

TOWN OF POUCH COVE MUNICIPAL PLAN 2003-2013

Gazetted: June 4, 2004

Consolidation Date: January 18, 2013

Amendments: To see if there were any amendments to this document since it came into effect, please refer to:

[List of Amendments](#)

The Town of Pouch Cove

Municipal Plan 2003 - 2013



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PLAN-TECH



ENVIRONMENT

URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF POUCH COVE
MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS
2003-2013

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Pouch Cove adopts the Town of Pouch Cove Municipal Plan and Development Regulations 2003-2013.

Adopted by the Town Council of Pouch Cove on the 23rd day of Feb., 2004.

Signed and sealed this 23rd day of Feb., 2004.

Mayor: *David Potter* (Council Seal)

Clerk: *Wally Kilmartin*

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Pouch Cove Municipal Plan and Development Regulations 2003-2013 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP: *Leonard Butler* (MCIP Seal)



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF POUCH COVE
MUNICIPAL PLAN AND DEVELOPMENT REGULATIONS
2003-2013**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Pouch Cove.

- a) Adopted the Town of Pouch Cove Municipal Plan and Development Regulations 2003-2013 on the 23rd day of February, 2004.
- b) Gave notice of the adoption of the Town of Pouch Cove Municipal Plan and Development Regulations 2003-2013 by advertisement inserted on the 3rd day and the 12th day of April, 2004 in the Telegram newspaper.
- c) Set the 21st day of April at 7:30 p.m. at the Town Hall, Town of Pouch Cove for the holding of a public hearing to consider objections and submissions.

Now under section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Pouch Cove approves the Town of Pouch Cove Municipal Plan and Development Regulations 2003-2013 as adopted (or as amended).

SIGNED AND SEALED this 27th day of April, 2004

Mayor: Sarah Patten (Council Seal)

Clerk: Wendy Edwards

Municipal Plan/Amendment	
REGISTERED	
Number	<u>4815-2004-001</u>
Date	<u>25 May 04</u>
Signature	<u>Alinta</u>

Development Regulations/Amendment	
REGISTERED	
Number	<u>4015-2004-001</u>
Date	<u>25 May 04</u>
Signature	<u>Alinta</u>

The Town of Pouch Cove

Municipal Plan 2003 - 2013



PLAN-TECH



ENVIRONMENT

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1.0 INTRODUCTION

1.1 MUNICIPAL PLAN PREPARATION

This 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.

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. This consultation consists of a public advertisement that the Plan is under review and requesting that the general public be offered the opportunity to view the existing Plan and provide comments for the draft Plan. This format is through a minimum of public meetings, briefing sessions, or with groups and individuals. After this consultation, Council must adopt the draft Plan and allow for further input from the general public.

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 will 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 Urban and Rural Planning Division, Department of Municipal and Provincial Affairs for registration. A notice

will then appear in the Newfoundland Gazette and a local newspaper advising the public of Council's intent. Once this notice has been published in the Newfoundland Gazette, the Plan is legally binding on Council and any person or party 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.

1.4 BACKGROUND

The Municipal Planning Area of the Town of Pouch Cove incorporates an area of approximately forty square kilometres on the northeastern tip of the Avalon Peninsula. It includes an area with a diverse landscape with coasts on both Conception Bay and the North Atlantic Ocean. Much of the area is a rugged upland reaching an elevation of 275 metres on its west coast.

Residential and commercial development is concentrated in the built up area around Pouch Cove along local roads which radiate outwards from highway 20 with ribbons of residential development extending south along Route 20 to the more rural area of Shoe Cove and the Town's southern boundary. Residential development consists primarily of single detached dwellings and it is anticipated that this will continue to be the predominant form of residential development in the Town over the planning period.

The municipal water supply comes from the Three Island Pond Watershed located in the southwestern portion of the Municipal Planning Area.

The 2001 census lists Pouch Cove's population as 1669 which reflects an 11.5% decline from the 1996 census. While experiencing marginal growth till 1996, demand still exists for new residential construction. Approximately 10 residential building lots per year on average will be anticipated during the planning period. There is presently an abundance of undeveloped residential land within the Town, much of it serviced or capable of servicing with municipal water and sewer.

The Town contains an abundance of natural resources of considerable value. These include the Three Island Pond Watershed which supplies the Town with its source of domestic water, Marine Drive Provincial Park, the Shoe Cove Brook Ravine and numerous other areas of natural and scenic beauty, rugged cliffs, heights of land, wetlands and waterways.

1.5 POLICY ASSUMPTIONS

Provincial

The St. John's Urban Region Regional Plan covers the Pouch Cove area and designates it as one of the Local Centres where the extent of present development is such that public services must be provided. In these areas first priority will be given to the provision of a piped water supply and sewage collection facilities.

In considering the position of Pouch Cove in the St. John's Urban Region as established in the Regional Plan, it is essential to recognize one of the basic concepts of the Regional Plan which emphasizes that the major population growth of the region should be mainly confined to the established urban core - the City of St. John's and its immediate environs in order to maximize the use of roads, water supply and all other urban services.

