

**TOWN OF ST. HARBOUR GRACE
DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2014**

**REGULATION 38 – COMPREHENSIVE DEVELOPMENT
SENIORS DEVELOPMENT
REMOVE MINIMUM LAND AREA REQUIREMENT**

URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF HARBOUR GRACE
DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2014

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Harbour Grace adopts the Harbour Grace Development Regulations Amendment No. 2, 2014.

Adopted by the Town Council of Harbour Grace on the 19th day of November, 2014.

Signed and sealed this 24 day of November, 2014.

Mayor: T. Barnes
Terry Barnes

Clerk: Lisa Carroll
Lisa Carroll

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. 2, 2014 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP: 

Development Regulation/Amendment

REGISTERED	
Number	2125-2014-015
Date	December 22, 2014
Signature	

**TOWN OF HARBOUR GRACE
DEVELOPMENT REGULATIONS AMENDMENT NO. 2, 2013**

BACKGROUND

This amendment is designed to eliminate the minimum area requirement for a seniors development comprehensive development under Regulation 38.

PUBLIC CONSULTATION

The October 15th, 2014 public consultation as advertised in the October 7th, 2014 edition of the Compass took place. Furthermore, the public consultation notice was posted at the Town Office and, property owners and residents near the proposed seniors development which led to this amendment were advised of this public consultation.

On November 19th, 2014 the Harbour Grace Town Council adopted an amended version of the draft amendment which specifically exempted a seniors development from the minimum lot area requirement of Comprehensive Development under Regulation 38.

DEVELOPMENT REGULATIONS AMENDMENT

Regulation of 38, Part II of the Harbour Grace Development Regulations WHICH STATES:

38. Comprehensive Development

The Town may in its discretion permit a large scale private or public comprehensive development that does not meet the requirements of these Development Regulations for frontage on a publicly owned and maintained road ('public road'), lot size, lot frontage, minimum or maximum building line setback, side yard width and rear yard depth, provided that:

- a) the Town is satisfied that either the site conditions are such that the standard requirements could not be met, or, the quality of the development would be greater than could otherwise occur through the application of the standard requirements;
- b) a comprehensive development plan of the property has been granted Approval in Principle by the Town, along with other approvals before permits are issued for development;
- c) the comprehensive development itself has frontage on a public road and the development is connected to the municipal water and sewer system;
- d) the development is compatible with adjacent development;
- e) there are at least two developments within the comprehensive development and the land area of the development is at least two hectares;

- f) the property is situated within the town or municipal boundary as opposed to being outside the Town, but within, the Municipal Planning Area Boundary;
- g) where roads and services are to be installed, the developer supplies sureties to the Town as required under these Regulations or a policy adopted by the Town.

By adding an exemption for seniors under Clause (e) IS AMENDED TO STATE:

38. Comprehensive Development

The Town may in its discretion permit a large scale private or public comprehensive development that does not meet the requirements of these Development Regulations for frontage on a publicly owned and maintained road ('public road'), lot size, lot frontage, minimum or maximum building line setback, side yard width and rear yard depth, provided that:

- a) the Town is satisfied that either the site conditions are such that the standard requirements could not be met, or, the quality of the development would be greater than could otherwise occur through the application of the standard requirements;
- b) a comprehensive development plan of the property has been granted Approval in Principle by the Town, along with other approvals before permits are issued for development;
- c) the comprehensive development itself has frontage on a public road and the development is connected to the municipal water and sewer system;
- d) the development is compatible with adjacent development;
- e) there are at least two developments within the comprehensive development and, *with the exception of a seniors development*, the land area of the development is at least two hectares,;
- f) the property is situated within the town or municipal boundary as opposed to being outside the Town, but within, the Municipal Planning Area Boundary;
- g) where roads and services are to be installed, the developer supplies sureties to the Town as required under these Regulations or a policy adopted by the Town.