on the immediate physical, social and spiritual health needs of each individual;
- encourage the provision of additional community services in response to needs as they are identified, such as child daycare or care for the elderly or disabled;
- meet the immediate and future health needs of our aging population; and
- encourage the use of public buildings (such as schools and recreation centres) for a variety of purposes as needed.

PART II POLICY STATEMENTS



3.0 GENERAL POLICIES

The following policies are applicable throughout the entire Planning Area unless stated otherwise.

3.1 LAND USE ZONING

- (1) All development shall conform to plan policies and requirements of the Development Regulations. Only the types of development listed as permitted and discretionary uses in Schedule "C" of the Development Regulations may be allowed in each zone.
- (2) Except where they abut roads or other distinct physical barriers, adjacent uses may slightly overlap one another, provided that it is acceptable to do so with respect to the purpose and general intent of the Plan and Policy 3.2.

3.2 DECISION MAKING POWER OF COUNCIL

Situations will arise regarding a planning issue or development proposal where a judgement, interpretation or choice has to be made. This occurs, for instance, where the word "may", as opposed to the words "shall" or "will", appears in a policy or regulation, or where discretionary uses have been listed in the land use regulations. In such situations, Council shall judge the particular situation on its merits and if necessary, consult with concerned residents, Council staff, and appropriate federal or provincial government departments or agencies.

The decision must take into account and conform to any other requirements of the Plan and its general intent, good planning principles and the best interests of the residents of the Town. Assistance in such matters from the Department of Municipal Affairs will be available upon request. However, where regulations and policies of the Plan, or a department or agency of the federal or provincial government clearly state what shall or shall not be permitted, or what shall be required as a condition for approval, Council will be bound by those policies, regulations and/or requirements.

3.3 NON-CONFORMING USES

Development not in conformity with the land use designation under which it is found, but which had already been legally in existence prior to the date upon which this Plan was registered under the *Urban and Rural Planning Act, 2000* will be permitted to continue as a non-conforming use, with restrictions regarding its replacement and expansion. However, in the case of a non-conforming use that, although legally established, is nevertheless causing a nuisance or otherwise infringing on or preventing other development, Council will encourage, its relocation or discontinuance by preventing its expansion or providing suitable land in another location.

3.4 COSTS RELATED TO MILEAGE

Many of the costs of running a municipality are related to mileage, such as upgrading and maintenance of streets, water and sewer servicing and garbage collection. Generally, the more spread out a municipality is, the higher the costs related to these items are. To help keep these costs low:

- (1) as full use as possible will be made of developable vacant land in serviced areas before extending services;
- (2) ribbon development, unnecessarily long dead-ends or extensions to them shall be avoided; and
- (3) new development shall, wherever possible, contribute to shorten dead-ends or connect them with collector and main roads.

3.5 SURFACE CONDITIONS

Development will only be permitted on lands that are suitable and safe for the proper siting and development of the proposed use. Any proposal for erection of structures on a site with slopes in excess of 12 percent, or potentially subject to flooding, shall be reviewed by an engineer or other person qualified to do so to ensure that no danger to health may occur if development of the site were to take place.

3.6 SERVICING AND ROAD FRONTAGE

- (1) All residential dwellings, and all other buildings throughout the planning area, with the exception of sheds, barns and accessory buildings, or any buildings not intended for human occupancy for extended periods of time, shall be integrated with the municipal water and sewer system at the developer's cost, if they are located on a serviced road. If they are not located on a serviced road or otherwise cannot be integrated with the Town's water and sewer system they must have an onsite well and septic system that meets the requirements of the Department of Government Services and at least the required minimum lot size.
- (2) All buildings, with the exception of accessory buildings and non-residential buildings associated with agriculture, forestry, sawmilling, mineral workings or other rural resource or industrial type of uses for which road frontage would be unnecessary or undesirable shall have the minimum required frontage on a publicly maintained road, unless other policies and requirements of this Plan specify otherwise.

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- (3) In the case of buildings situated on publicly maintained roads but not provided with municipal water and sewer services, frontage requirements and the siting of buildings on lots shall be controlled so that it may be possible to increase the density of development if services are eventually installed.