For the planning and development of the designated Local Centres the Regional Plan establishes the following guidelines:

- 1) The local centres shall be able to develop to the fullest extent possible within the areas shown on the Regional Plan Map consistent with the constraints set out in Objective 11 of the Regional Plan as follows:
 - a) the existing and likely future extent of municipal services;
 - b) the ability of the region to finance the necessary capital works to service such development;
 - c) the need to protect regional resources including agricultural and forest lands, watersheds and scenic resources;
 - d) the need to limit as far as possible heavy capital expenditure on additions to the regional road network to handle commuting and other traffic;
 - e) the amount of infilling possible within presently developed areas;
 - f) the capacity of existing local roads and the need to achieve a desirable level of transportation services;
 - g) the effect of additional population on present school facilities.
- 2) Within the Local Centres, residential uses shall generally be of a low density nature with a continuing predominance of single family dwellings. Consistent with the size of most of the local centres and the policies of educational authorities in the region, school facilities may be limited to the junior grades.
- 3) Commercial uses shall be limited to those of a local nature but may include both retail and highway commercial functions, where such uses are deemed desirable. Industrial activities shall generally be limited to those of a specialized local nature such as the fishing industry. Other small-scale industries providing local employment to a small number of persons may also be considered appropriate.
- 4) Two prime aims in the local centres will be to encourage the infilling and consolidation of presently semi-developed areas once essential public services to existing development

are installed and to develop improved local road systems so that better circulation of traffic may be facilitated.

- 5) The Municipal Plans shall recognize and define, where applicable, a core area or areas within which higher density development and development in depth may be possible.
- 6) Two levels of service may be provided in the local centres depending upon local conditions; one area within which water and sewer and full municipal services would eventually be installed would form the heart of each such local centre. Outside of this would be an additional area of somewhat lower density development within which a lesser standard of services would be required. The Regional Plan Map indicates the wider limit as the 'local centre' boundary.

In addition, the following two objectives of the Regional Plan are also essential in guiding the planning and development of Pouch Cove:

- 1) To prevent development that will require disproportionately costly public services because of location or use, and to preserve in its natural state land that should not be developed due to its physical characteristics.
- 2) To prevent the continuation of 'ribbon development' along the main roads and highways in the region.

One of the assumptions of the Regional Plan is that it is desirable to protect the limited amount of agricultural land in the region for continued agricultural purposes.

2.0 THE PLAN

2.1 INTERPRETATION

The following sections of this document and Municipal Plan Maps 1 and 2, Future Land Use, constitute the legally effective parts of this Plan.

The general terms referred to hereinafter are defined as follows:

- "Council" shall mean the Council of the Town of Pouch Cove.
- "Town" shall mean the Town of Pouch Cove.
- "Planning Area" shall mean the Pouch Cove Municipal Planning area.

2.2 DEVELOPMENT PATTERN

The Plan policies aim to consolidate residential development in existing developed residential areas of the town and to provide an adequate supply of residential land which is serviceable with municipal water and sewer services to accommodate future demand.

Unserviced residential development will be permitted on an infilling basis in areas identified for long term servicing in a way which preserves the rural character of the community in these areas.

Rural residential development will be permitted in areas of the community where municipal piped services are not being considered. Lots sizes will reflect the rural character of these areas.

The rural resources and natural environment of the Planning Area are to be protected and policies for their use established.

2.3 GOALS

The goals set out below describe the intent of the Plan and rationale for the specific policies which will guide development of the community over the ten-year planning period.

1. To provide for development and allocate land for its best use within the Town of Pouch Cove in a way which is consistent with the regional growth strategy as set out in the St. John's Urban Region Regional Plan and which will enhance the viable functioning of the community.
2. To create a more compact form of development within the Town by encouraging development in serviced areas and in areas which are capable of servicing from existing trunk water and sewer lines.
3. To establish areas and policies for different land uses which will contribute to wise use and economical development in the Town.
4. To improve the road system in the community.
5. Protect the town's capital works investment and promote full utilization of existing facilities.
6. Provide direction for a program of capital works in line with the town's needs and financial capabilities.
7. Preserve, protect and enhance the natural environment for its aesthetic, recreational, and resource values.

8. Establish the basis for preparation and adoption of zoning and subdivision regulations to implement the policies of this Plan and to establish development standards which must be met.
9. Encourage well planned, socially and environmentally sensitive development proposals.

2.4 POLICY STATEMENTS

2.4.1 General Development Policies

The Town will encourage development in areas of the Town which are serviced or capable of servicing with municipal piped water and sewer systems. Development of a compact community will be encouraged in order to:

- keep down the capital cost of providing municipal services such as piped water and sewer, road pavement and upgrading, and street lighting;
- keep down the cost of running the community, especially those services where cost is related to road mileage, such as garbage collection, snow clearing and road maintenance;
- keep down the cost of living in the community and make the community convenient-- homes, schools, and shops near to one another;
- preserve the open countryside and natural scenic resources for recreation and resource development.

Policy Statements

Residential Infilling:

Development shall be consolidated in the existing and planned serviced areas through infilling and properly designed residential subdivisions.

Roads

New development and redevelopment shall meet certain site design standards and requirements set out in the regulations prepared to implement this plan, in order to safeguard and improve the

road system of the community, and to provide easy access for fire protection and municipal services. New development, shall, wherever possible, contribute to shorten or reduce existing dead-end roads.

Nonconforming Uses

Nothing in the Plan shall effect the continuation of a use which was legally established on the day that this Plan was approved and came into effect. Where a building or use exists which does not comply with the intent of the Plan and the designated use or standards, then it shall not be substantially expanded. Minor extensions may be approved provided there will be no adverse affects on surrounding properties or the environment. A discontinued non-conforming use of land shall not exceed 12 months after that discontinuance.

