

August 18 2006

TOWN OF PORT BLANDFORD
MUNICIPAL PLAN AMENDMENT NO. 1, 2006

URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF PORT BLANDFORD
MUNICIPAL PLAN AMENDMENT NO. 1, 2006

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Port Blandford

- a) adopted the Port Blandford Municipal Plan Amendment No. 1, 2006 on the 21 day of August, 2006.
- b) gave notice of the adoption of the Port Blandford Municipal Plan Amendment No. 1, 2006 by advertisement inserted on the 28 Aug day and the 5 day of Sept, 2006 in the Packet newspaper.
- c) set the 19 day of Sept at 7:30 p.m. at the Town Hall, Port Blandford 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 Port Blandford approves the Port Blandford Municipal Plan Amendment No. 1, 2006.

SIGNED AND SEALED this 02 day of October, 2006

Mayor:

Reginald Penney
Reginald D. Penney

Clerk:

Vida Greening
Vida Greening

Municipal Plan/Amendment

REGISTERED

Number 3445-2006-004

Date 23 OCTOBER 2006

Signature Reginald D. Penney

URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF PORT BLANDFORD MUNICIPAL PLAN AMENDMENT No. 1, 2006

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Port Blandford adopts the Port Blandford Municipal Plan Amendment No. 1, 2006.

Adopted by the Town Council of Port Blandford on the 21 day of August, 2006.

Signed and sealed this 21 day of August, 2006.

Mayor:

Reginald Penney
Reginald D. Penney

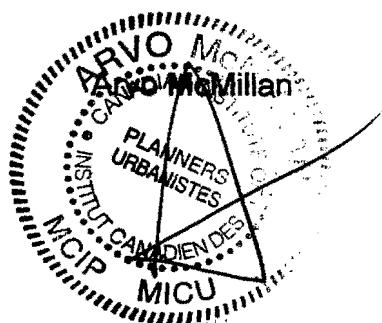
Clerk:

Vida Greening
Vida Greening

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. 1, 2006 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:



TOWN OF PORT BLANDFORD
MUNICIPAL PLAN AMENDMENT NO. 1, 2006

BACKGROUND

This amendment creating a rural residential designation and zone reflects the intent of the Town of Port Blandford to recognize and allow unserviced residential rural development along private and public roads off Highway 233 and along South West Road extending to and including both sides of a portion of the T'Railway to take in Heaney's Flats. Furthermore, the Environmental Protection (Conservation Buffer) is extended along Clode Sound to where the Town's Planning Area boundary intersects Clode Sound below Middle Point.

The area affected by the proposed redesignation contains sixteen lots in the Eagle's Landing Development, eleven developed properties along Southern Shore Drive and four developed sites in the Heaney development, two of which are located on the south side of the T'Railway. As of this date, five lots have been sold north of the T'Railway in the Heaney Development. Except in a relatively few instances these developments were approved as seasonal residences under the Rural Resource (RU) Zone.

Hitherto, seasonal residential development has been allowed as a discretionary use within the Rural Resource designation and zone provided certain conditions were met. Recognizing that many of these "seasonal residences" can and do operate as year-round residences, the Town has decided to:

- a) entirely remove the reference to seasonal residences within the Rural Resource designation and zone; and
- b) create a new designation - Residential Rural - which will allow dwellings as a permitted use on large unserviced lots in selected rural areas along Clode Sound, Highway 233 and South West Road.

The new designation and zone will go to the Conservation Buffer of Clode Sound, and extend 100 metres inland from Highway 233 and South West Road. Access to Highway 233 will be limited and subject to the approval of the Department of Transportation and Works. However, White's Farm together with a 100 metre buffer around the farm is excluded from this amendment. The farm grows forage crops and there is no barn located on the site.

Since a new Future Land Use Map 4 and Land Use Zoning Map E are created which are at the 1:10,000 scale and which replace a part of Future Land Use Map 2 and a part of Land Use Zoning Map A, it is feasible to show the 30 metre deep Conservation Buffer along the shoreline of Clode Sound, and this is done, so that the amendment package also includes redesignating and rezoning lands along Clode Sound from Rural Resource to Conservation Buffer.

It is noted that the Town and the Town's Municipal Planning Area boundaries intersect Highway 233 a little over 2 kilometres north of the Highway bridge and intersect the shoreline approximately 700 metres south of Middle Point. Lands lying between the two intersection points and the Highway lie outside the Town's jurisdiction and therefore any development within this area - whether it is a residence or an access road is subject to Provincial approval.

