

TOWN OF MASSEY DRIVE

DEVELOPMENT REGULATIONS AMENDMENT No. 2, 2020

Synopsis: The Land Use Zoning Map 1 is amended by changing the land use zone of an area north of Stratton's Pond and to the east of an area already zoned as Residential (RES), from Public & Community Use (PCU) zone to Residential (RES) zone.

As approved by Council 8 July 2021.

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RESOLUTION TO ADOPT; MCIP CERTIFICATE

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Massey Drive adopts Amendment Number 2, 2020, to the Development Regulations for 2017 to 2027.

Resolved by the Town Council of Massey Drive on the 26th day of January, 2021.

Signed and sealed this 6 day of October, 2021.

Mayor: Allan Gulespic

Clerk: [Signature]



(Council Seal)

MCIP Certificate

I certify that the attached Amendment Number 2, 2020, to the Development Regulations for 2017 to 2027 document has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Member of the Canadian Institute of Planners

[Signature] Jens Jensen, P.Eng., MCIP (MCIP seal)

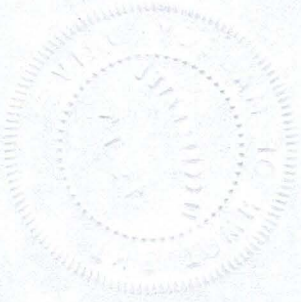
Date: 2nd day of November, 2021.



Development Regulations/Amendment	
REGISTERED	
Number	<u>3167-2020-009</u>
Date	<u>Nov 19, 2021</u>
Signature	<u>[Signature]</u>

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Date: 11/11/08
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COUNCIL RESOLUTION TO APPROVE

Under the authority of sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Massey Drive:

1. Adopted the Town of Massey Drive Amendment Number 2, 2020, to the Development Regulations for 2017 to 2027, on the 26th day of January, 2021;
2. Gave notice of the adoption of the Town of Massey Drive Amendment Number 2, 2020, to the Development Regulations for 2017 to 2027, by way of publicizing the proposed amendment on the municipal website and Facebook, posting a notification on the municipal Message Express advisory alert system advising the public of the proposed amendment, directing them to visit the web site for the full notice (the character limit on the Message Express system did not enable posting the entire notice there), and, posting a paper poster on the bulletin board at the Town Hall, as is customary for public notices of civic matters by the Town of Massey Drive;
3. Set the time and date of 3:00 pm, Monday, 1 March, 2021, as the deadline for receiving any submissions concerning the adopted amendment and for the holding of a virtual public hearing to consider any objections and submissions;
4. Appointed Mr. Gerard Martin, QC to be the commissioner for the purpose of reviewing and reporting to Council on any objections and submissions.

Whereas no objections or submissions were received by the deadline, and the commissioner recommended that Council proceed with their approval,

Now, under section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Massey Drive approves the Town of Massey Drive Amendment Number 2, 2020, to the Development Regulations for 2017 to 2027, exactly as released by the Department of Environment, Climate Change and Municipalities.

Resolved by the Town Council of Massey Drive on the 8th day of July, 2021.

Signed and sealed this 6 day of October, 2021.

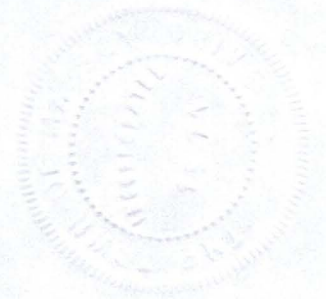
Mayor:

Alan Mesjic
R. R.

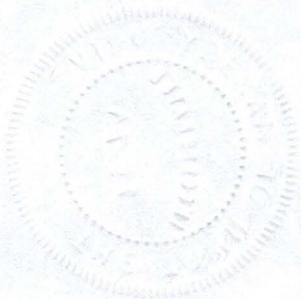
Council seal

Clerk:

Development Regulations/Amendment	
REGISTERED	
Number	<u>3167-2020-009</u>
Date	<u>Nov. 19, 2021</u>
Signature	<u>[Signature]</u>