Municipal & Public Utility Works

Notwithstanding the specified permitted uses in the land use designations, municipal and public utility works such as telephone, water treatment, pollution control, and electric transmission and utility facilities are permitted uses in all use designations, provided no adverse effect on adjacent land uses or the environment is created. In this regard, the size and appearance of such works should be in keeping with adjacent uses and provision shall be made for buffering in the form of a suitably landscaped area between any such works and adjacent uses.

Plan Designations

The boundaries between types of land use portrayed on the Future Land Use Maps are general only and, except in the case of roads or other physical or clearly defined features, are not intended to define exact limits. Therefore, minor adjustments may be made to these boundaries for the purpose of implementing the Plan.

2.4.2 Residential

The Town, under the residential designation, envisages three types of residential development which will provide a range of residential choices for residents. Policies have been developed for Residential Serviced, Residential Unserviced, and Residential Rural and use zones under the residential designation.

2.4.2.1 Residential (Serviced)

The Town of Pouch Cove currently has in place an extensive municipal water and sewer service network which services the built-up area in the north eastern area of the town. Within this area there is potential for further serviced development along serviced roads (infilling) and backlands which are capable of servicing from the existing system.

Existing services extend along the Pouch Cove Highway close to the intersection of Hudsons Lane in the North, south through the Town to the intersection of Meeting House Road. Water only is available in the Shoe Cove area of Town. The Bauline Line is also serviced to the United Church Cemetery. Many local roads in this northern portion of the town are also fully serviced.

Policy Statements

Serviced Residential Development

The Plan shall encourage residential development in the area of town where municipal services are available on a fully serviced basis in order to maximize the use of the existing system and to encourage new subdivision development which will result in a more compact community and efficient network of local roads.

In this area new development shall:

- be permitted and encouraged on a planned, fully serviced basis;
- require the provision of municipal water and sewer services by the developer where municipal water and sewer services are nearby; and
- contribute to shorten existing dead-end roads wherever possible.

2.4.2.2 Residential (Unserviced)

The southern portion of the Town (south of Old Road and including Shoe Cove) is a largely rural area, currently without municipal sewer services but identified by the Town as an area intended for future servicing. The Pouch Cove Highway is serviced with piped water as far south as Shoe Cove Brook. Until such time that full services are available, it is Council's intention to permit residential development primarily along existing publicly maintained roads in the southern area of the community.

As services are extended southwards into the unserviced areas, it is Council's intention to permit a higher density of development and to encourage development of backlands on a serviced basis by designating lands for serviced residential development.

Policy Statements

Unserviced Residential Development

Residential development shall be permitted in the southern areas of the Town which are not currently serviced with water and sewer services provided that the development fronts onto an existing publicly maintained road.

Future Re-Development

Council shall encourage the siting of dwellings on residential lots in the unserviced areas to allow for future re-development in the event that municipal water and sewer services become available.

2.4.2.3 Residential Rural

Residential Rural areas are intended primarily as residential areas to be developed with single dwellings on larger lots. These are areas that will not be serviced with either municipal water and/or sewer services in the foreseeable future.

Bauline Road Rural Residential Development

The Bauline Line-Pouch Cove Road runs west from the serviced, built-up area of the town to the Marine Drive park. There are a number of houses towards the park end of the road. The area is not planned to be serviced by the Town. Council intends to permit residential development along the road as a rural residential area with large lots that can accommodate onsite services where designated on Future Land Use Map 1 and 2. As this area is not planned for municipal water and sewer services, the lot sizes and soil conditions shall be adequate to ensure functioning on-site water supply and sewage disposal for all time.

Policy Statements

Designating Residential Rural Areas

Other areas may be designated for Residential Rural where the area:

- is located outside the area which can be serviced by the Town's planned future water and sewer servicing, and does not have the potential to create new communities or result in urban sprawl;
- is not located in the path of urban expansion;
- shall not create an urbanized area which would require additional neighbourhood service-type uses, such as convenience stores or schools, and;
- has soil conditions and groundwater supply adequate to ensure safe and sanitary operation of on-site wells and sewage disposal for each lot for all time.

Residential Rural areas shall be sufficiently dispersed so as to maintain the integrity of the rural landscape.

Development of Residential Rural Areas

Within all Residential Rural areas, development shall take place in conformity with the following policies

- the development shall have minimal impact on the natural landscape by reason of tree cover and its retention, proposed layout and landscaping, topography and screening from public roads and public viewpoints, and no development shall take place on high points or hilltops; and;
- the development shall not be located on lands which are environmentally sensitive such as wetland areas, or which present hazards due to flooding or steep slopes, and the development shall be carried out in a manner which respects natural drainage patterns.

2.4.2.4 General Land Use Policies

Within the areas designated on the Future Land Use Map for Residential development, there are a number of general policies regarding the mix of land uses that will apply throughout the community in order to maintain the integrity of residential neighbourhoods and encourage an appropriate mix of uses which are acceptable to the community.

Policy Statements

Permitted and Discretionary Uses

Within the designated Residential areas, dwellings and recreational open space and their accessory uses shall be permitted. Uses that are complementary to these uses may also be permitted at Council's discretion. In considering these uses, Council will take into consideration, the impact of the proposed development on the surrounding area and it shall be a policy of Council to publicly advertise applications for discretionary uses in the designated residential areas.