3.7 BACKLOT DEVELOPMENT

In keeping with the efficient use of land and town services, the Council supports backlot development with conditions. Access to a backlot shall be by private driveway, which shall be in the same ownership of the remainder of the lot. Construction and maintenance of the driveway will be the responsibility solely of that of the property owner. The standards for the driveway will be prescribed in the Development Regulations and will be required to accommodate snow clearing, stormwater management measures, buffering, and any other measures the Authority deems necessary to ensure that the proposed backlot not affect adjacent properties. Detailed site assessment will be required for backlot development applications and will be required to include:

- (1) height and placement of the dwelling;
- (2) driveway placements, standards (i.e., 12 percent slope) and stormwater management;
- (3) effect on adjacent properties;
- (4) landscaping and privacy buffering;
- (5) compatibility with the streetscape; and
- (6) effect on town infrastructure and services.

3.8 TRANSPORTATION

- (1) General
 - (a) The speed and volume of traffic on local roads shall be kept to a minimum by means of street signs and design.
 - (b) Cu-de-sacs or dead- end roads shall provide adequate space for vehicles to turn around and their lengths shall be in conformity with appropriate safety standards.
 - (c) Local roads shall be upgraded and maintained to maximize the safety.
 - (d) All buildings shall conform to requirements for minimum setback from a road and buildings on corner lots shall be set back far enough to leave sight lines unobstructed.

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(2) Vehicle Access

Vehicle access from a public road to commercial, industrial or public assembly uses, or to any parking area, shall be:

- (a) well-defined and clearly marked, with suitable barriers or landscaping put in place to prevent vehicles from entering and existing at other than the defined access points;
- (b) limited to an appropriate number of entrance and exit points and located so that visibility from streets and access points are maximized and so that the flow of traffic generated does not cause a nuisance or hazard to residents or traffic along adjoining streets; and
- (c) shared with adjoining uses, wherever possible and appropriate.

(3) Parking

- (a) Landscaping of parking areas and associated and surrounding lands shall be required.
- (b) All development must provide an adequate number of parking spaces for vehicles.
- (c) Council will encourage shared parking and shared access to parking lots.

3.9 PROPERTY MAINTENANCE

All property and building owners, particularly owners of commercial properties, restaurants, shops and stores or any business catering to tourists, shall landscape their building lots and properly finish and maintain the exterior of their dwelling or building. Owners of dilapidated structures may be required to repair or, if they present a safety hazard, remove them. Council will ensure that buildings and property owned by the Town will be well maintained and landscaped as a general example to the community, however, failure of Council to do so in no way relieve residents and property owners from the requirements of this policy. Council will not permit storage or abandonment of wrecked or inoperable vehicles, machinery, equipment of any kind on any property or lot so that it is in general view of public streets or developed areas. Screening, fencing or removal and cleanup of unsightly features may be required.

3.10 HISTORIC AND HERITAGE STRUCTURES

- (1) Houses and other buildings and structures which were:
 - (a) Built in a traditional or distinctive architecture style; or
 - (b) Otherwise deemed to have historic or aesthetic value by Council, or a department or agency of the provincial or federal governments; will be considered to be heritage structures.
- (2) In addition to preserving local history and heritage, such structures may individually or collectively have economic value as tourist attractions. Their restoration and preservation are encouraged. Council may require any measures to ensure that the appearance of other structures to be constructed or to undergo exterior renovations in the vicinity of heritage structures do not detract from heritage structure.
- (3) A permit to alter the exterior appearance of any heritage structure may be refused if the alteration will infringe upon the heritage quality of the structure. For example, on traditional houses windows must be casement style, greater in height than width and siding materials may only be narrow coarse, wooden clapboard.
- (4) A permit to demolish any heritage structure may be refused if it is structurally sound and otherwise is usable condition. Owners of heritage structures requesting a demolition or alteration will be advised of the importance of their structure as a heritage resource and tourist attraction.

3.11 ADVERTISEMENTS

The size and location of signs; the size of lettering on the signs and other aspects relating to the display of signs and advertisements shall be controlled. Council will seek to ensure that signs and advertisements will be tastefully presented and properly located in order to prevent unwanted visual effects.

