# TOWN OF ST. PAUL'S MUNICIPAL PLAN

IMPORTANT: To see if there were any changes to this plan since it came into effect, please refer to:

List of Municipal Plan Amendments

# URBAN AND RURAL PLANNING ACT NOTICE OF APPROVAL

<u>of</u>

#### COMMUNITY OF ST. PAUL'S MUNICIPAL PLAN

I, Eric A. Gullage, Minister of Municipal and Provincial Affairs, under and by virtue of the powers conferred by the Urban and Rural Planning Act, hereby approve the Community of St. Paul's Municipal Plan adopted by the Community Council of the Community of St. Paul's on the 9th day of April, 1991.

Dated at St. John's this 23rd day of august, A.D., 1991.

Eric A. Gullage, C.L.U., M.H.A. Minister of Municipal and

Provincial Affairs

ST. PAUL'S MUNICIPAL PLAN

1.0 ADOPTION AND APPROVAL

# 1.1 COUNCIL RESOLUTION

Resolved, pursuant to section 16 of The Urban and Rural Planning Act, that the Council of the Community of St. Paul's adopt the Municipal Plan entitled "St. Paul's Municipal Plan, 1987-1997."

Resolved further, pursuant to section 18 of the Urban and Rural Planning Act, that the Council apply to the Minister of Municipal Affairs for the setting of the time and place of a Public Hearing to consider objections or representations to the adopted Plan.

PROPOSED BY:	Corl	Pittman		
SE¢ONDED BY: _	Alexano	der Gilley		
	a correct copy of at S+ Paul		passed at	a meeting of
on the Ninth	day of Afril	, <del>1987</del> .1991		

Valma Puttman

# 1.2 SEAL AND SIGNATURE

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Signed and sealed pursuant to section 16(3) of The Urban and Rural Planning Act this w.n+k day of APr./ , 1987.1991

Anthony Bryan (SEAL)

# 1.3 CLERK'S CERTIFICATE

Certified that the attached Municipal Plan is a correct copy of the Municipal Plan adopted by the Council of the Community of St. Paul's, on the Nunthday of  $A_{fil}$ ,  $\frac{1987}{1991}$ .