Educational Uses

Educational uses may be permitted in designated Residential areas which are serviced or capable of being serviced with full municipal water and sewer services.

Non-Residential Uses in Residential (Serviced) Areas

Convenience stores, an office for a professional person or a commercial use which caters to local needs such as child care operation and certain home based occupations which do not result in

increased traffic or nuisance (noise, unsightly premises) may be permitted at Council's discretion in areas designated for Residential (Serviced) uses.

Non-Residential Uses in Residential Rural Areas

In areas designated for Residential Rural development, personal service and child care uses may be permitted as an accessory use to the residential use.

Special Considerations for Discretionary Uses

Special attention shall be given to the bulk and scale of proposed convenience stores, professional offices and local commercial uses proposed for residential areas to ensure that the development does not adversely affect the residential character of the area, and to the provisions of adequate onsite parking, loading, buffering and landscaping.

Nonconforming Agricultural Uses

Within the designated Residential Areas, existing nonconforming agricultural uses will be tolerated. Minor expansion to such uses may be permitted provided that such expansion will not adversely affect existing and future residential uses.

Traditional small scale hobby and subsistence agricultural uses may be permitted in designated Residential Areas. Proposed new development or expansion of this nature in residential areas will be considered by Council in consultation with the Departments of Forest Resources and Agrifoods and Government Services and Lands.

2.4.3 Mixed Development

Commercial development in the Town is concentrated in two areas near the centre of the Town along Route 20. However, the predominant use in these areas is residential. Commercial development is limited to a few retail outlets which serve local needs. It is the intent of this plan to protect the residential nature of these areas while at the same time permitting commercial uses in a central area of the Town to service the community.

Policy Statements

Permitted Uses:

Within the designated Mixed Development Areas, residential and recreational open space uses shall be permitted. Commercial, institutional, light industrial and their accessory uses may be permitted at Council's discretion.

Planning and Buffering Between Uses

Adverse effects of any proposed development on the adjacent residential use shall be prevented or minimized through proper site layout and buffering.

Control of Street Access

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.

Parking

Adequate off-street parking and loading facilities shall be provided.

2.4.4 COMMERCIAL

Several commercial uses are located along the Pouch Cove Highway consisting of convenience stores, gas stations and garages. It is the intent of this plan to allow for the continuation of these uses as permitted uses in areas that are of a rural residential nature.

Policy Statements

Permitted Uses

Within the designated Commercial Areas all commercial uses such as mercantile, business, professional or personal services, and cultural and entertainment uses may be permitted at Council's discretion. General industrial uses may also be permitted at Council's discretion if they do not have a detrimental effect on surrounding uses.

Control of Street Access

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.

Parking

Adequate off-street parking and loading facilities shall be provided.

Residential Development

Within the designated commercial areas, residential development may be permitted at Council's discretion.

Designating New Commercial Areas

Other areas may be designated for commercial use by amendment to this Plan, provided that:

- the area is located along the Pouch Cove Highway, the main arterial road through the town; and
- the designation of the area is compatible with surrounding uses.

2.4.5 INDUSTRIAL

Industrial activity in the Town consists of a marine slipway and storage area for fishing boats on the coast near the Town Hall and a Caplin processing plant which operates seasonally located along the Pouch Cove Highway near the Town Hall.

Policy Statement

Permitted and Discretionary Uses

Within the designated Industrial Area in the immediate vicinity of the Harbour, preference will be given to fishing, fish processing and marine-related uses. Other industrial uses may be permitted at Council's discretion.

Control of Street Access

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

Parking

Adequate off-street parking and loading facilities shall be required.

2.4.6 PUBLIC/INSTITUTIONAL

There are a number of schools, churches, municipal buildings and recreational facilities in the Town which are necessary to the continued social and economic functioning of the community. It is important to protect and encourage development of these uses within the community.

Policy Statements**Permitted Uses**

Within the designated Public/Institutional Areas, religious, educational, civic, medical, assembly uses such as sports arenas shall be permitted. Uses that are complimentary to a public use may also be permitted at Council's discretion.

Access to Public Streets

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.

Parking

Adequate off-street parking facilities shall be provided.

Impact on Residential Areas

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

2.4.7 OPEN SPACE

The Town of Pouch Cove contains significant areas of natural scenic value and potential. The rugged coastline, inland waterways and in particular the Shoe Cove Brook ravine provide residents of the Town with many opportunities for outdoor recreation.

It is the intent of this Plan to designate Open Space Areas within the Town such as the East Coast Trail, for active, outdoor community recreation and passive, outdoor recreation. Other areas designated for Open Space include cemeteries, sports field and playgrounds.

2.4.7.1 Recreation

Community recreation areas are located on Satellite Road where ball field and playground facilities are constructed. The east side of Route 20 near Castella's Road includes a soccer pitch, baseball field and playground.

Policy Statements

Permitted Uses:

Areas designated for recreation will be reserved primarily for active outdoor recreational uses including ball fields, playgrounds and civic parks. Small scale buildings accessory to the main outdoor recreation use may be permitted.

Impact on Adjacent Uses

The 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.

Parking

Adequate off-street parking facilities shall be provided.

