



COR/2024/00108

February 8, 2024

Mayor Dan Bobbett and Council
Town of Paradise
28 McNamara Drive
Paradise, NL A1L 0A6

VIA EMAIL:

Dear Mayor Bobbett,

Re: St. John's Urban Region Regional Plan Amendment #1, 2024

In conjunction with Paradise Municipal Plan Amendment 4, 2023 & Development Regulations Amendment 21, 2023

The Minister reviewed the request that you submitted on behalf of the Town of Paradise to amend the St. John's Urban Region Regional Plan (SJURRP) map.

The proposed Regional Plan amendment would enable the Town of Paradise to amend its Municipal Plan's Generalized Future Land Use Map in conjunction with the recent northern municipal boundary adjustment between Paradise and Portugal Cove-St. Philip's, and to revise mapping of watercourse interpretations on lands adjacent the northern municipal boundary.

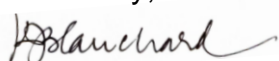
I wish to inform you that the Town may proceed with public consultation as required by Section 14 of the **Urban and Rural Planning Act, 2000** (URPA) related to the proposed amendment to the SJURRP, which is limited to re-designation of the specifically requested lands, as illustrated in the draft map. For public consultation purposes, the corresponding St. John's Urban Region Regional Plan Amendment Number 1, 2024 is attached for your use.

Please note that Council must arrange and pay all costs associated with the proposed SJURRP amendment. Consultation for the proposed SJURRP amendment should be concurrent and referenced with public notices/ consultation undertaken for the Town's amendment to its Municipal Plan and Development Regulations. All advertising, notices, and correspondence should consider and

appropriately reference SJURRP Amendment #1, 2024 (in conjunction with Municipal Plan Amendment 4, 2023 and Development Regulations Amendment 21, 2023).

As provided by URPA, the Town is required to consult with the public and the other municipalities that are subject to the SJURRP in relation to the proposed amendment. Upon completion of the consultation process, please provide to our office for the Minister's consideration a summary of the consultation along with any representations received by the Town.

Sincerely,

A handwritten signature in black ink that reads "Blanchard".

Kim Blanchard, MCIP

Manager of Land Use Planning

cc:

Alton Glenn, MCIP, Director of Planning and Protective Services, Paradise
(aglenn@paradise.ca)

Marjan Fadaei, Planner, Paradise (mfadaei@paradise.ca)

Darren Randell, MCIP, Planner III, MAPA (darrenrandell@gov.nl.ca)

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976
AMENDMENT No. 1, 2024

Moonlight Drive - Restricted Development to Urban Development

Town of Paradise

February 2024

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 1, 2024

Under the authority of section 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Minister of Municipal and Provincial Affairs:

- a) adopted the St. John's Urban Region Regional Plan Amendment No. 1, 2024 on the ___ day of _____, 2024;
- b) gave notice of the adoption of the St. John's Urban Region Regional Plan Amendment No. 1, 2024 by advertisement inserted on the ___ day of _____, 2024, and the ___ day of _____, 2024 in _____ newspaper; and
- c) set the ___ day of _____, 2024 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 Minister of Municipal and Provincial Affairs hereby approves the St. John's Urban Region Regional Plan Amendment No. 1, 2024, as adopted on the ___ day of _____, 2024.

Minister of Municipal and Provincial Affairs

Signed and sealed before me at St. John's, Newfoundland and Labrador
this ___ day of _____, 2024.

Witness

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 1, 2024

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Minister of Municipal and Provincial Affairs hereby adopts St. John's Urban Region Regional Plan, 1976 Amendment No. 1, 2024.

Minister of Municipal and Provincial Affairs

Signed and sealed at St. John's, Newfoundland and Labrador

this __ day of _____, 2024.

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan, 1976 Amendment No. 1, 2024 was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

AMENDMENT No. 1, 2024

BACKGROUND

The Town Council of Paradise is proposing to amend its Municipal Plan and Development Regulations. The **Urban and Rural Planning Act, 2000** (the "Act") sets out the process for amending a Plan and Development Regulations.