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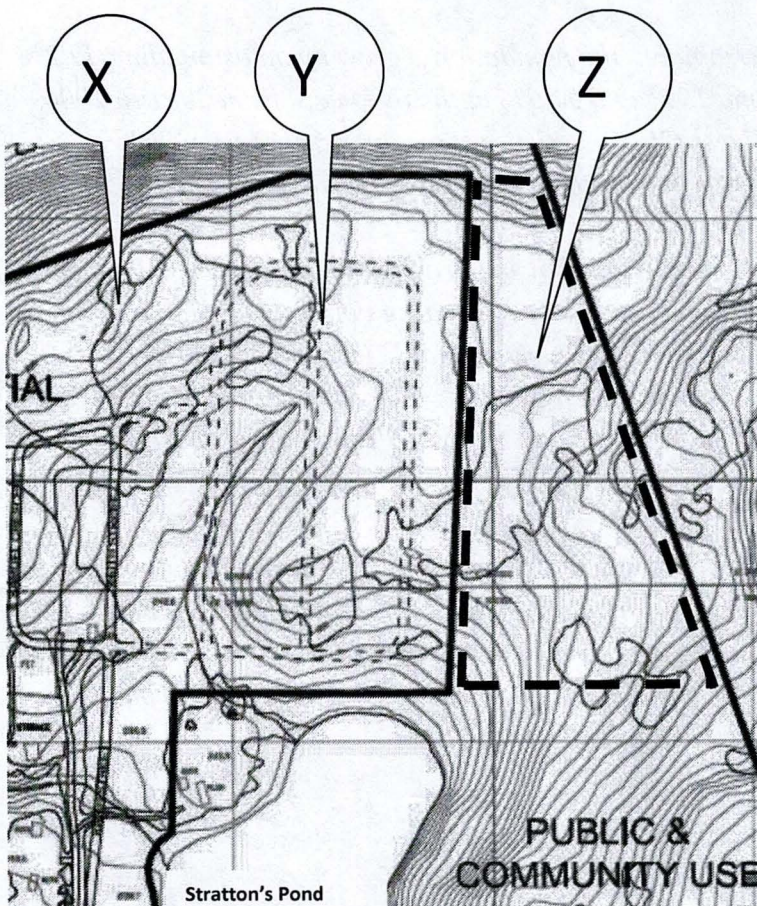
TOWN OF MASSEY DRIVE

DEVELOPMENT REGULATIONS for 2017 to 2027 AMENDMENT No. 2, 2020

BACKGROUND

The Council of the Town of Massey Drive wishes to concurrently amend the Municipal Plan and Development Regulations for 2017-2027. The subject concerns a recent initiative by a prospective developer to propose to construct a residential development in an area north of Stratton's Pond and to the east of an area already designated as Residential. The basic effect of the amendments is to change an area now designated in the Municipal Plan and zoned Public & Community Use in the Development Regulations to Residential designation and zone, respectively, so as to enable consideration of such a proposal at a later date.

The area affected lies to the east of Keith's Street, as shown below on a portion of the current Future Land Use Map 1 (north is to the top of the map):



Area X is already designated as Residential in the Municipal Plan and is already developed as a residential subdivision, including Keith's Street and Samuel Crescent.

Area Y is already approved for residential development as it is designated Residential in the current Municipal Plan. The proposed streets are shown in dashed lines.

Area Z (bordered by the heavy dashed lines) is the area which is the subject of this amendment. The effect of the amendment is to change its land use zone from Public & Community Use to Residential.

MUNICIPAL PLAN POLICY ANALYSIS

Massey Drive has long been a highly desirable location for new residential development in the Corner Brook catchment area. The community has featured substantial population growth for the last fifty years. Its census population was 370 in 1971, the year of its incorporation, growing to 1,632 by 2016, and with only a year left in this census period is still growing. There have been 83 new housing starts since 2016, representing about 220 new residents. The reasons are reported in the Municipal Plan as follows:

A mill built in Corner Brook by the International Paper Company of Newfoundland Limited began to produce paper in 1925, and continues today. The mill and its many directly related enterprises, together with the services and goods industries which are supported by them, became the initial mainstay of the emerging regional economy. In later years, economic activity unrelated to the paper industry grew in the health and public services and tourism sectors, and now their employees outnumber those in papermaking and other manufacturing.

The Town of Massey Drive grew rapidly: the population .. grew by an astounding 49.2% in the five years between 1986 and 1991 and 51.9% in the five years from 2001 to 2006, practically the same rate. The latest (2016) statistics show an increase from 2011 to 2016 of 1,412 to 1,632, ie: 15.6%, so those earlier high rates have diminished.

Review of the population projections produced by the provincial government's Economic and Projects Analysis Division in the Department of Finance confirms a belief that the region's population will be at least stable for the foreseeable future. The most pessimistic scenario for Economic Zone 8, the region in which Massey Drive is located, shows a forecast of a decrease of about 2.5% over the next 20 years. The most optimistic scenario shows a forecast increase of about 4.1%.