Vielma Pittman

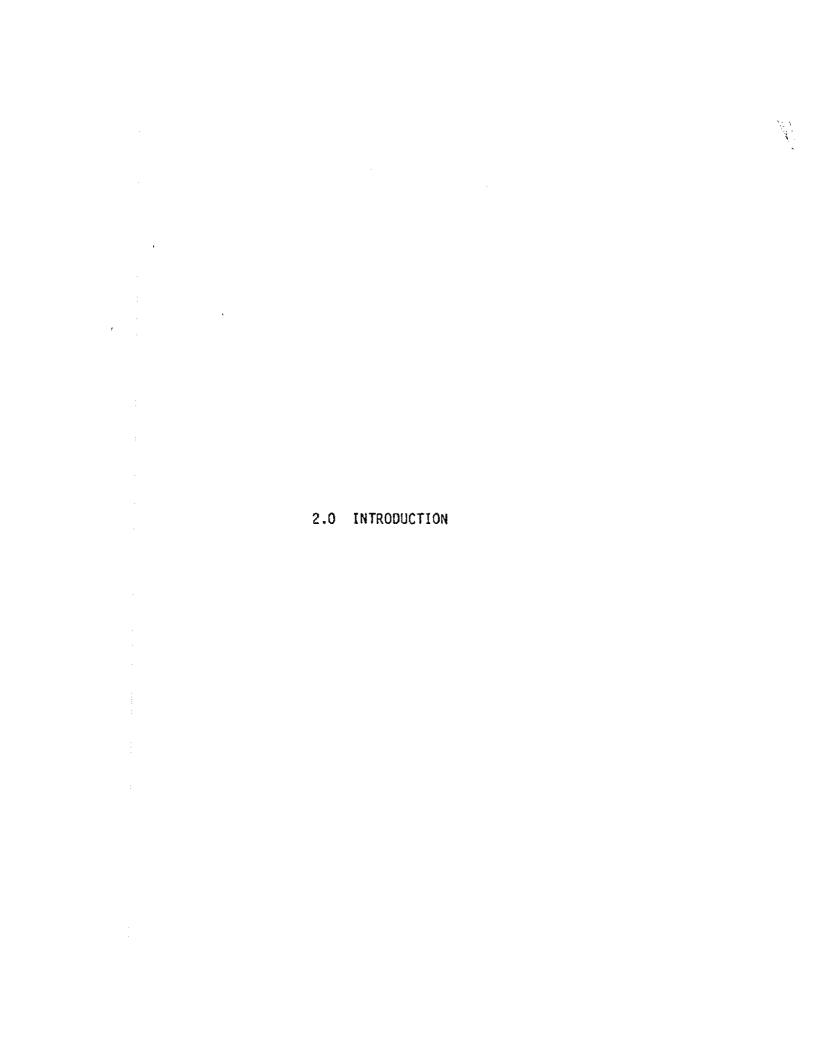
Clerk

# 1.4 MINISTER'S APPROVAL

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#### 2.1. FOREWORD

# a) MUNICIPAL PLANNING IN NEWFOUNDLAND AND LABRADOR

# The Municipal Plan

This Municipal Plan has been prepared in accordance with the requirements of section 15 of The Urban and Rural Planning Act, following surveys and studies of land use, population growth, the local economy, present and future transportation 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.

#### Ministerial Approval

When the Municipal Plan is formally adopted by resolution of the Council under section 16(1) of the Act, two copies must be impressed with the Seal of the Council and signed by the Mayor.

This brief summary of Municipal Planning legislation and procedures is intended to assist the Council in understanding and using its Plan. Details are contained in the Urban and Rural Planning Act.

The Council must then give notice of its intention to seek the approval of the Minister of Municipal Affairs by publishing a notice in the Newfoundland Gazette and in a newspaper published, or circulating, in the community. The notice must state where and when the Municipal Plan may be inspected by any interested person and the time and place set by the Minister for the hearing of any objections or representations. At the Public Hearing, a Commissioner appointed by the Minister will hear the objections and representations, and subsequently forward to the Minister a written report, together with copies of all the evidence taken at the Hearing.

After the Public Hearing is concluded and the Commissioner's report has been submitted, the Council must apply to the Minister for approval of the Municipal Plan. The Minister requires two copies of the Municipal Plan certified correct by the Clerk of the Council, a copy of the adopting resolution and of all written objections and representations considered at the Hearing. On receipt of this material, the Minister may approve the Municipal Plan, with or without modification, or may disapprove it and order that a new Municipal Plan be prepared. Upon approval, the Minister will endorse a copy of the Plan and return it to the Council. Within ten days of receipt of the final approval by the Minister, the Council must publish a notice of approval in the Newfoundland Gazette and in a local newspaper.

# The Effect and Variation of the Municipal Plan

When the Municipal Plan comes into effect, it is binding upon the Council and upon all other persons, corporations and organizations. The Plan has to be reviewed by the Council at the end of

every five years from the date on which it comes into effect and at that time revised as necessary to take account of developments which can be foreseen during the next ten-year period.

The Municipal Plan may be amended in whole or in part for just cause by repeating the process by which it was adopted and approved initially.

# Development Schemes

At any time after the adoption of the Municipal Plan, the Council can prepare and adopt Development Schemes under sections 31-33 of the Act for the purpose of carrying out specific proposals of the Municipal Plan.

A Development Scheme may provide for the acquisition, assembly, consolidation, subdivision and sale or lease by the municipality of land and buildings which are necessary to carry out provisions of the Municipal Plan. The Scheme may reserve land for future acquisition as the site of any public roadway, service or building, or for a school, park or other open space and may make such agreements with the owners of the land as will permit its acquisition and use for those purposes. The Development Scheme may also specify the manner in which any particular area of land is to be used, subdivided or developed, and may regulate the construction of buildings which would interfere with the carrying out of the Development Scheme.

Development Schemes are prepared and approved in exactly the same way as the Municipal Plan, and, when approved, form part of that Plan.