The St. John's Urban Region Regional Plan, 1976 ("the Regional Plan") sets out a framework for growth and development within the St. John's Urban Region. Amendments to Municipal Plans prepared by municipalities in the St. John's Urban Region must be consistent with the Regional Plan.

This Regional Plan amendment will be processed simultaneously to accommodate the following proposed amendments to the Town of Paradise Development Regulations 2016:

- Municipal Plan Amendment No. 4, 2023 and Development Regulations Amendment No. 21, 2023. The Town has requested amendments to the Regional Plan map to change the Regional Plan designation of lands, located to the west and south of Moonlight Drive near the Town's northern municipal boundary, from 'Restricted Development' to "Urban Development".

In general terms, the Town's own amendments propose to redesignate from "Open Space" to "Residential" and rezone the subject land from "Conservation" to "Residential Medium Density" and "Residential Subdivision Area".

ST. JOHN'S URBAN REGION REGIONAL PLAN

According to E. Urban Development (c) The Local Centres of the Regional Plan, the Town of Paradise is identified as a local centre. Land within such centres shall be used in accordance with the policies of the relevant municipal plan.

The Regional Plan outlines guidelines for Municipal Plans for local centres including:

- a focus on low density development;
- encouraging infilling and consolidation of areas once municipal services are in place; and
- improvements to the local street system.

E. URBAN DEVELOPMENT

(c) The Local Centres

Policy:

The detailed development of the local centres designated on the Regional Plan Map shall be according to the policies in Local Area or Municipal Plans that might be prepared from time to time. Such plans shall conform to the following guidelines:

- i) 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 No. 11...*
- iv) Two prime aims in the local centres will be to encourage the infilling and consolidation of presently semi-development 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.*

ANALYSIS

The Town is proposing to amend its Municipal Plan to redesignate the subject lands from “Open Space” to “Residential” and to amend its Development Regulations to rezone from “Conservation” to “Residential Medium Density” and “Residential Subdivision Area”. The “Open Space” designated lands reflect an area initially interpreted as being a natural watercourse as initially determined through 1:50,000 scale map analysis. With the availability of higher resolution imagery and associated mapping, a review of the subject area indicates the subject water feature does not have the characteristics of a natural water course and associated habitats. Redesignating the lands from “Open Space” to “Residential” in the Municipal Plan and concurrent redesignation of “Restricted Development” to “Urban Development” in the Regional Plan is an appropriate mapping change to establish the Regional and Municipal policy on the subject lands which are associated with existing urban development.

PUBLIC CONSULTATION

The Town of Paradise is responsible for conducting public consultations on the matter. As required by section 14 of the Act, the Town advertised the proposed amendments in *The Telegram* newspaper on _____ and in the _____ edition of *The Northeast Avalon Times*, as well as posting the proposed amendments on the Town’s website.

A summary of the section 14 Notice of Consultation advertisement

The Town also consulted with the 14 other municipalities within the St. John’s Urban Region about the proposed amendments and requested comments be supplied. No objections or concerns were identified with the municipalities.

St. John's Region Regional Plan, 1976

Amendment No. 1, 2024

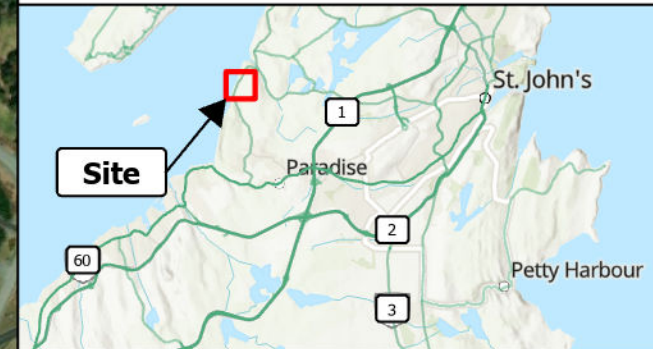
The proposed St. John's Urban Region Regional Plan amendment would re-designate lands located to the west and south of Moonlight Drive in the Town of Paradise, from 'Restricted Development' to "Urban Development" in accordance with the attached map.