2.4.7.2 Open Space/Conservation

These areas offer potential for future open space/conservation uses, taking advantage of natural features, future development along the East Coast Trail, such as heights of land, scenic views, special waterways which provide the community with recreation corridors to link various areas of the community. Included areas are the Shoe Cove Brook Ravine where trail and picnic park development are planned; an area around Old Pond which includes a corridor linking the area to Robinsons River and north to Northwest Brook and the recreational area near Castella's Lane.

Areas around the four main river systems and the Shoe Cove Brook Ravine have been identified as areas for Open Space/Conservation, and play an important role in the natural environment of the community. Existing development, particularly downstream near the mouths of these rivers near the Pouch Cove Highway could be adversely affected by development activities upstream. It is therefore important to protect these areas from development.

Road Construction and Water Crossings

No new road construction or water crossings will be permitted in areas designated for Open Space/Conservation without written approval from the Department of Fisheries and Oceans and the Water Resources Division, Department of Environment.

Shoe Cove Brook

It is the policy of this Plan to protect the area around Shoe Cove Brook as a Open Space/Conservation area and to encourage the cleanup and enhancement of this area as a natural scenic/conservation area within the Town.

Policy Statements**Permitted Uses**

Areas designated for Open Space/Conservation will be reserved primarily for passive, outdoor recreational uses such as recreational fishing, nature hikes, and cross country skiing. Development of hiking trails, small parks/picnic areas may be permitted provided the development does not adversely affect the natural environment of the area or adjoining land uses.

Trail Development

Proposals for trail development along streams in close proximity to residential areas may be permitted subject to submission of a detailed plan which includes a statement of public support for the development.

The Town of Pouch Cove shall also work with the East Coast Trail Association to preserve, protect, buffer and delineate the route of the East Coast Trail on Land Use Zoning Maps 1 and 2 and define appropriate standards. The Town will also ensure that:

- buffered trails are not suitable for general and resource related industrial uses;
- natural topography and vegetation will be maintained as much as possible;
- a buffer free of development will be maintained between the East Coast Trail and shoreline recreational uses or wharves; and
- Council support further work on the East Coast Trail as a hiking/walking trail with minimal disturbance to the surrounding land.

Marine Drive Park

Marine Drive Park is located within the Town of Pouch Cove. It shall be the Policy of this Plan to encourage and support the development of recreational facilities within the Park boundaries and to permit development adjacent to the park which will not have an adverse impact on the Park or on activities within the Park.

2.4.7.3 Cemeteries

There are several cemeteries in the Town of Pouch Cove. These areas should be preserved and maintained. Cemeteries which are located separately from a church are identified on the Future Land Use Map. Those cemeteries which are accessory to a church property are included in the Public designation.

Policy Statements

New Cemetary Sites

New cemetery sites may be located in areas designated for Open Space/Conservation at Council's discretion provided they have access to an existing public road, require no additional municipal services and are designed to facilitate public access.

Expansion of Cemeteries

Expansion of existing cemeteries to areas outside those designated for Open Space/Conservation may be permitted by amendment to this Plan and the area is re-zoned to accommodate the expansion area.

2.4.8 RURAL

All the lands within the Pouch Cove Planning area other than those designated for urban and other specific purposes are designated as rural.

Policy Statements

Permitted Uses

Within the designated Rural Areas, other than within 15 metres of a pond or watercourse, or such additional separation distance as Council may deem necessary to preserve water quality , natural habitat or public access; fishing, agriculture, forestry, mining, recreation and activities connected

with the conservation of soil or wildlife may be permitted. Uses that are accessory to these uses may also be permitted at Council's discretion, provided there is no requirement to extend municipal services.

Services

No municipal water and sewer services will be provided to Rural areas. Uses such as forestry or agriculture operations are required to meet the servicing standards established by the Department of Government Services and Lands.

Cottages

No cottage development shall be permitted in designated Rural Areas.

2.4.9 MINERAL WORKINGS

Policy Statements

Permitted Uses

Within the designated Mineral Workings Areas, mining, quarrying, and their related operations may be permitted.

The Plan will ensure that the adverse effects of mining, quarrying and their related operations such as dust, noise, and visual impact on the environment, particularly from public roads be kept to a minimum. Council will ensure that a separation distance exists near residential areas to protect against intrusive uses. Non-Residential Rural uses may be permitted at Council's

discretion. All quarry operators will be required to rehabilitate the quarry sites after quarry operations cease.

2.4.10 AGRICULTURE

The province has designated the Shoe Cove Pasture part of the St. John's Region Agriculture Development Area.

Policy Statements

Permitted Uses

It shall be the policy of the Plan to protect the St. John's Urban Region Agricultural Development Area or the Area as it is amended from time to time. Only agricultural uses and developments directly connected with or ancillary to an agricultural use and permitted by the Land Development Advisory Authority or such other body as may exist from time to time, pursuant to the Development Area (Lands) Act - St. John's Urban Region (Agriculture) Regulations, 1986.

2.4.11 WATERSHED

As the source of water supply to the Town, the North Three Island Pond and its large drainage area are designated as Watershed. It is the intent of the Plan to protect it from existing and future uses and development that could adversely affect the existing and long term quality of water in these designated areas.

Policy Statements

Permitted Uses

Uses in the designated Watershed Area, will be limited to passive recreational activities such as hiking. The use of motorized boats and vehicles will not be permitted on the pond and access to the Watershed area will be limited where possible.