The region is expected to continue to have a diversified economy and a population for which even a middling forecast scenario indicates stability. In even the "medium" scenario, there will continue to be demand for new housing in Massey Drive as old stock is replaced and stable, good incomes and confidence from fairly stable employment enables new investment in home building.

The part of the Municipal Plan's underlying development concept (found in Section 5.0) which relates to this continuing trend says:

The community is expected to continue to strongly attract newcomers, mostly families with stable employment in the area, to buy or build homes, with new development expected to use up all of the building lots which will become available over time.

There continues to be limited potential to accommodate substantial numbers of newcomers due to lack of easily serviceable land. The Municipal Plan summarizes this in Section 4.2 *Economy, Demographics and Demand for Land*, as follows:

At present, there are several subdivisions which are fully approved and serviced, which are rapidly being built up. There are several proposed subdivisions which are based on proposed future streets, where the street arrangement is known and where the rezoning actions taken in amending the predecessor planning documents have zoned the lands for this purpose. In addition, there are some areas both north and south of Massey Drive that have potential for further development in the short run, beyond the streets and subdivisions already approved or proposed. These include the following:

- *A large triangular area above Mountainview Road, just below the "North Access" label on Future Land Use Map 1.*
- *An area between Targett Drive and Country Lane.*
- *A small triangular area to the west of Miller Crescent, bounded by the NL Hydro Line and the back lot lines of lots fronting on Massey Drive.*

Very approximately 60 lots could be developed in those areas, using development densities of about the same as the newer subdivisions have exhibited, and there is a confident number of 160 lots available on the proposed future streets, totaling about 220 lots. That number represents about 15 years' supply of lots, using the figure cited of 15 per year.

Beyond the availability of residential lands just described, a large area in the northwest quadrant of the planning area marked as Urban Reserve on Future Land Use Map 1 is undeveloped and has potential for considerable new development.

As said earlier in this document, the owners of the three areas bulleted above have expressed no interest at this time in proceeding to develop their lands. Development of the Urban Reserve lies

far into the future, as major investments are needed to provide the essential trunk road access to it.

With 83 new housing starts in the last four years, and no short term prospect of development of the three areas bulleted above, simple mathematics says that about one third of the 220 lots cited above for the potential of the three bulleted areas and area Y to be able to accommodate, have been developed. Area X is largely occupied now. Area Y has yet to be opened for development, but it is clear that continued growth as experienced in the last four years could exhaust its potential within a few years. This leaves the community with no viable way forward thereafter to accommodate the desired growth without seeking lands in other designations which could be re-purposed for residential growth.

This has already happened by way of Development Regulations Amendment 1 – 2018, by which about half of the area zoned as Commercial/ Industrial (COM/IND) at the eastern end of Massey Drive (the street) was changed to Residential (RES) zone to accommodate residential development. There had been practically no interest from anyone to develop commercial or industrial uses in that area, and there was demand for residential lots of the type envisioned by that proponent. The proposed amendments to the Municipal Plan and Development Regulations reflect a continuation of those factors and avenues for relief.

The subject lands are suitable for suburban residential development. Preliminary engineering work indicates that extensions of municipal water, sewer and storm water management systems can support residential development similar to the types and density already developed in X. There are no sensitive lands or existing cultural features that would be adversely affected. Plans for use of the area proposed to be redesignated will be affected; this is discussed next.

An important consideration is the effect the proposed amendment has on the Public & Community Use lands which would be lost to that zone. The Municipal Plan in Section 6.1.4 states that lands set aside in this designation are envisioned to be “...*lands for open space, recreation, civic and cultural amenities, and public facilities such as a fire hall or municipal office.*” Successive Councils have been diligent in building up the community’s recreational and cultural resources, both in intensively used recreational facilities and in trails and parkland.

As an aside, note that there is an area around and behind the municipal office building on Massey Drive which is in this zone; it accommodates the municipal offices, a public works building, fire hall and a playground and recreational complex, ie: the Mama Dawe Recreational Complex. Those uses fully occupy that area.