Appendix A

St. John's Urban Region Regional Plan Amendment No. 1, 2024

In relation to Paradise MPA 4 & DRA 21, 2023

-  Restricted Development
-  Rural
-  Urban Development
-  From 'Restricted Development' to 'Urban Development'
-  Roads



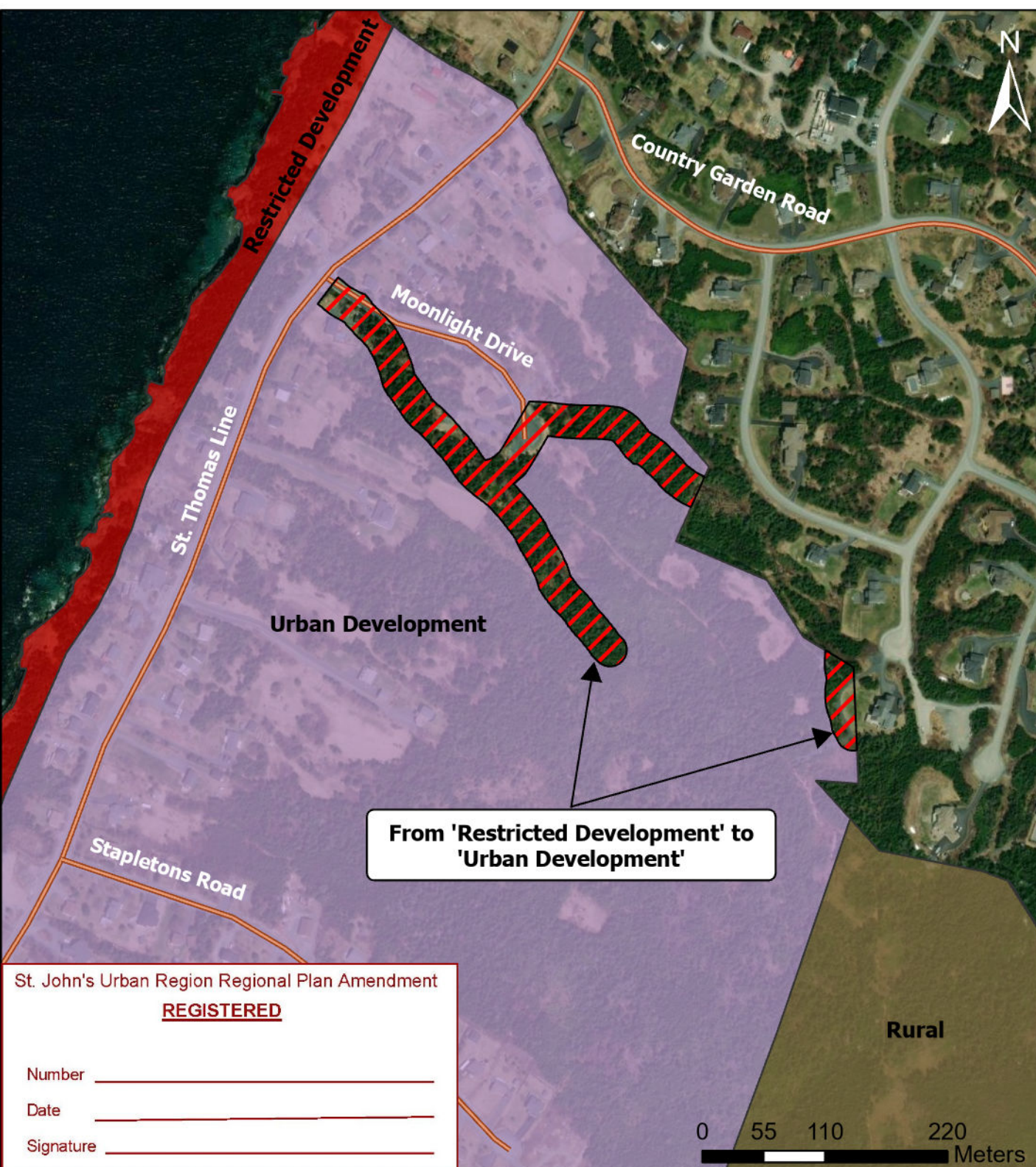
Signed this ____ day of _____, 20__.