3.12 PROTECTION OF SCENERY

- (1) In the case of any proposed development that may potentially have a negative effect on scenery within or around Town (for example, aggregate resource extraction in general view of developed areas and roads), Council may refuse to permit the proposed development. If Council approves such a proposed development, it will require as a condition of approval measures to ensure potential negative effects are prevented or rendered innocuous.
- (2) Council will encourage those developing land to retain as much as possible, original trees and other plant growth on building lots.

- (3) Where any development is, or may potentially be, producing or creating noise, smoke, dust, unsightliness or any other unacceptable effect on other uses, a suitable screen such as trees or fencing will be required. With this in mind, Council may require that original trees and other plant growth be left around land cleared for any potentially unsightly development in order to provide a screen.

3.13 DEVELOPMENT NEAR WATERCOURSES

The only uses that can be permitted in the buffer area of a waterway or wetland are roads, public utilities, trails, trail related accessory uses, and uses requiring direct access to a body of water such as wharves and docks and fishing and marine operations. These uses are subject to the approval of the Water Resources Division of the Department of Environment and Conservation, Department of Fisheries and Oceans Canada and where applicable, the Government Service Centre of the Department of Government Services for Crown Lands and referrals.

3.14 POLLUTION PREVENTION

Any measures deemed necessary to prevent pollution at any location in the planning area may be required as a condition of a development permit. Garbage, refuse, abandoned automobiles and any other discarded materials shall be disposed of only at a waste disposal site approved by the Department of Environment and Conservation. Such material shall not under any circumstances be used as fill for buildings lots.

3.15 REFERRALS

- (1) Department of Municipal Affairs and Environment

The review and approval of the provincial Department of Municipal Affairs and Environment shall be required for:

- (a) any development proposal which may present cause for concern regarding pollution or damage to the natural environment or involve the use or storage of potentially damaging or harmful chemicals and substances;
- (b) installation of on-site water and sewer system or municipal water and sewage systems;
- (c) any development within 15 metres of the highwater mark of any watercourse or the shoreline of Bay d'Espoir.

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(2) Department of Government Services

Any extensions to the municipal water and sewer system or installation of private water and sewage disposal systems anywhere within the planning area shall require the approval of the Department of Government Services.

(3) Department of Tourism, Recreation and Culture – Provincial Archaeology Office

Any findings of archaeological objects must be reported to the Provincial Archaeology Office of the Department of Tourism, Recreation and Culture. No further development may proceed at a site where an archaeological find has occurred until written permission to do so has been obtained from the Provincial Archaeology Office

(4) Department of Natural Resources – Mineral Lands Division

The provincial Department of Mines and Energy must be consulted with regard to any proposed development within 50 metres of a reserved sand or gravel pit, within 300 metres of an operational sand or gravel pit or within 1,000 metres of a gravel pit or quarry, in reserve or operational, in which blasting may take place.

(5) Department of Fisheries and Oceans Canada

Applications for development within 15 metres of the highwater mark of any watercourse or the Bay d'Espoir coastline shall be subject to the review, assessment and authorization of the federal Department of Fisheries and Oceans.

4.0 LAND USE POLICIES

The following land use policies guide the future development of the Town. The policies reflect the Town's vision and goals and promote safe, orderly, efficient, and environmentally sound development. The land use categories correspond with those on the Future Land Use Map. The Generalized Future Land Use Map is a graphic representation of the land use designations and forms part of the Plan. The Future Land Use Zones are:

- Mixed Development
- General Industrial
- Commercial
- Public Buildings
- Rural
- Conservation
- Protected Water Supply Areas A, B, and C

Public utility corridors, such as roads, electricity, water and sewer lines, or other public

infrastructure, are permitted in any land use designation, subject to environmental regulations and laws.

Uses that are not listed, as permitted and/or discretionary are not permitted.

4.1 MIXED DEVELOPMENT

4.1.1 Permitted Uses and Discretionary Uses

While the primary use in the Mixed Development designation is single dwelling residential as a permitted use, this designation can also accommodate a wide array of other residential and non-residential public, commercial, transportation and industrial uses and other appropriated uses as either permitted or discretionary uses. A mix of uses that support and enhance St. Albans characterizes the mixed-use zone. The following uses may be made in the mixed-use designation as permitted and/or at the discretion of Council.