For the outdoors areas, the focus is on the value of natural features which add significantly to the quality of life in the community. The current Municipal Plan in Section 5.0, the Development Concept, says the following:

- *“Active recreational facilities in the form of outdoor playgrounds and small scale sports areas, an extensive network of public walking trails, and amenities such as a community garden, shelters and resting places, will comprise the short term recreational infrastructure. Trails may eventually extend across the top of Link Pond Drive and Lakeview Road and into the Urban Reserve, and/or, crossing the Commercial/Industrial area to the small Public and Community Use area south of Country Lane and the Deer Lake power line. Additional amenities such as shelters, day parks, parking spaces and the like may be included in various places.”*
- *A large area at the east end of the community, east and north of Stratton’s Pond subdivision and all around Tipping’s Pond, will be designated as Public and Community Use for ongoing development of trails and other amenities focused on the natural landscapes and those water features.*

One of the policies in the Municipal Plan in Section 6.1.4, Public & Community Use, says that:

“Council will prepare an outdoor amenities strategic plan to guide long-term implementation of trails, the community garden, playgrounds and sports features, use of the Ponds for recreation, and complementary facilities such as shelters, parking, and toilets.”

If the proposed amendment comes into effect, Council’s strategic plan will need to recognize that the lands involved in the proposed amendment could cut off an overland route from the southerly areas in the Public & Community Use designation (down toward Tipping’s Pond) to those north of the subject lands, ie: to those referenced in the language: *“..across the top of Link Pond Drive and Lakeview Road and into the Urban Reserve.”* as said above. The Municipal Plan in Section 6.1.4 says as follows:

“...a large area east and north of Stratton’s Pond and around Tipping’s Pond, some of which has been in use for year-round outdoor active recreation for many years. Council’s long term objective is to develop the site further for active recreation focused on the beautiful natural landscapes, including the two Ponds. Some trails have already been developed, and the intention is that such trails would continue beyond the designated area in a network throughout the community.”

The intention of the policies affecting the Public & Community Use zone can be respected only by preserving the trail connectivity with the lands lying to the south and north of area Z.

Council's view is that a trail to connect through the subject lands can be preserved by exercising a provision in the Development Regulations in the section on subdivision of land, which says in Regulation 80(n): *"The Authority [Town] may require any existing natural, historical or architectural feature or part thereof to be retained when a subdivision is developed."*

The natural feature to be retained would be a strip of land along the municipal boundary, ie: at the rear of area Z, sufficient to support a public trail joining the northerly and southerly areas designated as Public & Community Use. Alternatives would be to reserve a suitable strip of land through the interior of area Z, or, across area Y which is possible as area Y has yet to be subdivided and thus Regulation 80(n) can be applied when the applications for subdivision of Y and Z are submitted.

The proponent is a company, 61157 NL Ltd., which has submitted an application to the provincial government to purchase the Crown land (area Z) for residential development. The government is evidently favourable, provided that Council is also in favour and makes the amendments to the Municipal Plan and Development Regulations.

The proponent of this amendment is of the view that, whereas area X is almost fully occupied and area Y will provide new building lots for only a few years, it is prudent to seek approval to eventually develop the remaining area Z. Council is of the view that their planning objective to welcome and accommodate suburban residential growth will be stymied if this is not accommodated. The amendment furthers the intent of the policies in the Municipal Plan and conforms with its other provisions, and therefore Council is agreeable to the amendment.

PUBLIC CONSULTATION

Council publicized the proposed amendment on the municipal website and Facebook, and also posted a notification on the municipal Message Express advisory alert system advising residents of the proposed amendment, directing them to visit the web site for the full notice (the character limit on the Message Express system did not enable posting the entire notice there). In addition, a paper poster was placed on the bulletin board at the Town Hall, as is customary for public notices of civic matters by the Town of Massey Drive.

The notices were posted beginning 23 November 2020 and called for submissions to be made before noon, 11 December 2020, and thus provided for a nineteen-day period for interested people and associations to study the proposed amendments and to submit any comments to Council for consideration before Council would proceed further. No submissions were received by the deadline, and this document was submitted for ECCM review without further revisions.