# Municipal Plan Administration

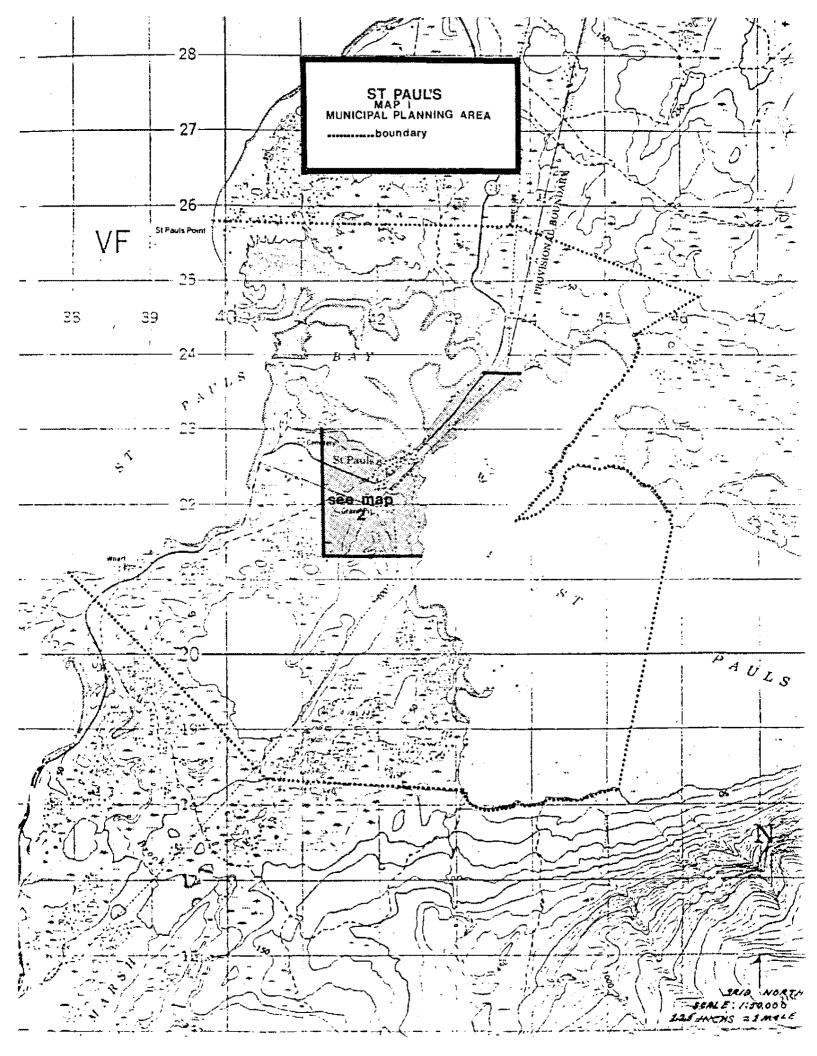
When a Municipal Plan comes into effect, the Council is required to develop a scheme for the control of the use of land in strict conformity with the Municipal Plan in the form of land use zoning, subdivision, and any other regulations necessary. After adoption by the Council, these regulations must be submitted to the Minister for approval.

Regulations must comply with the requirements of the Urban and Rural Planning Act, and Standard Provincial Regulations have been developed to form the basis of these regulations. Councils are also advised, if they have not already done so, to adopt the National Building Code of Canada as their building regulations.

The day-to-day administration of the Municipal Plan, and subsequent regulations, is in the hands of staff memebers authorized by the Council. Council staff have the duty of issuing all necessary permits approved by Council and making recommendations to the Council in accordance with the Municipal Plan policies and implementing regulations regarding all development in the Municipal Planning Area.

# b) MUNICIPAL PLANNING AREA

The St. Paul's Municipal Planning area was established in 1983. It is bounded on the north by the Cow Head Municipal Planning Area and on the south by the Gros Morne National Park. The eastern boundary crosses St. Paul's Inlet and is backed by the National Park. The Western boundary is contigious with the Gulf



of St. Lawrence. The topography of the Planning Area is fairly uniform, consisting mainly of low lying land interspersed with bog. Most settlements are concentrated primarily at the entrance to St. Pauls Inlet and along Route 430.

St. Paul's adopted a resolution to prepare a Municipal Plan in 1983, concurrent with several other Gros Morne enclave communities. In 1984, a comprehensive background report was prepared for all eight of the Gros Morne communities including St. Paul's. This report was supplemented with field work and has formed the basis for the current St. Paul's Municipal Plan.

#### 2.2 SUMMARY & CONCLUSIONS OF THE BACKGROUND STUDY

# Population

The current 1986 population of St. Paul's is estimated to be approximately 515. Although this represents a fairly sharp increase since 1981, it is not expected that this trend will continue indefiniately due to the fact that this increase was caused, in part, by an inmigration of people resettled from areas of the Gros Morne National Park. Some further resettlement will probably occur over the next decade but it is highly unlikely that the population will exceed 600 by 1996. This forecast is premised by the assumption that current economic conditions in the community will remain relatively stable.