Minister of Municipal and Provincial Affairs

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan Amendment No 1, 2024 has been prepared in accordance with requirements of the Urban and Rural Planning Act, 2000.

MCIP: _____



From 'Restricted Development' to 'Urban Development'

St. John's Urban Region Regional Plan Amendment
REGISTERED

Number _____

Date _____

Signature _____



TOWN OF PARADISE
MUNICIPAL PLAN 2016

MUNICIPAL PLAN AMENDMENT No. 4, 2023

DECEMBER 2023

**RESOLUTION TO ADOPT
TOWN OF PARADISE
MUNICIPAL PLAN AMENDMENT No. 4, 2023**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Paradise adopts the Town of Paradise Municipal Plan Amendment No. 4, 2023.

Adopted by the Town Council of Paradise on the ___ day of Month, 2024.

Signed and sealed this day of , 2024.

Mayor: _____ (Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Paradise Municipal Plan Amendment was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



Municipal Plan/Amendment
REGISTERED

Number _____

Date _____

Signature _____

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
TOWN OF PARADISE
MUNICIPAL PLAN AMENDMENT No. 4, 2023

Under the authority of Section 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Paradise

- a) Adopted the Paradise Municipal Plan Amendment No. 4, 2023 on Month __, 2024.
- b) Gave notice of the adoption of the Paradise Municipal Plan Amendment No. 4, 2023 by advertisement in The Shoreline newspaper on Month __, 2024, Month __, 2024, and in the Telegram on Month __, 2024. The advertisement was also posted on the Town's website, Facebook and Twitter platforms.
- c) Set _____, 2023, 7:00pm at the _____ Town 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 Paradise approves the Paradise Municipal Plan No. 4, 2023 as adopted.

Signed and sealed this day of Month, 2024.

Mayor: _____ (Council Seal)

Clerk: _____

TOWN OF PARADISE MUNICIPAL PLAN AMENDMENT No. 4, 2023

Introduction

The Paradise Municipal Plan (Municipal Plan) became legally effective on April 27, 2018. Municipal Plan is a document that manages the growth and development of Town of Paradise, including the identification of the town's Municipal Boundary, land use designations, and land use zones.

The Town of Paradise (The Town) intends to make an amendment to its Municipal Plan by amending Future Land Use map as follows:

- (1) adjusting portion of the Municipal Boundary at the border with Town of Portugal Cove-St. Philip's (PCSP);
- (2) amending portion of the land use designation in the north part of Paradise from Open Space to Residential.

Background

Amendment to Municipal Boundary is in response to the Action #2 in the “Town of Paradise and Town of Portugal Cove-St. Philip’s Boundary Adjustment Feasibility Study” (Feasibility Study). Action #2 states *“Upon approval of the Municipal Boundary Adjustment, it is recommended the Town of Paradise amend their Future Land use Map and Zoning map to reflect the adjusted boundary. No changes to the land use designations or zoning is required.”* The adjusted boundary has been approved by the Municipal and Provincial Affairs (MAPA); therefore, to reflect the changes, an amendment to the Future Land Use (FLU) map in the Municipal Plan is required.

Furthermore, an amendment to the land use designation is required to correct the classification of a particular area situated on the town’s northern side, near Moonlight Drive. This area, previously designated as “Open Space” and zoned “Conservation”, has been brought into question by a local resident. The resident highlighted the absence of any water streams in this area since building their house in 1988, and possibly even prior to that. The Conservation zone, within the Open Space designation, is intended to provide natural buffers around waterbodies. This zoning and designation were initially justified by the presumed existence of a natural stream in the area.

In the process of investigating this designation, the Department of Environment and Climate Change’s Water Resources Management Division (WRMD) was consulted. The WRMD advised the town to verify the presence of waterbodies by reviewing the “Topographic Map” used by the Government of Newfoundland and Labrador. This review involved downloading the CanVec

1:50,000 topographic dataset from the provincial website and comparing it with the town's land use maps using ArcMap. This overlaying of the shapefiles in ArcMap revealed that the supposed waterbody is actually located more than 200 meters north, beyond the municipal boundaries of the Town of Paradise. Following this finding and communicating the result with WRMD, the Town was recommended to contact MAPA for making amendment to the land use of this area.