Conservation, Office, Recreational Open Space, Single Dwelling, and Pre-manufactured Home Modular/Mini Home

Agriculture, Amusement, Antenna, Apartment Building, Bed and Breakfast, Boarding House and Hospitality Home, Catering, Child Care, Club and Lodge, Commercial Residential, Communications, Convenience Store, Cultural and Civic, Double Dwelling, Educational, Funeral Home, General Assembly, General Industry, General Service, Indoor Assembly, Indoor Market, Light Industry, Medical and Professional, Medical Treatment and Special Care, Outdoor Assembly, Outdoor Market, Passenger Assembly, Personal Service, Place of Worship, Police Station, Row Dwelling, Service Station, Shop, Shopping Centre, Take-out Food Service, Taxi Stand, Theatre, Transportation and Veterinary

The uses not included are prohibited.

4.1.2 Residential Subdivisions

The policies and regulations for general development and general residential development shall also apply to any residential subdivision development. Residential subdivisions shall be developed in as comprehensive a manner as possible. For subdivisions that involve the creation of new streets or roads, no development shall be permitted until a subdivision plan showing open space areas, proposed roads and their interconnection with existing streets, method of drainage, lot layout and road connections to potential further development on adjoining land has been prepared for the entire site and approved by Council. New subdivision developments should consider the development of walking trails and the connectivity to other walking trails and greenspace.

4.1.3 Other Policies Apply

The policies and regulations that apply to each particular kind of development shall apply to that development as it occurs in the Mixed Development area. For instance, policies under

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Section 4.1 of this Plan shall apply with regard to residential development in Mixed Development areas.

4.1.4 Avoidance and Mitigation of Land Use Conflicts

Council will consult with and consider legitimate concerns of surrounding residents and property owners before granting approval for any discretionary use development in Mixed Development areas. If a proposed development is considered to be unacceptable, a permit may be refused. If measures such as buffering, screening, landscaping and/or property maintenance can render negative effects innocuous they will be required, at the developers cost. Conversely, if someone wishes to build a residence or undertake some other development next or near to a pre-existing but potentially conflicting use, Council may refuse the application or require the applicant to provide mitigation measures.

Major commercial and public uses may only be located along Main Street or in associated use zones (i.e., Commercial Use Zone or Public use Zone), and major industrial uses may only be allowed along the coast line and in other selected areas where there is not likely to be a conflict with residential development.

4.2 GENERAL INDUSTRIAL

General Industrial areas shall be reserved for general and light industry, transportation and conservation purposes. The Town of St. Alban's supports the aquaculture facility within this zone. Due to the fact that Industrial uses are often unsightly Council intends to ensure that adequate screening and buffering of such development is put in place. If screening is not possible, a permit may be refused. Suitable areas under the Rural and Mixed Development designations may be used for further industrial development should the need arise, provided all applicable policies and regulations are complied with. The following uses may be made in the General Industrial designation as permitted and/or at the discretion of Council.

Conservation, General Industry, Light Industry, and Transportation
Antenna, Communications, General Service, Office, Personal Service, Portable Sawmills and Shop

The uses not included are prohibited.

4.3 COMMERCIAL

The area along Cormier Avenue has been designated as Commercial. A mixture of commercial uses exists within this area, including a motel, restaurant, hardware store, shops and offices. Land for future commercial development is designated on the Future Land Use Map, for additional commercial development. This will assist in creating a commercial core within the Town. The following uses may be made in the Commercial designation as permitted and/or at the discretion of Council.

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Catering, Child Care, Club and Lodge, Commercial Residential, Communications, Convenience Store, Service Station, Shop, Shopping Centre, Take-out Food Service, Taxi Stand, Theatre, and Veterinary, Cultural and Civic, Funeral Home, General Assembly, Amusement, Indoor Market, Indoor Assembly, Medical and Professional, Personal Service

Antenna, Apartment Building, Bed and Breakfast, Boarding House and Hospitality Home, Double Dwelling, Educational, Light Industry, Medical Treatment and Special Care, Outdoor Assembly, Outdoor Market, Passenger Assembly, Place of Worship, Police Station, Row Dwelling, and Transportation

The uses not included are prohibited.