# Housing

In recent years, housing starts in St. Paul's have averaged approximately 3 per year. Some of these homes have been built by people moving into the community, while others represent dwellings built by young families resident in the community. This trend will probably continue into the near future but will slow as immigration ceases. Based on past trends and current conditions, it is forecast that between 25 and 35 new residences will be constructed in St. Paul's over the next 10 years and the community must reserve at least enough land to accommodate the demand.

# (b) Other Community Problems, Opportunities and Needs

The most urgent problem facing St. Pauls at this time is the need for an adequate supply of serviced building lots. The older part of the community has little space available for residential infilling and most new development has been occurring in the Fox Road area. Some of this Backlot development is not fronting on the public road and may cause problems in the future with regard to the installation of services.

This type of uncontrolled development can lead to undesirable enlongated and irregular residential settlement patterns and prevent the orderly subdivision of good residential land.

St. Paul's is also deficient in recreation facilities and this Plan will promote the construction of one or more playground areas for the children of the community.

The backland areas of the community around St. Paul's Inlet have great potential for tourist attractions in the form of boat tours and campgrounds. This Plan encourages the protection and reservation of these areas for these purposes. These natural attractions offer the greatest potential for Development of the local tourism industry based on the flow of visitors attracted to the Gros Morne National Park, and the enhancement of this industry is promoted by this Plan.

#### 2.3 POLICY ASSUMPTIONS

#### a) Economic Factors

It is anticipated that economic conditions in St. Pauls will change little during the next decade.

There is some reason for an optimistic view of the inshore fishery in the near future and this could improve the local economy somewhat although inshore lobster catches have been declining in recent years. Generally, the future of the fishery is uncertain, and cannot be considered reliable as an expanding industrial sector.

The establishment of the Gros Morne National Park has, however, created an institution with a certainity of permanence. It is expected that the National Park will continue to draw increasing volumes of visitor traffic to the Great Northern Peninsula and this traffic must pass through St. Paul's. This represents an opportunity for the development of services in the community catering to the tourism industry, in addition to the potential for scenic attractions and accommodations centered around St. Paul's Inlet.

3.0 THE MUNICIPAL PLAN

#### 3.1 THE FUTURE COMMUNITY

It is not expected that there will be any major changes in the rate of growth or the types of land use in St. Paul's during the life of the Municipal Plan. The principal land use will continue to be for residential development, with growth rates comparable to those of recent years. It is evident that new residential development is expanding into the backland area east of Highway 430 where good building land is located. The Plan will encourage this growth under controlled circumstances.

The economic base of the Community is not expected to change significantly over the life of the Municipal Plan and the future need for industrial land is likely to be minimal. It is likely that an increase in the volume of tourist traffic passing through the community could strengthen the economy and it is necessary to provide an area of land adjacent the highway where commercial outlets can locate.

The areas of land at the mouth of St. Paul's Inlet will be designated as Industrial Land to protect the Fishery Related Activity.

#### 3.2 GOALS AND OBJECTIVES

# a) Community Structure:

Goal: - To keep the community structure compact.

Objective: - To encourage new development and development in the built up areas of the Planning Area.

Objective: - To encourage development in areas serviced by municipal water and sewer.

Objective: - To require all New Residential Development to front on a publically maintained road.

#### b) Housing

Goal: - To provide adequate space estimated for the 30-40 new houses that will be required during the next decade.

Objective: - To designate areas for future residential development.

Objective: - To permit residential infilling and redevelopment in the community where adquate space and conditions exist.

#### c) Industrial

Goal - To ensure that there is adequate space for fishery related activity in St. Paul's.

Objective: - To designate industrial areas near the mouth of St. Paul's Inlet.

# c) Commercial

Goal:

- To encourage the growth of commerce and the tourism industry.

Objective:

- To designate an area adjacent to Route 430 when commercial land uses and Tourism Related Services will be permitted.

Objective: - To permit some commercial related activites in the industrial area.

#### d) Environment and Natural Resource Goals

Goal:

- To preserve the aesthetic and physical quality of the natural environment in the Planning Area.

