

**TOWN OF TORBAY**  
**DEVELOPMENT REGULATIONS 2015 - 2025**



**DEVELOPMENT REGULATIONS AMENDMENT No. 12, 2023**

**(Ellard Place Amendment)**

**“Residential Subdivision Area” to “Residential Large Lot”  
and  
“Residential Infill” to “Residential Large Lot”**

**June 2023**



**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**TOWN OF TORBAY**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 12, 2023**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Torbay adopts the Town of Torbay Development Regulations Amendment No. 12, 2023.

Adopted by the Town Council of Torbay on the 14th day of November, 2023.

Signed and sealed this 17th day of November, 2023.

**Mayor:**  (Council Seal)

**Clerk:** 

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Torbay Development Regulations Amendment No. 12, 2023 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

|                                   |                            |
|-----------------------------------|----------------------------|
| Development Regulations/Amendment |                            |
| <b>REGISTERED</b>                 |                            |
| Number                            | 5125-2023-050              |
| Date                              | 14 DEC 2023                |
| Signature                         | <u>Reginald J. Garland</u> |



# TOWN OF TORBAY

## DEVELOPMENT REGULATIONS AMENDMENT No. 12, 2023

### BACKGROUND

The Town of Torbay proposes to amend its Development Regulations. The Town of Torbay has received a proposal to develop a 7-lot residential subdivision on 2.619 hectares of land listed as civic No. 26 Quarry Road Extension. The proposed subdivision will be unserviced. The developer proposes to extend Ellard Place in a westerly direction which will terminate in a cul-de-sac. The area is zoned Residential Subdivision Area (RSA) on the Town's Land Use Zone Map.

Residential Subdivision Areas (RSA) are not a Development Scheme as outlined under s.29 of the Urban and Rural Planning Act, 2000. Residential Subdivision Areas are tracts of undeveloped land which border developed residential areas. They may be suitable for large-scale residential development in the future. RSA's do not require amendment to the Municipal Plan.

### ANALYSIS

In areas which require full municipal services, the developer must submit a subdivision design for the proposed area, showing road layout, proposed lots, open space, and servicing plan. This is required to identify how the proposed development will connect to adjacent development. As this proposal is for an unserviced Residential Subdivision, there is no requirement for an assessment of the area as described above.

### SERVICING

The proposed Subdivision will be developed with on-site well and septic. As per Municipal Plan Policy 3.1.2.2(A), New subdivisions shall require a groundwater assessment be undertaken to determine the acceptable quality and quantity of drinking water. The *Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced, by Individual Private Wells*, provide administrative and technical guidance to developers. On-site sewerage disposal system shall be in compliance with the requirements of the Service NL.

The proposed subdivision shall be designed to conform to storm and construction water management so as not to alter the natural flow of water or result in run-off from land or a development causing damage to other properties as outlined in the Town's Development Regulations.

The Municipal Plan has the area of the proposed subdivision designated as Residential. Residential development is permitted under this designation. The purpose of this Amendment is to rezone land required for the seven lot Residential Subdivision from **Residential Subdivision Areas (RSA)** to **Residential Large Lot (RLL)**. Two small

CS

JP

areas of land forming part of the Residential Subdivision located to the south and east are presently zoned as **Residential Infill (RI)**, will be rezoned to **Residential Large Lot (RLL)**.

## ST. JOHN'S URBAN REGION REGIONAL PLAN

This Amendment consists of a map change to the Torbay Development Regulations. The St. John's Urban Region Regional Plan has the same area designated as Urban Development. Residential Development is a permitted use under this designation. It is determined that an Amendment to the St. John's Urban Region Regional Plan is not required to conform with the proposed Torbay Development Regulations Amendment No. 12, 2023.