Therefore, it is clear that the present designations on the FLU map do not accurately represent the actual conditions of the area in question. This misalignment has direct implications for the existing residential lots in the area. In response, the Town of Paradise is proposing an amendment to its Municipal Plan to ensure the map accurately reflects the area's present conditions.

Assessment

Regarding the Municipal Boundary adjustment, the research on potential issues was conducted in the Feasibility Study report. The Feasibility Study recommended that the boundary adjustment deemed necessary to accurately reflect the development pattern and responsibilities of servicing within the Country Gardens Subdivision. According to Action #2, an amendment to the FLU map is required to reflect the adjustments in the Municipal Boundary. Additionally, Action #4 in the Feasibility Study requires the Town of Paradise to fulfill consultation requirements to ensure that owners of affected properties are notified, regardless of which municipal boundary or jurisdiction they fall within.

An amendment to convert Open Space designation to Residential on the FLU map is required to accurately reflect the current condition. This amendment is generally consistent with the intent, goals, and objectives of the Municipal Plan. The Municipal Plan encourages a natural buffer around waterbodies and areas of known hazards. The area that is currently designated as Open Space does not meet the aforementioned criteria.

St. John's Urban Region Regional Plan

The proposed Municipal Plan amendment consists of changes in the land use designation. A Corresponding amendment to St. John's Urban Region Regional Plan (SJURRP) is necessary to enable the Town to revise its Municipal Plan to accurately reflect the current condition.

The amendment to SJURRP will amend the map to redesignate some portion of land:

- from "Restricted Development" to "Urban Development."

Public Consultation

In considering this amendment to the Paradise Municipal Plan to reflect adjusted Municipal Boundary, and amendment in land use designation to accurately reflect the current condition,

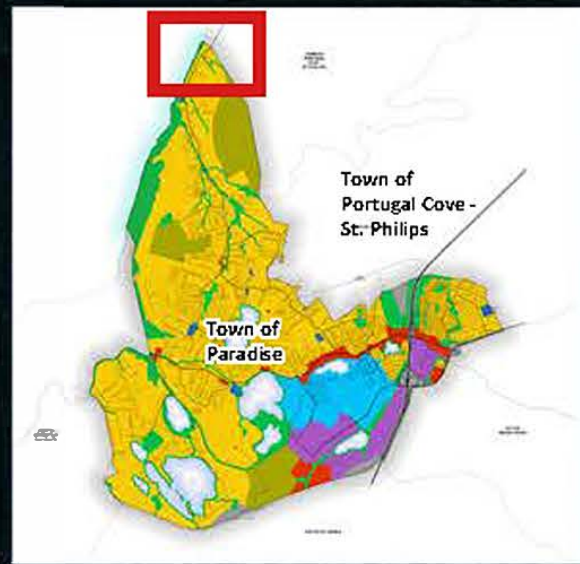
notice of the proposed amendment was published in The Shoreline newspaper on __ __, 2024, and __ __, 2024 as well as posted on the Town’s website from __ __, 2024 to __ __, 2024. The amendment was available for review at the Town Hall during regular business hours and was available on the Town’s website. The [following/ No] comments were received.

Amendment

The Amendment includes changes to the FLU map only. It includes two components, as described below:

1. Municipal boundary line will be amended to reflect the adjusted boundary set in the Feasibility Study
2. Land use designation of some portion of land will be amended from “Open Space” to “Residential”.

The Future Land Use map will be amended as shown in the following map.



Municipal Plan/Amendment
REGISTERED

Number _____

Date _____

Signature _____

Paradise Municipal Plan 2016
Future Land Use Map
Amendment No. 4, 2023

Legend

- Open Space
- Comprehensive Development Area
- Residential
- From "Open Space" to "Residential"
- Amendment to the Town of Paradise
- Boundary Town of Paradise Boundary

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Paradise Municipal Plan Amendment No. 4, 2023 has been prepared in accordance with the requirements of the Urban and Rural Planning act, 2000.