4.4 PUBLIC BUILDINGS

This category of land use includes stand alone major public utilities, such as the chlorination plant for the Town's water supply, and places where a public service or public gathering for non-commercial purposes may take place and includes such things as schools, churches, government offices and meeting halls. Land for future public buildings has been designated on the Future Land Use Map, should new public buildings be required. The following uses may be made in Public Buildings designation as permitted and/or at the discretion of Council.

Child Care, Communications, Conservation, Cultural and Civic, Educational, General Assembly, Indoor Assembly, Medical and Professional, Medical Treatment and Special Care, Office, Place of Worship, Police and Recreational Open Space Antenna and Outdoor Assembly

The uses that are not included are prohibited.

4.5 RURAL

4.5.1 Permitted and Discretionary Uses

All areas not designated under any other land use category will be considered Rural areas. They will generally remain undeveloped, to be left for agriculture, forestry and conservation uses and other compatible uses, including mineral exploration and mineral workings. However, as developable land is limited in St. Alban's certain other uses which require relatively large areas of land and which could not be accommodated in other areas, such as certain industrial uses (for example, a marine industrial park), scrapyards and solid waste disposal sites may be permitted in Rural areas at Council's discretion. The following uses may be made in the Rural designation as permitted and/or at the discretion of Council.

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LAND USE POLICIES

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Agriculture, Cemetery, Conservation, and Forestry

Animal, Antenna, General Industry, Hazardous Industry, Light Industry, Mineral Exploration, Mineral Working, Outdoor Assembly, Outdoor Market, Portable Sawmills, Recreational Open Space, Scrapyard, Service Station, Single Dwelling, Solid Waste Disposal and Transportation

The uses not included are prohibited.

4.5.2 Industrial Uses

Industrial uses in Rural areas must:

- (1) conform with all regulations for both General Industrial and Rural development;
- (2) not create the need to extend or install municipal services or impede existing or potential development of permitted uses anywhere in the planning area;
- (3) not cause pollution; and
- (4) be adequately screened from view if they are to take place along a public road or within general view of developed or developable areas of Town.

4.5.3 Residential Development

Residential development shall not be permitted in Rural areas unless ancillary to a permitted use after it has been in operation for at least 2 years and provided approval has been obtained from the Departments of Government Services and Natural Resources.

4.5.4 Cemeteries

Any new cemeteries will be located in Rural areas away from lands suitable for other uses.

4.5.5 Mineral Workings

- (1) All activities that may be classified under the general category of mineral workings including extraction, processing or storage of gravel, sand, rock or any other such substance will only be permitted in Rural areas. This includes concrete and asphalt plants, rock crushing, quarries and sand and gravel pits on any scale of operation.
- (2) Dust, smoke, noise, truck and heavy equipment traffic, long and short-term blemishes on the landscape and potential spills of oil, gas and other chemicals stored onsite are among the negative aspects of mineral working uses. Council intends to ensure that no mineral workings or related activity at any scale will negatively affect the environment, cause an inconvenience, nuisance or danger to residents, detract from scenery or negatively affect or prevent the surrounding area's eventual use for residential or other

development. Mineral workings will be subject to any requirements of the Town, the Department of Mines and Energy, the Department of Municipal Affairs and Environment or any other government department or agency. If a mineral working operation cannot be adequately screened from general view from the developed parts of Town and main roads a permit for the development may be refused.

4.5.6 Recreational Uses

- (1) Public open space uses and outdoor recreation facilities, such as ball fields and playgrounds, may be allowed in Rural areas at Council's discretion.
- (2) Private outdoor recreation development for commercial and non-commercial purposes may be allowed in Rural areas at Council's discretion. Some examples of commercial outdoor recreation activities are; golf driving ranges, miniature golf courses, go-cart courses, bumper boats, campgrounds, waterslides and horseback rides. Approval of any such development will be withheld if it may interfere with development of permitted Rural uses or if its effects on the environment, traffic, visual impact, noise production or its general suitability within the context of its proposed location are not acceptable to Council.
- (3) All buildings associated with such development must have properly finished exteriors. Grounds, including accesses and parking areas must be landscaped to Council's satisfaction.
- (4) To ensure that safety and aesthetics are integral considerations in the development of any such proposal, a site plan clearly depicting in proper scale and proportion the layout of the land and all activities, buildings and parking areas must be included with any proposal for an outdoor recreational development having more than two kinds of activities on site; for extensions to an existing outdoor recreational development; or for additional activities at the site of an existing outdoor recreational development. Depending on the size or complexity of the proposed development, Council may require any such site plan to be drawn by an engineer, surveyor or other qualified person.