### PUBLIC CONSULTATION

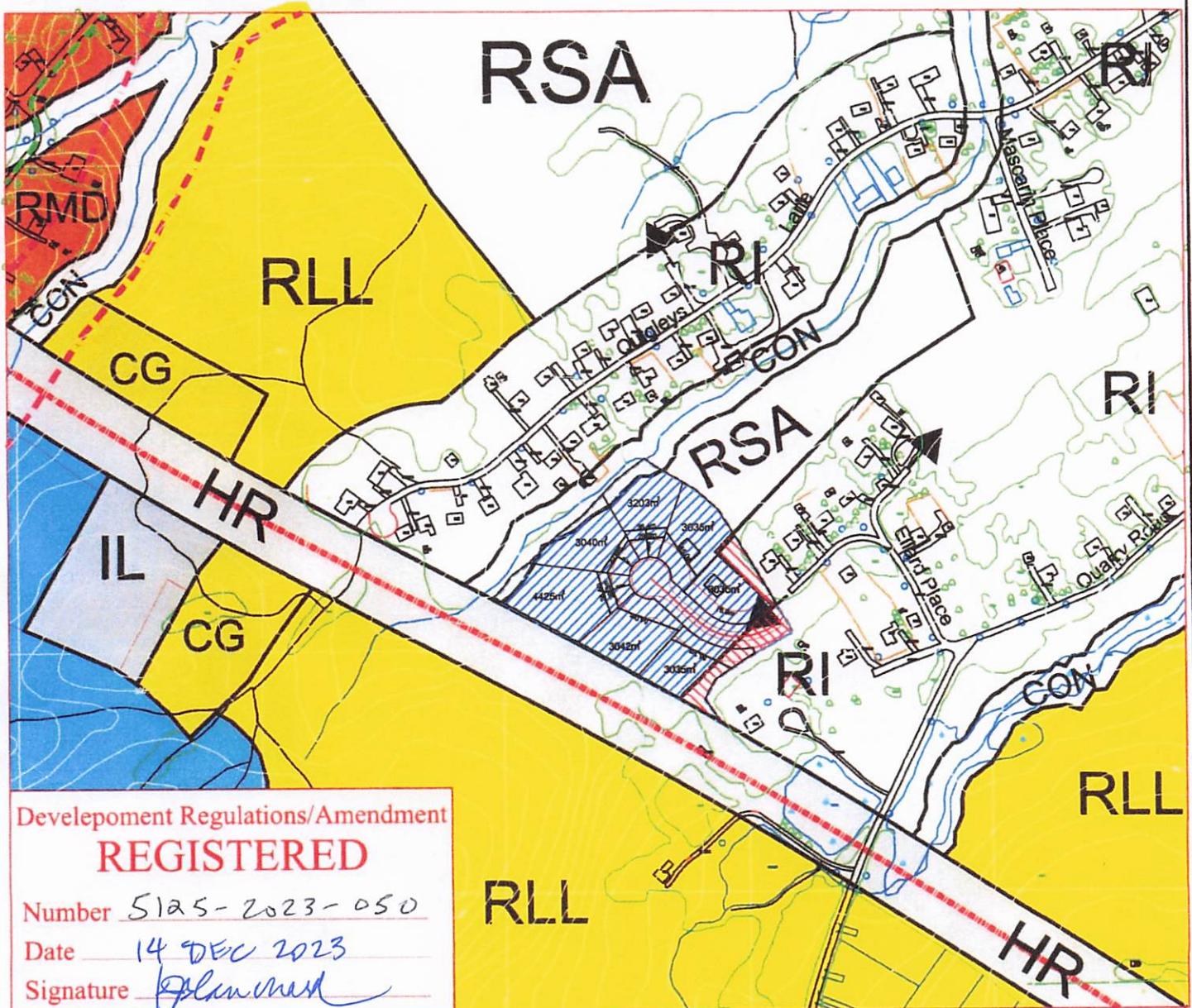
During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to the proposed Development Regulations Amendment. The Town Council of Torbay published a notice in September 2023, edition of the Northeast Avalon Times newspaper which is published in the middle of the month advertising the proposed amendment seeking comments or representations from the public. Notices were also placed on all the Town's social media accounts as well as postal mail out to 37 properties in the area that may be affected by the proposed development. The Amendment documents were also available for viewing at the Town Hall. The public Consultation process resulted in four responses being received. Responses are attached as Appendix I to this document.

### DEVELOPMENT REGULATIONS AMENDMENT No. 12, 2023

The Town of Torbay Development Regulations is amended by:

- A) *Changing* an area of land from **Residential Subdivision Area (RSA)** to **Residential Large Lot (RLL)**, and
- B) *Changing* an area of land from **Residential Infill (RI)** to **Residential Large Lot (RLL)** as shown on the attached copy of the Torbay Land Use Zone Map.

*CS*  
*JP*



**TOWN OF TORBAY**  
**MUNICIPAL PLAN 2015-2025**

**LAND USE ZONE MAP**

**DEVELOPMENT REGULATIONS**  
**AMENDMENT No. 12, 2023**



Area to be changed from: "Residential Subdivision Area" to "Residential Large Lot"



Area to be changed from: "Residential Infill" to "Residential Large Lot"

**PLAN-TECH**



**ENVIRONMENT**

Scale: 1:5000



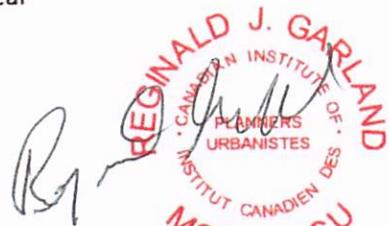
Dated at Torbay

This 17<sup>th</sup> Day of November 2023

*Reginald J. Garland*  
Reginald J. Garland Mayor

*Elain Ricco* Clerk

Seal



I certify that the attached Town of Torbay Development Regulations Amendment No. 12, 2023 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.