Goal:

- To protect the forest, recreational and mineral resources in the Planning Area for the benefit of the community.

Objective: - To prevent development in environmentally sensitive areas and along the shoreline of St. Paul's Inlet.

Objective: - To designate areas of known gravel deposits as mineral working areas.

Objective: - To protect scenic areas that have potential for tourism related activities.

# e) Recreation Goals

Goal: - To provide adequate recreation facilities for

the youth of the community.

Objective: - To designate areas of the community for

Playground space.

# f) Transportation Goals

Goal: - To ensure that roads and streets in the

community provide safe and efficient

transportation routes.

Objective: - To develop standards for all new and existing

roadways with regard to the widths of

Rights-of-way and setbacks for development.

Objective: - To ensure that there is adequate space for the

operation of maintenance and snowclearing

equipment.

#### 3.2 POLICIES

# a) Community Structure

It is desirable in any community to keep the settlement pattern compact to reduce the cost of servicing and optimize the use of existing vacant land. St. Paul's is fortunate in this respect and still has the opportunity to prevent residential sprawl through careful municipal planning.

It is the policy of this Municipal Plan to encourage the growth of St. Paul's in a controlled manner in order to prevent development in areas that are difficult to service. It is also a Policy of this Plan to make the best use of the existing vacant land in the community.

- New development shall be permitted only in areas serviced by municipal water and sewer or where services are to be extended in the near future.
- All new development shall require prior approval from the council.
- All new development shall conform to standards set by council in the St. Paul's Development Regulations.
- No Residential Development shall be permitted in the Rural Resource area of the Planning Area without the prior approval of council.

#### b) Housing

It is the intention of this Policy to provide areas for the future residential growth expected to occur in St. Paul's during

the life span of this Plan. It is recognized that there is a shortage of good residential building space to the west of the highway in the older section of the community and that there is an abundance of good land to the east of Route 430, in the area of Foxes Road. In the absence of other competing land uses, this Plan shall promote new residential development in the latter area.

- Residential development shall be permitted in Residential and
   Mixed Development areas as indicated on Future Land Use Map
   2.
- Residential infilling shall be encouraged in serviced areas of the community where feasible to do so.
- All residential development shall front on a public road.
- All new residential development must be able to be connected to municipal water and sewer.
- Backlot development shall not be permitted except under exceptional circumstances and at the discretion of Council.
- All residential development shall conform to standards and conditions set out in the St. Paul's Development Regulations.
- The uses in a Residential or Mixed Development area shall include single family dwellings and mobile homes.
- Other permitted uses in Mixed Development areas shall include schools, shops and churches along with other compatible land use.
- A Comprehensive Development Area is established as indicated on Future Land Use Map 2.
- Other permitted uses in a Residential Area may include shops, personal service, general service, general garages, convenience stores, child care, antenna and recreational open space.

# C) Industrial

There is little likelihood that any new industrial development will occur in St. Paul's in the near future therefore limiting the need for industrial land. It is the purpose of this policy to protect the fishery related area at the mouth of St. Paul's Inlet without designating any other industrial areas for immediate use.

- This policy establishes Industrial areas as indicated on Future Land Use Map 2.
- The permitted uses in this area shall include docks and slipways.
- No development that would interfere with industrial development shall be permitted in this area.

#### d) Commercial

There is little demand in St. Paul's for commercial land but there are a number of small commercial outlets scattered through-out the community. In the absence of any large scale demand for commercial land, it is a certainity that this mode of development will continue, with a variety of land uses in close proximity to each other. There is a need however, to establish an area along the highway where service oriented commercial enterprises can situate in response to the needs of the travelling public.

- Commercial land uses will be permitted in the Mixed Development areas indicated on Future Land Use Map 2.
- A Commercial-Highway Area is designated as indicated on Future Land Use Map 2.
- The permitted uses in the Commercial-Highway area shall include shops, service stations, garages and markets.

# e) Rural Resource

The undeveloped area surrounding the community represents valuable reserves of timber and minerals, the latter in the form of aggregate deposits. It is the intention of this policy to designate this area for rural oriented land uses and to protect these resources for future use. In addition, the municipal water supply is located in the Rural Resource area and must be protected from encroachment by conflicting land uses.