There is no amendment to the text of the Development Regulations. The following is the official amendment to the Development Regulations:

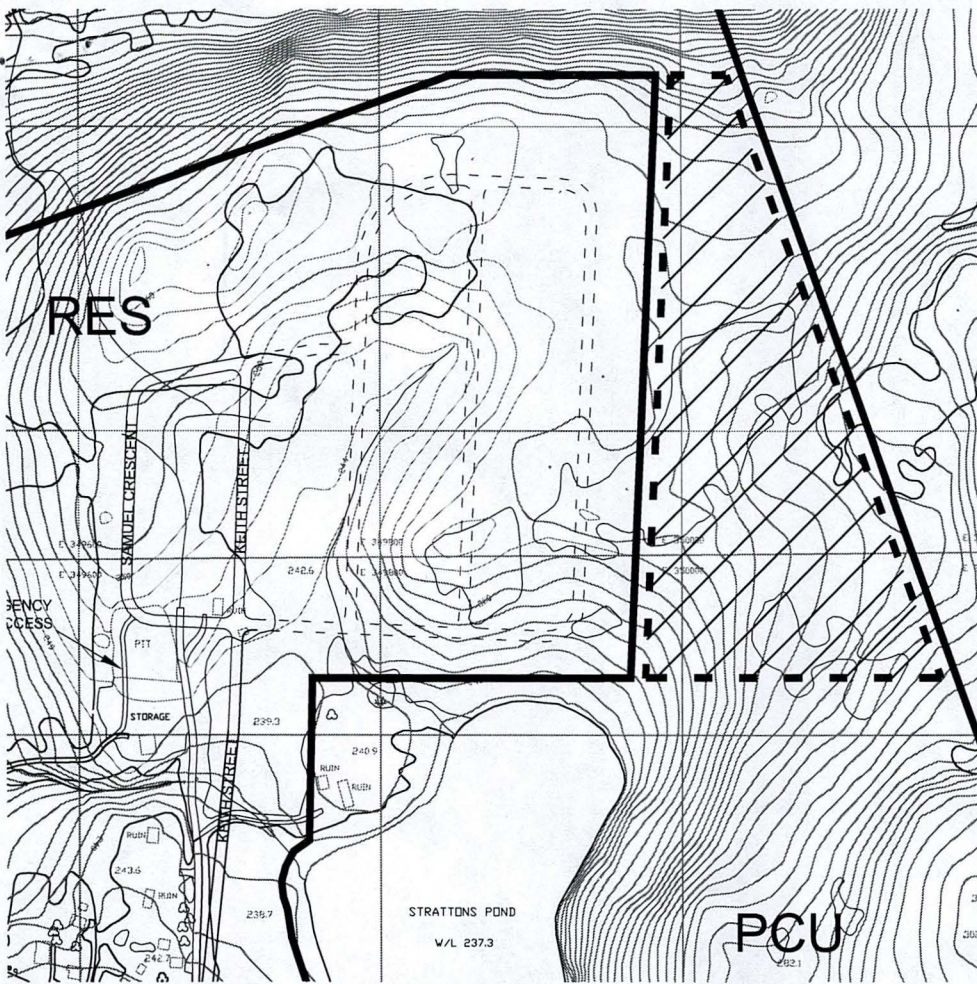
AMENDMENT No. 2, 2020

The Land Use Zoning Map 1 attached to and forming part of the Development Regulations is amended by changing the land use zone of the land cross hatched and bounded by the heavy dashed line on the map accompanying this text, from Public & Community Use (PCU) to Residential (RES) Zone.

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Map to show Massey Drive Amendment Number 2, 2020 to the Development Regulations for 2017 to 2027

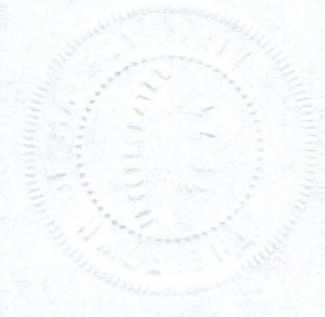
Dated at Massey Drive, NL this _____ day of

October A.D. 2021

Alan Gillespie
Mayor, Town of Massey Drive

R. A. [Signature]
Clerk, Town of Massey Drive

(Council Seal)



2	APPROVED BY COUNCIL	8 JULY 2021
1	AS ADOPTED	26 JAN 2021
REV	DESCRIPTION	DATE

Map 1 is amended by changing the land use zone of the land cross hatched // and bounded by the heavy dashed line on the map shown above, from Public & Community Use (PCU) to Residential (RES) Zone.

MCIP Certificate: I certify that the map forming part of Amendment 2, 2020 to the Development Regulations has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

Member of the Canadian Institute of Planners

(MCIP Seal)

[Signature]
Jens Jensen, P.Eng. MCIP.



Dated 21st day of January 2021

Development Regulations/Amendment	
<u>REGISTERED</u>	
Number	<u>3167-2020-009</u>
Date	<u>Nov. 19, 2021</u>
Signature	<u>[Signature]</u>

October

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