Almost the entire area proposed for the amendment along Highway 233, but not along South West Road, is affected by the 1.6 kilometre radius Sanitary Landfill Buffer and the 500 metre radius Mineral Working Buffer. Development within these buffer areas is subject to the approval of the Departments of Environment and Conservation and Natural Resources.

This amendment was referred to the Departments of Environment and Conservation, Natural Resources (agriculture, forestry and mineral lands) and Transportation and Works along with Municipal Affairs for comment. No fundamental concerns were expressed about the proposed amendment.

Following the release letter dated August 16, 2006, the development regulations amendment text was slightly revised to remove the discrepancy between the maps and the text.

PUBLIC CONSULTATION

A briefing session for 7:00 p.m. on June 6th 2006 was advertised in the June 19th and 26th, 2006 editions of the Packet, and notices of this briefing were posted at the Town Office and Post Office. Also, residents of the affected areas were advised.

THE AMENDMENT

1. Section 3.2.1 - General Development - Policy WHICH STATES:

3.2.1 The following land use areas are established in the Plan and designated on Future Land Use Maps 2, 3A, and 3B:

- Mixed Development
- Residential
- Industrial
- Recreational Resort
- Open Space
- Environmental Protection Area
- National Park
- Rural Resource

By adding Residential Rural and the reference to the new Map 4, IS AMENDED TO STATE:

3.2.1 The following land use areas are established in the Plan and designated on Future Land Use Maps 2, 3A, and 3B and 4:

Mixed Development
Residential
Residential Rural
Industrial
Recreational Resort
Open Space
Environmental Protection Area
National Park
Rural Resource

2. Section 3.2.8 under C - Development, WHICH STATES:

3.2.8 All development shall have adequate frontage on a publicly maintained road that provides emergency vehicle access to buildings.

IS AMENDED TO STATE:

3.2.8 All development shall have adequate frontage on a publicly maintained road that provides emergency vehicle access to buildings except in unserviced areas in which instance the Town can allow development on public or private roads which the Town does not maintain or provide other services such as garbage collection.

3. Seasonal residential development objectives and policies under Section 3.10 (Rural Resource designation) of the Municipal Plan as amended ARE DELETED.

4. Section 3.4A is added after Section 3.4 - Residential, WHICH STATES

3.4A RESIDENTIAL RURAL

Objectives: The Residential Rural designation is designed to allow single dwellings and single dwelling accessory uses, together with other appropriate uses in selected rural areas of the Town in such a way as to minimize the need

for Council to provide municipal services and in such a way as not to impinge upon the resource-based uses and environment of the area.

The integrity of Highway 233 is to be maintained by controlling access to this highway. Only in exceptional circumstances would individual dwellings be allowed to have direct access to the highway.