Existing Uses

It is the policy of the Plan to allow the continuation and minor expansions of existing uses in the designated Watershed Area, provided that the future water quality in the area is not adversely affected.

Agriculture and Forestry Uses

Agricultural and forestry uses may be permitted at the discretion and control of provincial environmental authorities and Council. Any permitted forestry use and wood cutting shall also be subject to the supervision and restrictions of provincial forestry authorities.

Within the Watersheds that are designated Agricultural/ Forestry in the Regional Plan, agricultural and forestry uses may be permitted. Permission for such uses shall be subject to consideration by Council of the potential environmental impact of the development, in order to ensure that they will not adversely affect water quality.

2.4.12 ENVIRONMENT

Protection of the environment through proper land use planning, site development and development control within the Town are important. Several policies which apply to all

development within the Town have been developed to achieve a high level of environmental protection.

Policy Statements

Waste Disposal

Protective measures shall be taken to prevent or minimize any possible pollution by the disposal of both sewage and solid waste on the land and sea.

Alterations to Natural Environment

Development proposals will be required to show plans for grading, ditching and landscaping. Significant alterations to the natural environment (drainage patterns, topography, vegetation) to accommodate development will be considered in the overall evaluation of development proposals. Alterations to the natural environment which will adversely affect adjoining property and/or natural systems such as watercourses will not be permitted. Removal of topsoil, sods, or soil must have the approval of Council to ensure appropriate measures are taken to minimize any adverse impacts.

Watercourse Protection

It is the policy of the Plan to protect the lands, rivers, streams, ponds and shorelines in the Planning Area from pollution, and to retain the existing vegetation wherever possible. No development shall be permitted within 15 m of a watercourse without recommendation for approval from the Water Resources Division, Department of Environment and the Department of Fisheries and Oceans.

Environmentally Sensitive Areas

Development in physically undesirable or ecologically sensitive areas shall be restricted. These lands include ravines, bogs and steep slopes. Development which will detract from the natural quality of scenic areas shall also be restricted.

Promotion of Upkeep of Properties

Council will promote civic upkeep by individuals, businesses, and institutions; encourage rehabilitation or removal of existing dilapidated buildings and structures; and prohibit indiscriminate dumping through development of appropriate programs and regulations.

Buffering and Rehabilitation of Mining and Quarrying

It is the policy of the Plan to ensure that the adverse effects of mining, quarrying and their related operations such as dust, noise, and visual impact on the adjacent properties and environment be kept to a minimum through adequate buffering and that derelict lands resulting from such operations be properly rehabilitated. (See also Policy Statements: Mineral Workings).

Alterations to Fish Habitat

Any works or undertakings involving fish habitat shall be subject to the review, assessment and authorization by Fisheries and Oceans Canada.

On Site Sewage Disposal

No on-site sewage disposal system shall be located within 30 metres of any water body.

Shoe Cove Brook Ravine

The Shoe Cove Brook has been identified as an important natural resource in the community. It is the policy of this Plan to protect the area around Shoe Cove Brook as a conservation area and to encourage the cleanup and enhancement of this area as a natural scenic/conservation area within the Town.

2.4.13 ROADS

In order to improve the road system of the community, it is necessary to establish a hierarchy of roads according to their functions. In this community there are two classifications of roads as follows:

- a) Arterial roads - intended to function as the principal network for through traffic. These include the Pouch Cove Highway (Route 20) and the Bauline Line (Route 23).
- b) Local roads - intended primarily for direct access to individual properties.

Route 20 serves as the major traffic thoroughfare in the Town. Route 23 (Bauline Line) is a secondary arterial entering the Town from the west and ending at its intersection with the Pouch Cove Highway (Route 20). It is important to ensure that development along these highways does not impede the flow of traffic.

Policy Statements

Access

It shall be a policy of the Plan to recognize and maintain the functions of these roadways by ensuring that new development has proper and limited access onto these roadways and that no development takes place which could adversely affect the functioning of these streets.

New Roads

New roads, extensions or upgrading of existing roads that are not publicly owned and maintained at the time of the coming into effect of this Plan will not be permitted unless they are fully developed to standards for road construction outlined in the regulations developed to implement this Plan. The full costs of road development and/or upgrading shall be borne by the developer.

Financing and Construction

The financing and construction of all new roads servicing new subdivision or commercial developments will be the responsibility of the developer and shall be constructed to standards adopted by the Council.

Efficiency of New Roads

New roads proposed to service new subdivision developments shall, wherever possible, contribute to shorten or reduce existing dead-end roads.

Parking

To safeguard the road system in the community, all development shall be required to provide adequate off-street parking and loading facilities; building setback; and in case of a corner lot or corner site, adequate sight distance.

2.4.14 MUNICIPAL SERVICES

It is the aim of this Plan to encourage the development of the community in a way which will maximize the use of existing water and sewer infrastructure, and other municipal services such as garbage collection, street lighting and road maintenance and improvement.

Policy Statements

Residential Development in Serviced Areas

In order to provide for the optimum use of the municipal water and sewer system and to preclude unnecessary or costly extensions, only developments capable of integration into the municipal system will be permitted in areas identified for serviced residential development.

Financing of Water and Sewer Services

The financing of all new water and sewer services servicing new subdivision or commercial developments will be the responsibility of the developer.

