



Gander Bay Loop / Bonavista North Highway

Protected Road Zoning Plan Zoning Plan

Amendment No. 3, 2024

(Town of Dover)

Prepared by:

**Department of Municipal and Provincial Affairs: Local Governance and Land Use
Planning Division**

March, 2024

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URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
Gander Bay Loop / Bonavista North Highway
Protected Road Zoning Plan
Amendment No. 3, 2024

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, I, Kim Blanchard, as delegated by the Minister of Municipal and Provincial Affairs:

- a) adopted the Gander Bay Loop / Bonavista North Highway Protected Road Zoning Plan Amendment No. 3, 2024 on the 19th day of April, 2024.
- b) gave notice of the adoption of the Gander Bay Loop / Bonavista North Highway Protected Road Zoning Plan Amendment No. 3, 2024 by notice of the Department of Municipal and Provincial Affairs web page, and advertisements inserted on the Town of Dover Facebook webpage, and posted at the Town Office.
- c) set the 30th day of May, 2024 for 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*, I approve the Gander Bay Loop / Bonavista North Highway Protected Road Zoning Plan Amendment No. 3, 2024 as adopted.

Signed this day of , 2024.

Kim Blanchard
Manager of Local Governance and Land Use Planning

URBAN AND RURAL PLANNING ACT

RESOLUTION TO ADOPT

**Gander Bay Loop / Bonavista North Highway
Protected Road Zoning Plan Amendment No. 3, 2024**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, I, Kim Blanchard, as delegated by the Minister of Municipal and Provincial Affairs, adopt the Gander Bay Loop / Bonavista North Highway Protected Road Zoning Plan Amendment No. 3, 2024.

Signed this 19th day of April, 2024



Kim Blanchard
Manager of Local Governance and Land Use Planning

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Protected Road Zoning Plan Amendment No. 3, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:



Gander Bay Loop / Bonavista North Highway Protected Road Zoning Plan

Amendment No. 3, 2024

The Bonavista North Highway – Route 320

Town of Dover

FORWARD

The Department of Municipal and Provincial Affairs was requested to amend the Gander Bay Loop / Bonavista North Highway Protected Road Zoning Plan (the “Plan”). The purpose of this amendment is to accommodate light industrial development on the east side of a portion of the Bonavista North Highway (Route 320) in the Town of Dover.

This amendment to the Plan is to accommodate a request to rezone private land located on the east side of the Bonavista North Highway (Route 320) in the Town of Dover, from “Highway Service Centre” (HSC) and “Rural Conservation” (RC) to “Mixed (M6)”, to accommodate a single light industrial development as a fiberglass boat and pool manufacturing facility utilizing two existing buildings on an existing lot. The buildings were previously used as a storage facility for municipal water treatment chemicals although that use has ceased for approximately one year. Land outside the property boundary is currently zoned as RC with some overlap of HSC on the north to be converted back to RC via this amendment, ensuring remnants of the amended zone are removed. Establishing the “Mixed” zone in this location will allow other “Mixed” zone uses to be permitted on the lot as described in the Plan and Protected Road Zoning Regulations without further amendments to the Plan.

BACKGROUND

The Protected Road Zoning Regulations (the Regulations) are provincial regulations made under the *Urban and Rural Planning Act, 2000* (URPA) to control development within the building control lines of protected roads and to implement Protected Road Zoning Plans. Section 4 of the Regulations states that no one shall carry out development within the building control lines unless a permit has been issued. The building control lines are established in section 5 of the Regulations and extend 400 metres from the centreline of Route 10 except within a municipal boundary where the building control line extends 100 metres from the highway center line or within a municipal planning area where the building control line extends 150 metres from the highway centreline.

According to schedule B of the Regulations, the Bonavista North Highway (Route 320) is classified as a Class II Protected Road. Schedule B states that the Bonavista North Highway (Route 320), as existing or proposed extends:

.....from its intersection with the Gander Bay Highway (Route 330), at Wesleyville, to a point on the highway 2.25 kilometres north of the northern abutment of the bridge over Middle Brook at Gambo, where it crosses the highway, excluding those sections of highway conjoint with the Towns of Centreville - Wareham - Trinity and Hare Bay as per the following descriptions:

- (a) Centreville - commencing at a point on Route 320 a distance of 300 metres north of its intersection with the centre line of the northeastern approach of Pickett Avenue, and extending to a point on the highway 975 metres southwest of its intersection with the centre line of Smallwood Drive;
- (b) Trinity - commencing at a point on Route 320 a distance of 490 metres south of a culvert for Northwest River, where it crosses the highway, and extending to the northern abutment of the bridge over Southwest Brook, where it crosses the highway; and
- (c) Hare Bay - commencing at a point on Route 320 where it intersects with the southern access road to Wellington and extending to a point on the highway 1.1 kilometres south of its intersection with a local road known as Southwest Road.