MCIP _____

Date at Paradise

This Day of , 2024

Mayor _____

Clerk _____

Seal

Coordinate System: NAD 1983 MTM 1
Projection: Transverse Mercator
Datum: North American 1983
False Easting: 304,800.0000
False Northing: 0.0000
Central Meridian: -53.0000
Scale Factor: 0.9999
Latitude Of Origin: 0.0000
Units: Meter



Open Space

Town of Portugal Cove - St. Philip's

Country Garden Rd

Moonlight Dr

Residential

To be amended from
"Open Space" to
"Residential"

Town of Paradise

Comprehensive
Development
Area

Stapletons Rd

St Thomas Line

0 40 80 160 240 320
Meters



**TOWN OF PARADISE
DEVELOPMENT REGULATIONS 2016**

DEVELOPMENT REGULATIONS AMENDMENT No. 21, 2023

DECEMBER 2023

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
TOWN OF PARADISE
DEVELOPMENT REGULATIONS AMENDMENT No. 21, 2023

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Paradise adopts the Town of Paradise Development Regulations Amendment No. 21, 2023.

Adopted by the Town Council of Paradise on the ___ day of ___, 2024.

Signed and sealed this day of , 2024.

Mayor: _____ (Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Paradise Development Regulations Amendment was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



Development Regulations/Amendment

REGISTERED

Number _____

Date _____

Signature _____

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
TOWN OF PARADISE
DEVELOPMENT REGULATIONS AMENDMENT No. 21, 2023

Under the authority of Section 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Paradise

- a) Adopted the Paradise Development Regulations Amendment No. 21, 2023 on ____ __, 2024.
- b) Gave notice of the adoption of the Paradise Development Regulations Amendment No. 21, 2023 by advertisement in The Shoreline newspaper on ____ __, 2024, and ____ __, 2024. The advertisement was also posted on the Town's website, and Facebook and Twitter platforms.
- c) Set _____ __, 2024, 7:00 pm at the Paradise Town 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 Paradise approves the Paradise Development Regulations No. 21, 2023 as adopted.

Signed and sealed this day of __, 2024.

Mayor: _____

(Council Seal)

Clerk: _____

TOWN OF PARADISE DEVELOPMENT REGULATIONS AMENDMENT No. 21, 2023

Purpose

This amendment implements Municipal Plan Amendment No. 4, 2023, which is being processed concurrently. The Town of Paradise (The Town) intends to make an amendment to its Development Regulations by making amendment in Land Use Zoning (LUZ) map as follows:

- (1) adjusting portion of the Municipal Boundary at the border with Town of Portugal Cove-St. Philip's (PCSP);
- (2) amending portion of the land use zoning in the north part of Paradise from:
 - a. Conservation (CON) to Residential Medium Density (RMD)
 - b. Conservation (CON) to Residential Subdivision Area (RSA)

Amendment to Municipal Boundary is in response to the Action #2 in the “Town of Paradise and Town of Portugal Cove-St. Philip’s Boundary Adjustment Feasibility Study” (Feasibility Study). Action #2 states *“Upon approval of the Municipal Boundary Adjustment, it is recommended the Town of Paradise amend their Future Land use Map and Zoning map to reflect the adjusted boundary. No changes to the land use designations or zoning is required.”* The adjusted boundary has been approved by Municipal and Provincial Affairs (MAPA); therefore, to reflect the changes, an amendment to the LUZ map is required.

An amendment to the land use designation is required to correct the classification of a particular area situated on the town’s northern side, near Moonlight Drive. This area, previously zoned “Conservation”, has been brought into question by a local resident. The resident highlighted the absence of any water streams in this area since building their house in 1988, and possibly even prior to that. The Conservation zone is intended to provide natural buffers around waterbodies. This zoning was initially justified by the presumed existence of a natural stream in the area.