3.0 IMPLEMENTATION

3.1 OUTLINE OF ACTION FOR IMPLEMENTATION

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. Furthermore, 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 outlined below:

- control future development by enforcing the 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 higher levels of government; and
- make necessary amendments to the Plan if conditions of the community change, and undertake a review of the Plan every five years.

3.2 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.

3.3 DEVELOPMENT CONTROL

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 form(s) and shall submit 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 Regulations, which reflect the policy of this Plan, may approve the application, approve it with conditions, or refuse it. Any applicant who is dissatisfied with the decision of Council may appeal to the Eastern Regional Appeal Board.

Development control properly exercised can ensure not only orderly and economical growth of the community in terms of land, roads, and municipal services but also safety and convenience for the residents.

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

3.4 CAPITAL WORKS PROGRAM

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 the annual preparation of a "5 year Capital Works Budget" which outlines proposed capital works to be undertaken by Council over a five year period, subject to the availability of government funding.

Despite the availability of water and sewerage services within the Town, additional services are proposed for several areas of the Town. It is Council's intention to secure funding to extend services in the short term along Bauline Line and in the southern section of the built up area of the Town with the intention of providing full services along the Pouch Cove Highway as a longer term project.

Where town water and sewer lines are installed on nearby roads, backland development shall be carried out on a fully serviced, full cost recovery basis unless specified otherwise in this plan. The Plan requires that the Residential (Serviced) areas be developed on a fully serviced basis.

3.5 AMENDMENT AND REVIEW OF PLAN

Since the condition of the community may change during the Plan period, plan amendments may be made by Council at any time in order to cope with the new conditions. Any such amendment shall be read together with and form part of this Plan.

Furthermore, Council shall review and, if necessary, revise this Plan on the expiration of every five years from the date on which this Plan came into effect, in accordance with the developments which can be foreseen during the next ten years.

Amendment and review of this Plan shall be carried out in the same manner as this Plan was brought into effect.

4.0 BACKGROUND REPORT

4.1 INTRODUCTION

Location and Physical Geography

The Planning Area of the Town of Pouch Cove incorporates an area of approximately 40 square kilometres on the northeastern tip of the Avalon Peninsula. The municipality governs a diverse landscape with coasts on both Conception Bay and the North Atlantic Ocean. Much of the area is a rugged upland reaching an elevation of 275 metres on its west coast.

The townsite of Pouch Cove is located in a river valley which slopes in a generally west to east direction from an elevation of approximately one hundred and twenty (120) metres in the west following eastward to sea level. Pouch Cove has a traditional development pattern that is oriented to the sea in support of fishing related activities. The harbour is completely exposed to the sea and small fishing boats are protected from high seas by utilizing a slipway to hoist them onto dry land. Because of these constraints, fishing currently plays a minor part in the economy of Pouch Cove.

The annexed area of Shoe Cove, or Pouch Cove South as it is now known, lies on relatively even terrain at an approximate elevation of eighty (80) to one hundred (100) metres. This area is settled in a ribbon of development along Highway 20.

Most land in the planning area has little soil, steep slopes, frequent rock outcropping, and large areas of poorly drained soils. However, limited areas within the townsite of Pouch Cove are utilized for forage and vegetable crops. Much of Pouch Cove South is relatively even terrain and, with the exception of three boggy areas, well drained. There is extensive soil cover in this section of town.

The Municipal Boundary also includes a portion of the Protected Watershed of Shoe Cove Brook and Three Island Pond. This system supplies the town with water by a gravity flow from the pond. Other river systems within the town are Pouch Cove Brook and Robinson's River which both enter the town from the southwest and flow through the townsite of Pouch Cove to the sea.

The Canada Land Inventory has indicated that the agricultural and forestry potential of the municipal planning area is severely limited. On the other hand, the entire area is moderately suitable for wildlife and the area around the urban area of Pouch Cove has high potential for recreation.

Regional Setting

The location of Pouch Cove has important implications for future development. Pouch Cove is situated twenty-three (23) kilometres north of St. John's which acts as the main employment centre for the community. Access to St. John's is provided by Route 20 through Torbay, thirteen (13) kilometres to the south. Also, the Bauline Line, Route 21, enters the town through Marine Drive Provincial Park from the southwest. These two routes enable travellers to commute easily to the capital city of St. John's. The location of Pouch Cove has resulted in its development as a residential or dormitory community for St. John's. It has also limited the development of commercial activities in Pouch Cove.

Local Government

The Town of Pouch Cove was incorporated on the 22nd. of December, 1970. At that time, town planning and municipal boundaries were established. The town boundary was amended in 1986

to include Shoe Cove, now referred to as Pouch Cove South. The current Municipal Plan was adopted in 1992. .

The Municipal Plan Review, for which this document constitutes a background paper, will address these concerns by employing new information and an analysis of the current planning requirements. The review will result in a comprehensive amendment to the current plan that will guide the development of the community for the following planning period.

4.2 ECONOMY

In 2001, the employable workforce of Pouch Cove numbered 755 people. Table 1 shows the types of occupations in which these people worked.

Pouch Cove has become very dependent on the St. John's Urban Region as the main source of employment for its labour force. Although there are no hard facts available, best estimates indicate that approximately 80% of the employed labour force is working in the St. John's region. In this context, the labour force of Pouch Cove is fixed to the regional economy of St. John's.