A Class II protected road is defined by section 3(b) of the Regulations as:

... a highway which is designated as a secondary road by the Department of Works, Services and Transportation and whose prime purpose is a transportation link for large outlying areas of the province.

The Department of Digital Government and Service NL (Government Service Centre) is the authority and responsible for administering the Regulations.

The Plan was prepared in 1987 with the goal of protecting Route 320 as a safe and convenient conveyor of traffic while ensuring that development occurs in an orderly manner. The Plan establishes land use policies and zones. The Regulations contain a list of uses permitted in each zone along with conditions and development control standards.

PLANNING PROCESS

URPA specifies that plans, including a Protected Road Zoning Plan, are legally binding upon municipalities and councils within the area governed by the Plan and anyone undertaking development.

URPA outlines the process for bringing a Protected Road Zoning Plan or amendment into legal effect. In general terms, this process includes:

- Providing an opportunity for interested persons, community groups, municipalities, local service districts, other interested stakeholders and departments of government to provide input and receive information about the preparation of the Plan or amendment;
- Statutory public hearing held by an independent commissioner to hear objections and submissions with respect to the Plan or amendments.
- The statutory public hearing may be cancelled if no written submissions are received two days prior to the scheduled public hearing;
- If the statutory public hearing proceeds, the commissioner must submit a report and recommendations to the Minister of Municipal and Provincial Affairs;
- If a review of the plan or amendment finds that it is not contrary to law or policy, the Plan or amendment shall be registered;
- Once registered, a notice must be published in the Newfoundland and Labrador Gazette and a local newspaper;
- Upon publication of the notice of registration in the Newfoundland and Labrador Gazette, the Plan or amendment comes into legal force.

No development can occur until a permit has been issued by the Department of Digital Government and Service NL (Government Service Centre). <https://www.gov.nl.ca/dgsnl/>

The Government Service Centre (GSC) is the delegated authority to administer the Regulations, serving as the permitting agency in response to applications.

Once the amendment is in effect, all development must comply with the Plan and Regulations.

PUBLIC/STAKEHOLDER CONSULTATION

In accordance with section 14 of *the Urban and Rural Planning Act, 2000* (URPA) the Department of Municipal and Provincial Affairs must undertake public consultation to provide an opportunity for interested persons or groups as well as government departments to:

- To provide input; and
- Learn about the proposed plan or amendment.

The Department consulted with other government departments and other agencies through the Interdepartmental Land Use Committee (ILUC). Responses identified that:

- Permits and/or approvals will be required from the Government Service Centre and, if installation or modification of the on-site subsurface sewage disposal system is required, the applicant must submit and receive approval for plans and specifications for an approved sewage disposal system.
- A permit is required from Water Resources Management Division, Department of Environment and Climate Change for any work in any body of water, including wetland, prior to the start of construction.
- All activities associated with this proposed development are subject to the Environmental Protection Act (EPA) and the Water Resources Act and their regulations, including;
 - Waste Disposal and Litter
 - Air Quality Management
 - Pesticides
 - Storage and Handling of Gasoline and Associated Products Regulations
 - Used Oil and Used Glycol Control Regulations
 - Halocarbon Regulations
 - Environmental Control Water and Sewer Regulations

Before preparing this amendment, the Department of Municipal and Provincial Affairs also consulted with the Environmental Assessment Division (EA) - Department of Environment and Climate Change with regard to eligibility under the *Environmental Protection Act, 2002*, and confirmed the proposed development is subject to registration under that Act. The amendment will only be fully completed after the EA Division is fully satisfied with the development proposal.

The Department of Transportation and Infrastructure (TI) was also consulted on the rezoning and supplied the following comment with regard to the existing access onto Route 320. The rezoning may constitute a change in use under TI's access policy. Such access points require assessment by TI's regional Engineer. Proponents of development shall be responsible to apply to the Department of Digital Government and Service NL for assessment of access.

The Department of Tourism, Culture, Arts, and Recreation was consulted and supplied comment that they reserve the right to conduct archaeological investigations in the area if required.

A public consultation notice requesting input and comments from individuals or groups, along with the proposed amendment and associated map identifying the site, was posted on the Department of Municipal and Provincial Affairs website inviting public comments until March 13, 2024 (<https://www.gov.nl.ca/mpa/protected-road-zoning-consultations/>). This posting included a Google Earth link to the subject site.

The Town of Dover and the Town of Hare Bay were sent a copy of the proposed amendment and requested to submit any written comments by March 15, 2024. The Town of Hare Bay did not respond. Posters were also placed in the Town Office of Dover, and physically posted in the Town post office. The notice was also posted on the Town of Dover Facebook social media platform accepting input until April 11, 2024. The Town Council of Dover discussed the proposed amendment and advised they had no comments to provide, and had received no input from the postings.

Advertising contained information about how to view the amendment on the Department of Municipal and Provincial Affairs website where it was also published, and how to supply comments and objections. No representations were received. No public comments were received as result of the public consultation process.