4.6 CONSERVATION

Lands designated Conservation are areas which are unsuitable for development because they are too hazardous to build on, for example, due to steep slopes or potential danger of flooding, or because they may be environmentally sensitive and require special protection. No structures shall be built in these areas unless associated with a conservation related purpose. Otherwise, no activity or development particularly any that could potentially cause pollution, erosion, or alteration of the area from its natural biophysical state may take place. Council may consider Antenna, Forestry and Recreational Open Space as discretionary uses. The following uses may be made in the Conservation designation as permitted and/or at the discretion of Council.

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LAND USE POLICIES
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Conservation, Antenna, Forestry and Recreational Open Space

The uses not included are prohibited.

4.7 PROTECTED PUBLIC WATER SUPPLY AREA

The Protected Public Water Supply Area (formerly the Groundwater Protection Area) is established to protect the Town's municipal water system. There are three Sub-Areas: A, B, C, in which the level of protection varies from the highest to the least. Protected Public Water Supply Area – C overlays other designations, and is thus an overlay designation.

All development is subject to this section, in addition to any other requirements under the Municipal Plan and Development Regulations.

All development within the Protected Public Water Supply Area, Sub-areas A, B, and C, is subject to the approval of the Department of Municipal Affairs and Environment and not development is permitted which may damage the quality of the Town's water supply.

(1) Sub-Area A

Within Sub-Area A only conservation and public utilities are allowed.

(2) Sub-Area B

Within Sub-Area B only antenna, conservation, public utilities and recreational open space can be allowed.

(3) Sub-Area C

Within Sub-Area C in addition to the uses that can be permitted in Sub-Areas A and B, in Sub-Area C all other appropriate uses can be allowed, except for hazardous industry, and uses which entail the processing or storage of fuel and chemicals, the major repair of vehicles or equipment and other activities deemed to be a hazard to the water supply by the Department of Municipal Affairs and Environment and the Town.

PART III IMPLEMENTATION



TOWN OF ST. ALBAN'S MUNICIPAL PLAN 2017

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5.0 IMPLEMENTATION

The Municipal Plan will be implemented over the next ten years through decisions of Council and affected government agencies such as Department of Municipal and Provincial Affairs; Transportation and Works; Labrador and Aboriginal Affairs; Environment and Conservations; and Natural Resources. The successful implementation of the Plan involves:

- effective administration of the Plan;
- adoption of Development Regulations: land use zoning, subdivision and advertisement regulations;
- the adoption of annual capital works program;
- preparation of development schemes; and
- the procedure for considering amendments to the Plan.

5.1 ADMINISTRATION OF THE PLAN

For the purposes of administering this Plan, the Future Land Use Map shall be read only in conjunction with the Goals, Objectives and Policies outlined in this document. All development approved within the Planning Area must conform to the policies of this Plan. Council will ensure that all development proposals are given a comprehensive review, including circulation to affected public departments and agencies.

All persons wishing to develop land for any purpose within the St. Alban's Municipal Planning Area shall apply to Council for permission through the established procedure. 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 as established under section 40 of the *Urban and Rural Planning Act, 2000*.

Council shall require that a Development Agreement for major land developments within the Planning Area be agreed to and signed by the developer and Council. This agreement shall establish the conditions under which development may proceed and shall be binding on both parties. Conditions may also be attached to the development permit.