- A Rural Resource Area is established as indicated on Future Land Use Maps 1 and 2.
- The permitted uses in this area shall include sawmilling, gravel pits, logging, forestry, conservation and agriculture. Other compatible land uses may be permitted at the discretion of council.
- Residential development shall not be permitted in the Rural Resource Area unless it is clearly ancillary to a permitted use.
- There shall not be any development within the Protected Watershed Area of the municipal water supply.
- A Mineral Working area is established as indicated on Future Land Use Maps 1 and 2.
- No conflicting land use in the rural resource area shall be permitted to encroach on the developed area of the community.

- Any mineral working activity in the Rural Resource area must conform to standards established by the Department of Mines and Energy and the Council.
- Any forestry or logging in the Rural Resource Area shall conform to Dept. of Forest, Resources and Lands Regulations.

In areas designated as Productive Forest, new developments not directly compatible with long-term production shall be discouraged. In these areas, any Forest Management Plan prepared by the Forestry Branch of the Department of Forest Resources and Lands and subsequently approved by the Department of Environment shall form part of this Plan.

In areas designated as Productive Forest, existing developments not directly compatible with long-term timber production may be expanded where such expansion can be justified as being necessary to improve the economic viability of the development.

No permits will be issued for new developments or the expansion of existing developments within areas designated as Productive Forest without the approval of the Forestry Branch of the Department of Forest Resources and Lands.

In areas which are not designated as Productive Forest but which have a forest cover, a cutting permit issued by the Forestry Branch of the Department of Forest Resources and Lands must be obtained before the removal of any timber can take place.

# f) Environmental Protection:

The purpose of this land use designation is to protect areas of intrinsic natural beauty and to prevent the utilization of land that is unsuitable for development because of natural hazards.

Due to the low lying nature of the topography in St. Paul's a great deal of land is wet and boggy, unsuitable for structural development. It is the intention of this Plan to prevent development in such areas. Other areas, that are scenic or environmentally sensitive shall be designated for environmental protection.

It is also important that the shore line of St. Paul's Inlet be kept free from unattractive development in order to facilitate the development of tourist attractions and facilities in the area.

- Environmental Protection areas are established as indicated on Future Land Use Map 2.
- There shall not be any development in St. Paul's Inlet within 30.5 metres of the high water mark, with the exception of Docks and Harbours.
- The uses permitted in the Environmental Protection area shall include conservation and transportation.

#### 4.1 PROGRAM OF DEVELOPMENT AND CAPITAL WORKS PROJECT

The community does not extend to undertake any specific projects at this time due to a shortage of funding. As residential development advances on Foxes Road and a demand for building lots in the C.D.A. increases, the community must undertake the development and full servicing of these areas. It is hightly unlikely that it will be necessary to develop the C.D.A. before the first five year Municipal Plan review bu the servicing of Foxes Road must be undertaken as soon as possible, preferably within the upcoming five years. This project can be jointly financed by the community and the Provincial Government.



#### 4.2 ADMINISTRATION

#### (a) Introduction

The preparation, adoption, and approval of this Municipal Plan represents only a part of the planning process. In other words, the Plan is not an end in itself nor does it serve any useful purpose without being implemented.

The Municipal Plan must be implemented by means of the regulatory powers conferred upon the Council by section 37 of The Urban and Rural Planning Act and such other statutes, enabling legislation and programmes as may be applicable. The Plan must serve as a continuing reference and guide to Council and its officials in order to achieve the goals, objectives, policies, and programmes which it contains.

# (b) Development Regulations

The direction and control of orderly land use is an important feature of the Community's planning programme. For that purpose, development regulations are the most effective tool.

After the Plan is formally adopted, Council is required under section 37 of The Urban and Rural Planning Act to develop fully a scheme for the control of the use of land in strict conformity with the Municipal Plan and any further plans or development scheme. These must include land use zoning regulations, subdivision regulations, and such other regulations in compliance with the requirements

of Part VIII of the Act as the Council may deem necessary to control the use and development of land in accordance with the Plan.

Essentially, zoning is a means of ensuring that the future land uses are in strict conformity with the Municipal Plan, that they are properly situated in relation to one another, and that they do not conflict with or adversely affect adjacent properties. It directs new growth into suitable areas and protects property by requiring that development afford adequate light, air, and privacy for persons living and working within the community. Zoning also allows for the control of development directly in each area so that property can be effectively serviced by means of a corresponding extension of the existing public services.

