

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

AMENDMENT #2, 2020

**Bernice Drive Subdivision,
Torbay**

September 2020

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 2, 2020

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. 2, 2020 on the 23rd day of September, 2021;
- b) gave notice of the adoption of the St. John's Urban Region Regional Plan Amendment No. 2, 2020 by advertisement inserted in the in the May and June, 2022 editions of *The North East Avalon Times Newspaper*; and
- c) set the 20th day of June, 2022 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. 2, 2020, as adopted on the 29th day of November, 2021.



Minister of Municipal and Provincial Affairs

Signed and sealed before me at St. John's, Newfoundland and Labrador
this 29day of August, 2023.

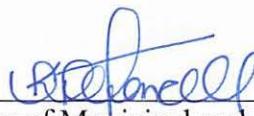


Witness

St. John's Urban Region Regional Plan Amendment	
<u>REGISTERED</u>	
Number	<u>SJUR-2023-058</u>
Date	<u>30 AUGUST 2023</u>
Signature	<u>John Anchuk</u>

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT 2, 2020

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. 2, 2020.



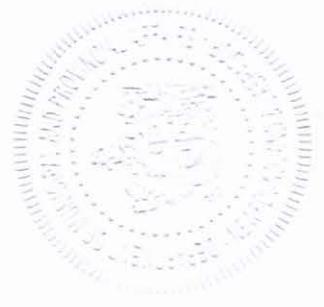
Minister of Municipal and Provincial Affairs

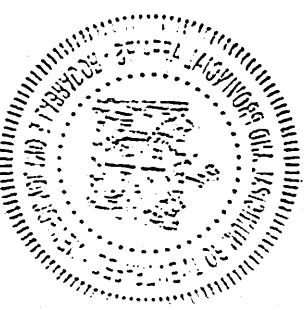
Signed and sealed before me at St. John's, Newfoundland and Labrador

this 23 day of September, 2021

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan, 1976 Amendment 2, 2020 was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.





ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

AMENDMENT 2, 2020

BACKGROUND

The Town Council of Torbay (“the Town”) is proposing an amendment to 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.

Council is considering this amendment to accommodate a proposal it received for a seven (7) lot residential subdivision located at the end of Bernice Drive in Torbay. To accommodate the Town Council’s proposal to amend the future land use designation and zoning of its municipal plan and development regulations, it became apparent that an amendment is also required to alter the land use designation on the Regional Plan Map for the specific parcel of land only. There are no proposed text changes to the Town’s planning documents, nor are there apparent policy implications to the Regional Plan.

The proposed changes to the Regional Plan map would re-designate the subject lands from “Rural” to “Urban Development”, to accommodate the Town’s proposed amendments to its Municipal Plan and Development Regulations. The Town’s proposed corresponding amendments would change the future land use map of the Municipal Plan to re-designate the subject property from “Rural” to “Residential”; and would change the land use zoning map of the Development Regulations to re-zone the subject property from “Rural (RUR)” to “Residential Large Lot (RLL)”.

In terms of the site context, the parcel of land is located within the municipal planning area of Torbay, at the end of Bernice Drive, where the land is primarily zoned and designated for residential urban development; however, a portion of the lots extend beyond the boundaries and, in order to achieve the desired depth for four of the lots, an amendment is required.

As there are no piped municipal services in the area, the lots are proposed to be developed using on-site servicing for well and septic. Prior to development approvals, a groundwater assessment must be conducted to determine whether the proposed lots on the subject property are capable of supporting onsite well and septic systems.

The Minister was agreeable to the Town undertaking the amendment process, including public consultations, in consideration of the proposed change to the land use designation in the Regional Plan. The Regional Plan amendment is to be processed simultaneously with the Town’s amendments to the future land use designation map of its Municipal Plan and the land use zoning map of its Development Regulations.

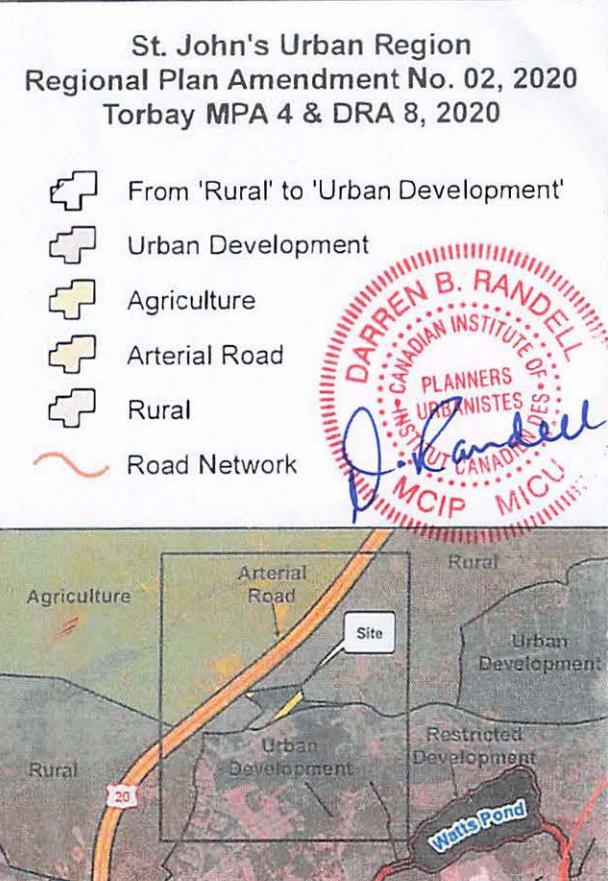
PUBLIC CONSULTATION

The Town of Torbay arranged publication of notices soliciting comments on the proposed SJURRP Amendment No. 2, 2020 in the Northeast Avalon Time on February 16, 2021. The Town also circulated a notice to adjacent residents and posted information on its website regarding the proposed amendments inviting comments or objections. The Town received several inquiries and a written objections which asked that their property remain in the Rural zone, that Bernice Drive extend to Whitty's Lane and identifying boundary discrepancies.

The Town also wrote to the other municipalities that are subject to the St. John's Urban Region Regional Plan regarding its proposed amendment. Five municipalities responded: Portugal Cove-St. Philips, Flatrock, Logy Bay-Middle Cove-Outer Cove, Paradise and Mount Pearl. None of these municipalities identified an objection to the St. John's Urban Region Regional Plan Amendment No. 2, 2020.

St. John's Region Regional Plan, 1976 Amendment No. 2, 2020

The proposed St. John's Urban Region Regional Plan Amendment No. 2, 2020 would re-designate a parcel of land located at the end of Bernice Drive, in the Town of Torbay, from "Rural" to "Urban Development", as shown on the attached map.



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan Amendment No. 02, 2020 has been prepared in accordance with requirements of the *Urban and Rural Planning Act, 2000*.

MCIP: K. St. John's Urban Region

DARREN B. RANDELL
CANADIAN INSTITUTE OF PLANNERS
MCIP MICU