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

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5.2 DEVELOPMENT REGULATIONS

Development Regulations ensure the development takes place in accordance with the goals, objectives and policies of the Municipal Plan pursuant to section 35 of the *Urban and Rural Planning Act, 2000*. The Regulations will set out the administrative procedures for dealing with applications and will provide municipal-wide standards and requirements for land use development and zoning. Development Regulations consist of five parts: General Regulations, General Development Standards, Advertisement, Subdivision of Land, and Land Use Zones. The first four are similar for all towns and communities in the province; however, the Land Use Zone section (Schedule C) is tailored individually for each municipality. All land within the municipal planning area will be covered by land use zones, which provide detailed requirements such as lot size, frontage, building setbacks, and parking standards.

5.2.1 General Regulations

Among other things, the General Regulations govern matters relating to the power and council of a municipality to regulate development within its Planning Area and establish conditions relating to the issuing of permits.

5.2.2 General Development Standards

The General Development Standards relate to such matters as the siting of building lots, building height, setback from the street, buffers between certain types of development, parking and access requirements, non-conforming uses and other related matters.

5.2.3 Advertisements

Advertisement regulations control the size, shape, location, siting, illumination and material construction of advertisement for the protection of the safety and convenience of the general public and neighboring properties and the general aesthetics of the Planning Area.

5.2.4 Subdivision of land

Subdivision regulations govern the development and division of larger parcels of land into individual building lots. They include standards for street improvements, lot sizes and lot layouts, procedures for dedicating land for public purposes and other necessary requirements.

5.2.5 Land Use Zones

Zoning is a means of ensuring that development conforms with the Plan, and that it is properly situated and does not conflict with or adversely affect neighbouring uses. It can ensure that new growth is concentrated within or adjacent to developed areas, promoting a compact form to make the most efficient use of public services and utilities. Land Use Zone tables are presented in Schedule C of the Development Regulations. For each land use district a list of Permitted and

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Discretionary uses is presented as well as conditions to which development must conform before it may take place.

5.3 CAPITAL WORKS

A capital works program shall be adopted annually and implemented by the Council. Capital works programs must conform with applicable policies and land use designations of the Municipal Plan. Capital works projects must not contribute to sprawl, since that would conflict with the Plan's goal of promoting compact development. It should be recognized that extensions to roads/new roads required for (or as a part of) new development (including residential subdivisions) are the responsibility of developers and not the municipal or provincial governments. Improvements to local roads should be undertaken in accordance with the town's financial capability (and in conformity with the Municipal Plan) on a priority basis. The scheduled completion of this work is dependent on the receipt of adequate capital works funding, and municipal financing. The development of additional recreational facilities should also be carried out on a year-to-year basis subject to the town's financial capabilities

5.4 COMPREHENSIVE DEVELOPMENT SCHEMES

The Municipal Plan may also be implemented through comprehensive development schemes adopted by Council. Development schemes may be prepared at any time during the planning period in order to amplify the policies of the Municipal Plan or specify the development of particular areas. Development schemes are prepared under sections 29 and 30 of the *Urban and Rural Planning Act, 2000*. After being adopted by Council, they are subject to a public hearing in the same manner as the Plan and approval by the Minister of Municipal Affairs.

5.5 MUNICIPAL PLAN AMENDMENTS AND REVIEW

Since conditions in the Town may change during the planning period, amendments to the Municipal Plan may be adopted by Council from time to time. Council may consider amendments to the Municipal Plan when:

- there is an apparent need to change policy due to changing circumstances;
- studies have been undertaken which contain recommendations or policies which should be incorporated into the Municipal Plan;
- a Provincial Land Use Policy has been released that requires a change in policy by the Town; and
- there is a development proposal which provides sufficient information and rationale to support a change in the Municipal Plan.

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If an amendment to the Plan is considered, it shall be subject to public consultation prior to being adopted, evaluated through a public hearing process, and approved in the same manner as the Plan. An evaluation of the proposed amendment will be compiled in a background report. The proposed amendment may include a policy statement and an accompanying Future Land Use Map.

Any requests by an applicant for an amendment(s) to the Municipal Plan or Development Regulations, the Town may charge the total cost to complete the amendment(s) to the applicant. The authority to charge and collect the total cost for the amendment(s) is granted to the Town under section 27, *Urban and Rural Planning Act, 2000*.

After five years from the date on which this Plan comes into effect, Council shall consider a review of the Plan and revise it if necessary. Revisions will take account of development which can be foreseen during the following 10 years.