The implementing Land Use Zoning, Subdivision, and Advertisement Regulations to be administered and enforced by the Council shall include:

- The powers of Council including rules and administrative procedures governing the Council's consideration of and decision on planning applications.
- Rules and administrative procedures for appeal boards.
- General development standards for all zones.
- Regulations governing advertisements.
- Regulations governing the subdivision of land covering but not limited to subjects such as services to be

provided, building lines, public open space, design standards, and transfer of streets and utilities to the Council.

- Definitions of key words and phrases to be used in the interpretation of the Regulations.
- A classification of uses of land and buildings to be used in the Use Zone tables.
- Zone tables which may be amended from time to time to provide for new uses, tailored specifically for each use zone, listing the permitted and discretionary uses and the standards and conditions for development in each specific zone.
- Use Zone maps dividing the planning area into areas corresponding with the use zone tables.

As mentioned above in the Regulations, there are certain uses for each of the zones which are primary and are permitted as a matter of right anywhere in that particular zone. The issuing of permits for uses is straight forward and these uses are subject to the requirements of the Regulations and any further conditions imposed by Council. A discretionary use is one which may sometimes be permitted in a specific zone where:

- i) The development would not be contrary to the general intent and purpose of the Regulations, the Plan, or any other further scheme or plan or regulations.
- ii) Proper public notice has been given and Council is satisfied that it is not against the public interest

and will fit into the zone as a complementary or non-damaging use.

iii) Council is satisfied that the discretionary use is suitably located within the zone proposed.

Permitted and discretionary uses will be listed individually for each zoning category in the Land Use Zoning Regulations.

#### (c) Development Control

Council will exercise proper control over all development within the Planning Area in accordance with this Plan and the Development Regulations.

Any person wishing to develop\* or subdivide land for any purpose within the Planning Area shall make application on the prescribed forms to Council for permission. It is important to note that the Council will require a separate permit to be obtained by the developer for the subdivision\*\* of land. All new development or redevelopment as well as any change of use or intensity of use or alteration or improvement to any land or existing building will

<sup>\*</sup> The Urban and Rural Planning Act should be referred to for the precise definition of "development".

<sup>\*\*</sup> Subdivision means the dividing of any land whether in single or joint ownership into two or more pieces for the purpose of development.

require a permit from the Council. In addition, a separate permit will be required for all building work and the occupancy of a building. A building permit will not be granted until a development and/or subdivision permit has been obtained.

Council may grant outline permission, sometimes called approval in principle, to enable a developer to test a proposal without having to go to the expense of preparing detailed plans. An outline application will require only a location plan and a brief description of the proposal sufficient for the Council to make a proper assessment. If the Council is in favour of the proposal, outline permission may be given subject to the submission and approval of detailed plans of development and any other conditions that appear necessary. An outline application will be processed and considered just like any other application.

The Council may approve an application for a development or subdivision, approve it with conditions, or refuse it. Each application must be evaluated in light of the policies and intent of the Plan and implementing Land Use Zoning, Subdivision and Advertisement Regulations. Any person who is dissatisfied with the decision of Council may appeal to the appropriate Appeal Board.

Development Control properly exercised will ensure not only orderly growth in the community in terms of land use but will enhance safety and convenience for the residents of the Community.

# (d) Capital Works Program

In an effort to ensure that adequate funds are available at the appropriate time to implement each feature of the municipal plan, Council shall prepare and submit every year a five-year forecast of their anticipated capital expenditure requirements. This will be done in compliance with section 9 of the Municipal Grants Act. 5.0 MAPS

In order to further the development of an orderly, economic and attractive development pattern, the Planning Area is divided into groups of complementary land uses having related function which do not ordinarily interfere with each other, constitute mutual nuisances or hamper each other's activities. The general land use designations are set out on Maps 1 and 2 which form part of this Municipal Plan.

The intent of the Plan is to guide development into these land use designations; thereby separating activities that have conflicting requirements and functions. Commercial and industrial areas are located where they may benefit from important transportation facilities and local resources and the pattern of uses has been derived with the intent of preserving important natural features. It must be stressed that it is not the intent of this Plan to segregate land uses for the sake of such segregation but only for the purposes of preventing conflicts of each group of activities may be achieved.

The road network is based on and designed to facilitate the satisfactory movement of both people and goods to and from the various land use areas within the Planning Area, as well as to facilitate through traffic movement.