The largest single industry division was in the form of business and other services. This includes teachers, clerical workers, etc.. This reinforces the fact that the labour force of Pouch Cove is helping in the service economy of St. John's. The large number of people employed in trade would include all those who work in the numerous retail outlets in St. John's as well as the Pouch Cove area. The number of people employed in the construction industry can be partly accounted by the proximity of the town to the St. John's region which has a prosperous construction climate.

TABLE 1: EMPLOYMENT BY INDUSTRY, POUCH COVE 2001

Industry	Number of Employees	Percent of Total
Agriculture and other Resource Based Industries	55	7.2
Manufacturing and Construction	100	13.3
Wholesale and Retail	75	9.9
Finance and Real Estate	20	2.6
Health and Education	140	18.6
Business Services	165	21.8
Other Services	200	26.5
TOTAL	755	99.9

4.3. POPULATION TRENDS

The existing Municipal Plan for Pouch Cove assumed that the population of the Town would grow at an annual rate of 2.5%. This would have resulted in a 1996 population of 2,042 for the area. The 2001 census population of Pouch Cove is 1696. This figure reflects a negative growth rate, contrary to the positive growth rate predicted in the current plan was based.

The population of Pouch Cove grew by 7 persons between the period of 1991-1996. This figure represents an increase in the population of 0.003%. Between 1996 and 2001, the population had decreased by 216 persons, or by -11.5% (See Table 2).

TABLE 2: POPULATION TRENDS AND ESTIMATES POUCH COVE

Year	Five Year Population	Five Year Change	Annual % Change
1966	1550	-	-
1971	1723	+173	11.16
1976	1849	+126	7.31
1981	1896	+47	2.54
1986	1961	+65	3.50
1991	1978	+17	0.86
1996	1885	+7	0.01
2001	1669	-216	-11.51

This is slightly higher than the 7.0% decrease for the province as a whole. This population decline may be attributed to a number of factors responsible for out migration. Pouch Cove is closely tied with the economic prosperity of the St. John's Urban Region. As economic opportunities in the metropolitan area are major determinants of population growth, the economic situation in St. John's will have a major effect on the growth of Pouch Cove.

4.4 EXISTING LAND USE

There are two distinct areas of Pouch Cove - the existing built up area of the town and the annexed area of Shoe Cove, now known as Pouch Cove South. As was noted earlier, the older section of the Town is characterized by hilly terrain with a traditional development pattern oriented towards the cove and the coastal road. Most public buildings and commercial buildings are found near this intersection. Pouch Cove South is less densely populated and the land is fairly flat with gentle slopes.

The town is primarily residential in character, with a few small retail outlets to serve local needs. Most residential development in Pouch Cove North is found along the many local roads which radiate outwards from Highway 20. Houses in Pouch Cove appear to be in good to excellent states of repair, with few abandoned or run-down dwellings or buildings. New residential development appears as infilling along local roads. The town has issued 32 residential building permits for the seven year period of 1996-2002.

There are two softball diamonds and two playgrounds found in the town; one located at Satellite Road, and the other on Highway 20. Both facilities were constructed and are operated by the Town. The playing field located on the east side of route 20, near Castella's Road, also includes a soccer pitch. A smaller playground is located at the beginning of Noseworthy's Hill.

Other open space areas have been designated along the coast. There are four river systems found within the town: Half Moon Brook; Shoe Cove Brook; Pouch Cove Brook; and Robinson's River. These rivers flow in a generally easterly direction to the sea. They provide important stormwater management functions and opportunities for increased utilization in an attractive open space system.

4.5 COMMUNITY SERVICES

The town has three churches, two schools, a post office, fire hall and town hall complex, a medical clinic which is located in the town hall, a Lions Club, and telephone exchange building. With the exception of banking and large commercial/retail outlets, almost all personal services are provided within the community. The Town's size and relationship to St. John's discourages the location of banking and large commercial/retail outlets services in Pouch Cove. The Town is currently considering a community centre, to be located near the Town Hall. It would provide facilities for seniors, young people and meeting space for other groups.

4.6 TRANSPORTATION AND ROAD NETWORK

The Pouch Cove town centre is located at the junction of the only two public highways in the area. Route 20 runs in a north/south direction from St. John's to its end at Cape St. Francis. Route 23, also known as Bauline Line, enters the town from the west and terminates at the town centre.

Most roads in the town have been constructed to give access to adjacent properties. Some began as private lanes which continue to be substandard with steep inclines, poor visibility and poor intersections. This condition is most noticeable in the section of town north of Pouch Cove Brook.

Most streets are not interconnected and as a result, traffic wishing to go from one street to another, must first return to the main highway. Opportunities for improving traffic flow through the Town lie in connection of existing streets across the backlands of the community during future planned developments.

Except for some minor laneways, all streets are paved, although not to their end. The extent of paving is also an indication of how far the water and sewer service has extended.

4.7 MUNICIPAL SERVICES

The Town of Pouch Cove provides the usual municipal services: water distribution, and sewer collection and disposal, road construction and maintenance, snowclearing, street lighting, garbage collection and disposal, support for a volunteer fire brigade and recreational sites. Pipes

services are generally limited to the contiguous area of the old Pouch Cove. The Town's major service expenditures are the water and sewer systems, followed by road construction and re-surfacing.