

**TOWN OF CARBONEAR
MUNICIPAL PLAN AMENDMENT
NO. 24, 2018**

**Clarke's Road
Rural to Residential**

**Prepared by:
Mary Bishop, FCIP
February, 2018**

**RESOLUTION TO ADOPT
TOWN OF CARBONEAR
MUNICIPAL PLAN AMENDMENT No. 24, 2018**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Carbonear adopts Municipal Plan Amendment No.24, 2018.

Adopted by the Town Council of Carbonear on the 10th day of April, 2018.

Signed and sealed this 10th day of May, 2018.

Dy. Mayor: C. Crothers

Clerk: C. Somers
Cathy Somers

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. 22, 2016 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Mary Bishop
Mary Bishop, FCIP



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF CARBONEAR
MUNICIPAL PLAN AMENDMENT NO. 24, 2018**

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

1. Adopted Municipal Plan Amendment No. 24, 2018 on the 10th day of April, 2018.
2. Gave notice of the adoption of Municipal Plan Amendment No. 24, 2018 by advertisement inserted on the 17th and 24th days of April, 2018 in the Compass.
3. Set the 3rd day of May, 2018 at 7:00 p.m. at the Carbonear Town Hall 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 Carbonear approves Municipal Plan Amendment No. 24, 2018 on the 8th day of May, 2018.

SIGNED AND SEALED this 10th day of May, 2018.

Dputy Mayor: Clo Eves

Clerk: C. Somers
Cathy Somers

Municipal Plan/Amendment REGISTERED	
Number	<u>950-2018-028</u>
Date	<u>May 22, 2018</u>
Signature	<u>Melanie Dwyer</u>

MUNICIPAL PLAN AMENDMENT NO. 24, 2018

INTRODUCTION

The Town of Carbonear last reviewed and revised its Municipal Plan in 2004. Council now wishes to amend the current Plan and Development Regulations and this report has been prepared to explain the proposed change, and to serve as a basis for consideration by the general public before it is approved by Council and submitted to the Minister of Municipal Affairs and Environment for registration.

BACKGROUND

The Town of Carbonear received a request to amend the Municipal Plan and Development Regulations to allow for the subdivision of land on the south side of Clarke's Road for the purposes of residential development.

The area is designated Rural in the Carbonear Municipal Plan and zoned Rural in the Development Regulations. Residential uses in the form of single dwellings are not permitted in this land use designation or the use zone. As a result, an amendment to the Plan is required to accommodate the residential use of the lands in this area.

Subject Area

Council, reviewed the request, and proposes to change the land use designation and use zone to apply to approximately 3 ha of land on the south side of Clarke's Road as shown in Figure 1.

Lands are currently undeveloped and forested. The area is bounded by a power transmission line to the west and Route 70 to the east.

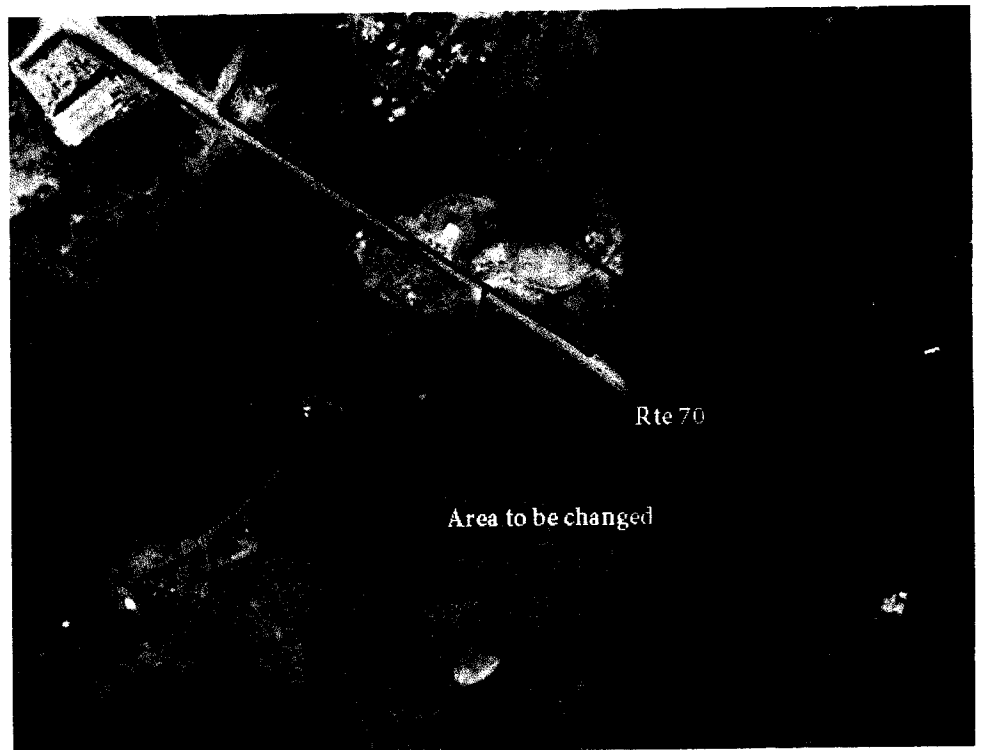


Figure 1. Area of Proposed Change

Municipal Plan Policy

Municipal Plan policies encourage development in areas that are serviced, or capable of being serviced from the municipal water and sewer system. The Plan also provides for Rural Residential development in some areas where there is no municipal water and sewer service, provided lots have sufficient area and capacity to accommodate on-site wells and septic systems.