The proposed amendment is subject to the requirements for a public hearing in accordance with URPA sections 17 to 23. A Notice of Adoption and Public Hearing was arranged for publication on two occasions, May 11 and May 25, 2024, in the Telegram newspaper. The public hearing is scheduled to take place on May 30, 2024, overseen by an independent commissioner. Per section 21 of URPA, if no objections are received, hearing will be analysis.

The subject area is situated on the east side of Route 320 near the northern boundary of the Town of Dover. Site access is already provided from Route 320. The site is located within the

protected road building control lines and is subject to the Plan and Regulations. The subject area is currently zoned “Highway Service Centre” and “Rural Conservation” which are classified as Rural zones in the Regulations. According to the Regulations, light industrial uses are not a permitted use in the Rural zones. The “Mixed” use zone allows for a mixture of urban type developments including residential, public, commercial, highway commercial, hospitality homes / tourist establishments, and light industrial uses, allowing for a wide range of future development options to be permitted without amendment to the Plan. The “Mixed” use zone may be applied in part or in whole. Meaning that development within an area may be restricted to any one or more of the 6 permitted uses described above, and that approval to develop may be granted without need for amendment to the Plan.

Specific conditions in the Protected Road Zoning Regulations relating to light industrial developments in the “Mixed” zone are as follows:

- (1) IN EACH CASE FOR LIGHT INDUSTRIAL DEVELOPMENTS, LOT REQUIREMENTS WILL BE AS SPECIFIED BY THE AUTHORITY, THE DEPARTMENT OF WORKS, SERVICES AND TRANSPORTATION, DEPARTMENT OF ENVIRONMENT AND LABOUR, OR ANY OTHER AUTHORITY CONSIDERED APPROPRIATE.
- (2) ALL LIGHT INDUSTRIAL DEVELOPMENTS WILL CONFORM TO AN APPROVED AESTHETIC AND SAFETY STANDARD, ALL MATERIAL WILL BE STORED WITHIN BUILDINGS AND MATERIALS PROCESSED WILL BE NON-VOLATILE EITHER INITIALLY OR AT ANY STAGE OF PRODUCTION.
- (3) NO STORAGE SHALL BE PERMITTED IN FRONT OF THE BUILDING LINE AND TREE SCREENS ARE TO BE PROVIDED WHEN THIS DEVELOPMENT ABUTS ON A RESIDENTIAL ZONE.

The proposed light industrial facility, if approved, will be required to adhere to these stipulations and any others that may be identified through the public consultation including approval conditions received through the intergovernmental referral process.

AMENDMENT NO. 3, 2024







The Gander Bay Loop / Bonavista North Highway Protected Road Zoning Plan Amendment No. 3, 2024 rezones land located on Route 320 (Bonavista North Highway), in the Town of Dover, from “Highway Service Center” and “Rural Conservation” to “Mixed”, and from “Highway Service Center” to “Rural Conservation” as shown on the attached map.

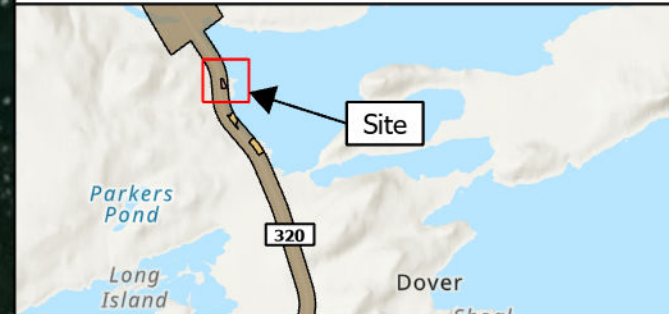
**Gander Bay Loop / Bonavista North Highway
Protected Road Zoning Plan
Amendment No. 3, 2024**

MAP

Gander Bay Road and Bonavista Bay North Highway

Protected Road Zoning Plan Amendment 3, 2024

-  'Rural Conservation' to 'Mixed'
-  'Highway Service Center' to 'Mixed'
-  'Highway Service Center' to 'Rural Conservation'
-  Cottage
-  Highway Service Center
-  Rural Conservation
- RoadNetwork



Signed this ___ day of _____, 20__.

 Kim Blanchard MCIP
 Manager of Land Use Planning

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Protected Road Zoning Plan Amendment No 3, 2024 has been prepared in accordance with requirements of the Urban and Rural Planning Act, 2000.

MCIP: _____

Rural Conservation

From 'Highway Service Center' to 'Rural Conservation'

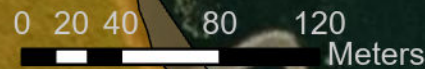
From 'Rural Conservation' to 'Mixed'

From 'Highway Service Center' to 'Mixed'

Route 320
 (Main Road,
 Dover)

Lockers Bay

Cottage



Protected Road Plan Amendment
REGISTERED

Number _____

Date _____

Signature _____