In the process of investigating this zoning, the Department of Environment and Climate Change’s Water Resources Management Division (WRMD) was consulted. The WRMD advised the town to verify the presence of waterbodies by reviewing the “Topographic Map” used by the Government of Newfoundland and Labrador. This review involved downloading the CanVec 1:50,000 topographic dataset from the provincial website and comparing it with the town’s land use maps using ArcMap. This overlaying the shapefile in ArcMap revealed that the supposed waterbody is actually located more than 200 meters north, beyond the municipal boundaries of the Town of Paradise. Following this finding and communicating the result with WRMD, the Town was recommended to contact MAPA for rezoning of this area.

Therefore, it is clear that the present zoning on the LUZ map do not accurately represent the actual conditions of the area in question. This misalignment has direct implications for the existing residential lots in the area. In response, the Town of Paradise is proposing an amendment to its Development Regulations to ensure the map accurately reflects the area's present conditions.

Public Consultation

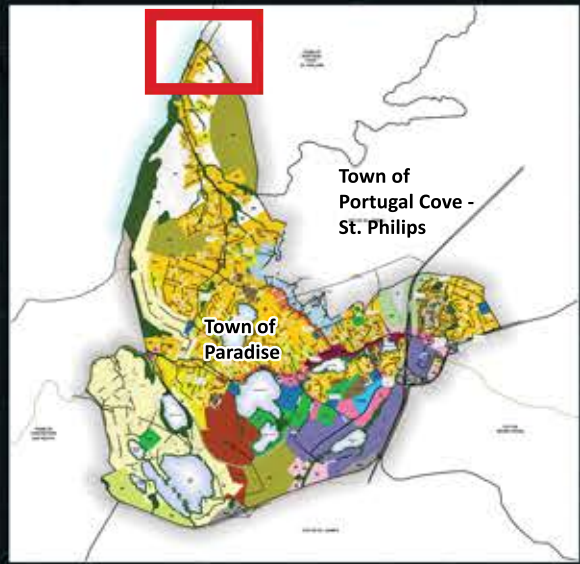
During the preparation of this amendment, the Town of Paradise published a notice in The Shoreline newspaper on ____ __, 2024 and ____ __, 2024 advertising this amendment and published a notice on the Town's website. The amendment documents were available on the Town's website and at the Town Hall for the public to review from ____ __, 2024 to ____ __, 2024. The Town accepted comments and/or concerns on the proposed changes in writing until 4:00pm, ____ __, 2024. No/___ comments were received.

Town of Paradise Development Regulations Amendment No. 21, 2023

The 2016 Paradise Development Regulations is amended by making revisions in the LUZ map as follows:

1. Municipal boundary line will be amended to reflect the adjusted boundary set in the Feasibility Study;
2. Some portion of land would be amended from
 - "Conservation" (CON) zone to "Residential Medium Density" (RMD) zone; and
 - "Conservation" (CON) zone to "Residential Subdivision Area" (RSA) zone.

The Land Use Zoning map will be amended as shown in the following map.



Development Regulations/Amendment
REGISTERED

Number _____

Date _____

Signature _____

**Paradise Development Regulations 2016
Land Use Zoning Map
Amendment No. 21, 2023**

Legend

- CON - Conservation
- RSA - Residential Subdivision area
- RMD - Residential Medium Density
- RM - Residential Mixed
- CDA - Comprehensive Development Area
- From "Conservation (CON)" to "Residential Medium Density (RMD)"
- From "Conservation (CON)" to "Residential Subdivision Area (RSA)"
- Amendment to the Town of Paradise Boundary
- Town of Paradise Boundary

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Paradise Development Regulations Amendment No. 21, 2023 has been prepared in accordance with the requirements of the Urban and Rural Planning act, 2000.



MCIP _____

Date at Paradise

This Day of , 2024

Mayor _____

Clerk _____

Seal

Coordinate System: NAD 1983 MTM 1
Projection: Transverse Mercator
Datum: North American 1983
False Easting: 304,800.0000
False Northing: 0.0000
Central Meridian: -53.0000
Scale Factor: 0.9999
Latitude Of Origin: 0.0000
Units: Meter