Municipal Plan Policy 2.2.4 Residential Density, states:

Rural Residential density will be maintained in unserviced or partially serviced areas such as the upper levels of Chapel Hill and Bunker's Hill, Line Road and the upper levels of Saddle Hill. Development in these areas may be permitted on building lots of a size which are capable of accommodating private water supply and/or sewage disposal systems. Development in these areas shall have the approval of the government Service Centre for onsite well and septic systems.

Municipal Plan Amendment No. 22, 2016 added Civic No. 1 Chvo Drive to this policy.

The area that includes the south side of Clarke's Road is not an area that was envisaged for residential development when the Plan was approved in 2004. Lands to the north of Clarke's Road were designated for Commercial development, but the Town amended the Municipal Plan in 2014 to allow residential development fronting on Clarke's Road (Municipal Plan Amendment No. 16, 2014). At the time, one residence existed on the street and one was proposed to be developed. Today there are two residential dwellings on Clarke's Road. Earle's Riding Horses and Fun Park, (including a residence) is also located on this street approximately 150m to the west of the power transmission line.

In considering the request to amend the area to the south of Clarke's Road, Council recognizes the potential for infill residential development along an existing road as desirable. As the area in question is outside the Town's Limits of Servicing and there are no plans to service this area in future, sustainability of groundwater as a source of drinking water needs to be assured. As such, the proposed amendment will require proposed developments in this, and other Rural residential areas to be assessed in accordance with the Provincial Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells.

In a corresponding amendment to the Development Regulations, the area will be re-zoned to the Residential - Rural land use zone. The change will accommodate

a maximum of eight (8) residential building lots based on the area and the standards of this zone.

A separation distance between Earle's Riding Horses and Fun Park and Highway Route 70 from the area included in the amendment is proposed to reduce the potential for future land use conflicts.

PUBLIC CONSULTATION

Referrals were made to the Water Resources Division, Department of Municipal Affairs and Environment, and the Forestry and Agrifoods Agency of the Department of Fisheries and Land Resources for review and comment. The Agrifoods Agency indicated that there were no concerns with the proposed amendment from an agricultural perspective. No reply was received from the Water Resources Division.

A public notice inviting comment on the proposed amendment was placed in the Compass on February 27th, 2018. No inquiries, objections or representations were received.

AMENDMENT No. 24, 2018

The Carbonear Municipal Plan shall be amended as follows:

1. By redesignating an area of 3.14 ha along the south side of Clarke's Road, currently designated Rural on the Future Land Use Map, to the Residential land use designation. The land to be redesignated is shown on the attached Map 2 - Town of Carbonear Municipal Plan Amendment No. 24, 2018.
2. Adding the following (highlighted text) to Residential Policy 2.2.4 of the Municipal Plan:

Rural Residential density will be maintained in unserviced or partially serviced areas such as the upper levels of Chapel Hill and Bunker's Hill, Line Road, the upper levels of Saddle Hill and at Civic No. 1 Chvo Drive and Clarke's Road. Development in these areas may be permitted on building lots of a size which are capable of accommodating private water supply and/or sewage disposal systems. **Development in these areas shall be assessed accordance with the Provincial Policy on Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells, and have the approval of the Government Service Centre.**

Town of Carbonear
Municipal Plan

Amendment No. 24, 2018
Future Land Use Map 2



From: Rural
To: Residential

Municipal Plan/Amendment

REGISTERED

Number 950-2018-028

Date May 22, 2018

Signature Mary D. Bishop

Dated at Carbonear, Newfoundland and Labrador

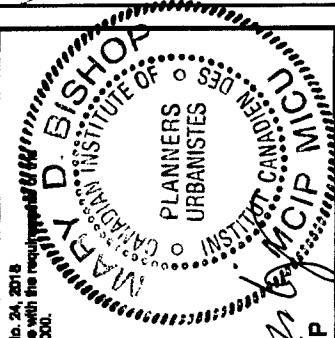
This 10th day of May, 2018

Mayor

Cathy Somers

Cathy Somers, Town Clerk

I certify that this Municipal Plan No. 24, 2018
has been prepared in accordance with the requirements of the
Urban and Rural Planning Act, 2000.



Mary D. Bishop
Mary D. Bishop, FCIP

Date: 10-5-2018