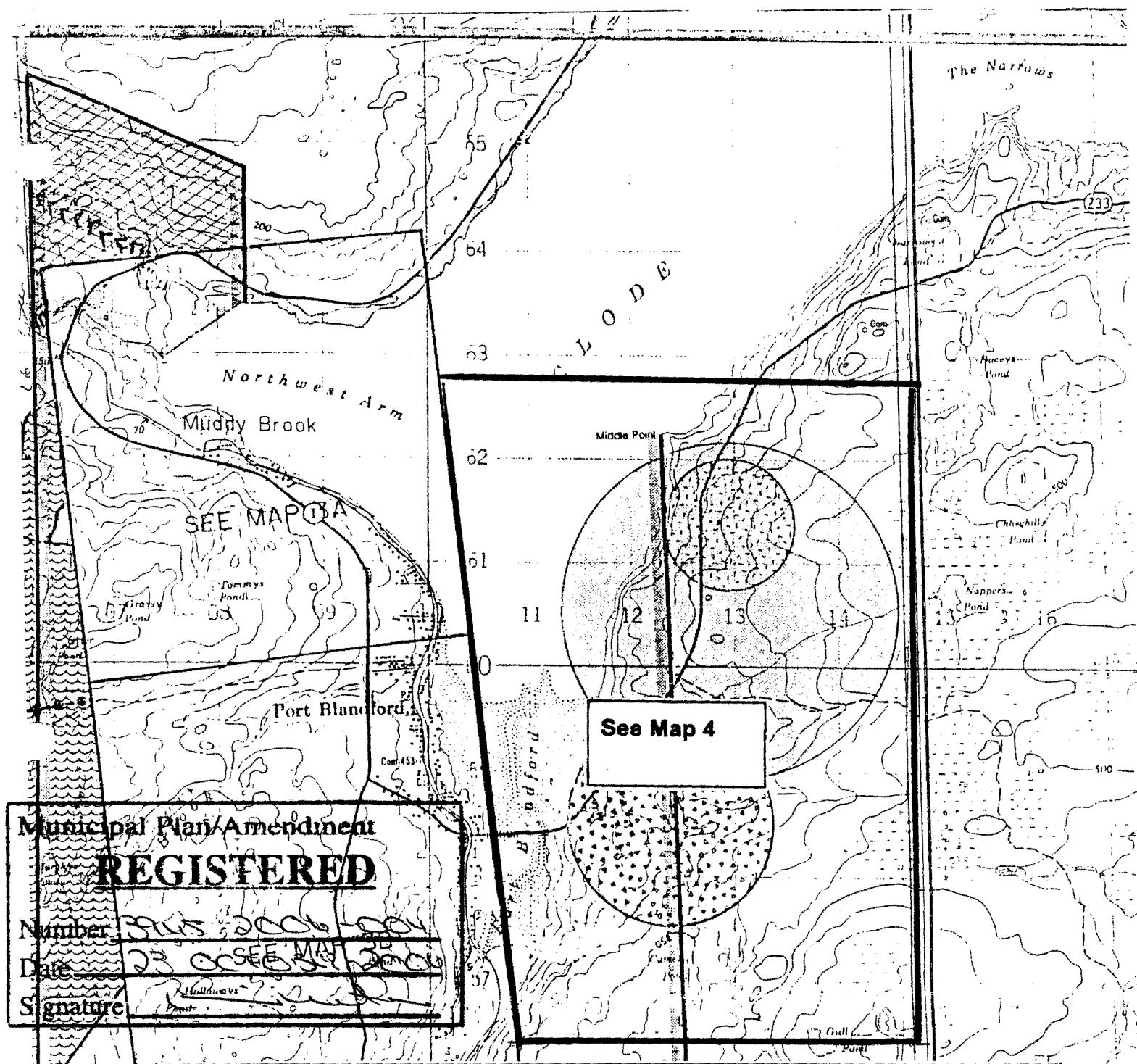
Policy: **3.4A.1** Permitted uses in this designation shall include bed and breakfast, conservation, recreation and single dwelling.

Single dwellings and their accessory uses shall be permitted provided that:

- (a) A minimum lot size of 1860 square metres, or the minimum required after consultation with Department of Government Services, whichever is the greater;
- (b) Access shall to Highway 233 shall be approved by the Department of Transportation and Works;
- (c) All applications will be subject to the approval of the relevant Departments when they are located within any of the buffers.
- (d) Council is satisfied that the application meets the other provisions of the Municipal Plan pertaining to environmental protection, protection of other rural resources and will not necessitate the provision of municipal sewer and water services, or cause the Town to provide other services such as road construction or maintenance or garbage pick-up and disposal.

Discretionary uses shall include agricultural and forestry uses, antenna and cemeteries, provided that these uses are compatible with the primary residential uses.

5. Future Land Use Map 3B is amended as shown on the attached plan by placing Heaney's Flats into the Residential Rural designation. The boundary of the Environment Protection (Conservation Buffer) designation is slightly amended.
6. Future Land Use Map 2 is amended as shown on the attached plan, by showing that portion of Future Land Use Map 2 which is replaced by Future Land Use Map 4.
7. Future Land Use Map 4 is added as shown on the attached plan, and this map also shows the lands which are to be redesignated from Rural Resource to Residential Rural and Conservation Buffer.

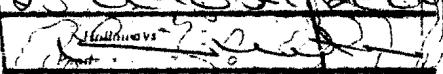


Municipal Plan Amendment

REGISTERED

Number: 500-3000

Date: 03 Oct 2006

Signature: 

TOWN OF PORT BLANDFORD

Municipal Plan
Amendment #1, 2006

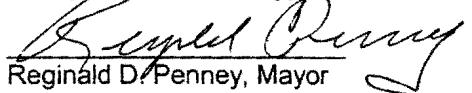
Future Land Use Map 2

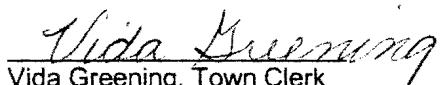
Area Replaced by Future Land Use
Map 4

See Map 4

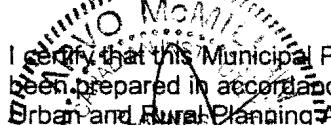
Dated at Port Blandford, Newfoundland and Labrador

This 21 day of Aug, 2006


Reginald D. Penney, Mayor


Vida Greening

Vida Greening, Town Clerk


I certify that this Municipal Plan Amendment # 1, 2006 has
been prepared in accordance with the requirements of the
Urban and Rural Planning Act:

Arvo McMillan, MCIP
Planning Consultant

