

**Town of
Bay Roberts
Municipal Plan Amendment
No. 1, 2012**

Prepared for the

**Town of
Bay Roberts**

By

**CBCL Limited
September, 2012**

Urban and Rural Planning Act
Resolution to Approve
Town of Bay Roberts
Municipal Plan Amendment
No. 1, 2012

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Town of Bay Roberts

- a) adopted the Town of Bay Roberts Municipal Plan Amendment No. 1, 2012 on the 14th day of May, 2013.
- b) gave notice of the adoption of the Bay Roberts Municipal Plan Amendment by advertisement inserted in the Compass Newspaper on the 21st day and the 28th day of May, 2013.
- c) set the 13th day of June at 7:00 p.m. at the Town Hall, Bay Roberts, for the holding of a public hearing to consider objections and submissions. No objections and submissions were received by advertised deadline of 12 noon on the 11th day of June. Council cancelled the Public Hearing June 11th and Approved the Amendment as adopted.


Now under the authority of section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Bay Roberts approves the Bay Roberts Municipal Plan Amendment No. 1, 2012 as adopted.

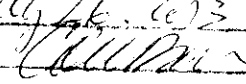
SIGNED AND SEALED this 16th day of July, 2013.

Mayor:



Clerk:



Municipal Plan/Amendment	
REGISTERED	
Number	<u>205-2012-005</u>
Date	<u>July 16, 2013</u>
Signature	<u></u>

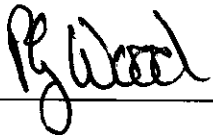
Urban and Rural Planning Act
Resolution to Adopt
Town of Bay Roberts
Municipal Plan Amendment
No. 1, 2012

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Bay Roberts adopts the Bay Roberts Municipal Plan Amendment No. 1, 2012.

Adopted by the Town Council of Bay Roberts on the 14 day of May, 2013.

Signed and sealed this 16 day of July, 2013.

Mayor:

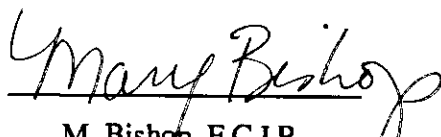


Clerk:



Canadian Institute of Planners Certification

I certify that the attached Development Regulations have been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.



M. Bishop, F.C.I.P.

Town of Bay Roberts Municipal Plan Amendment No. 1, 2012

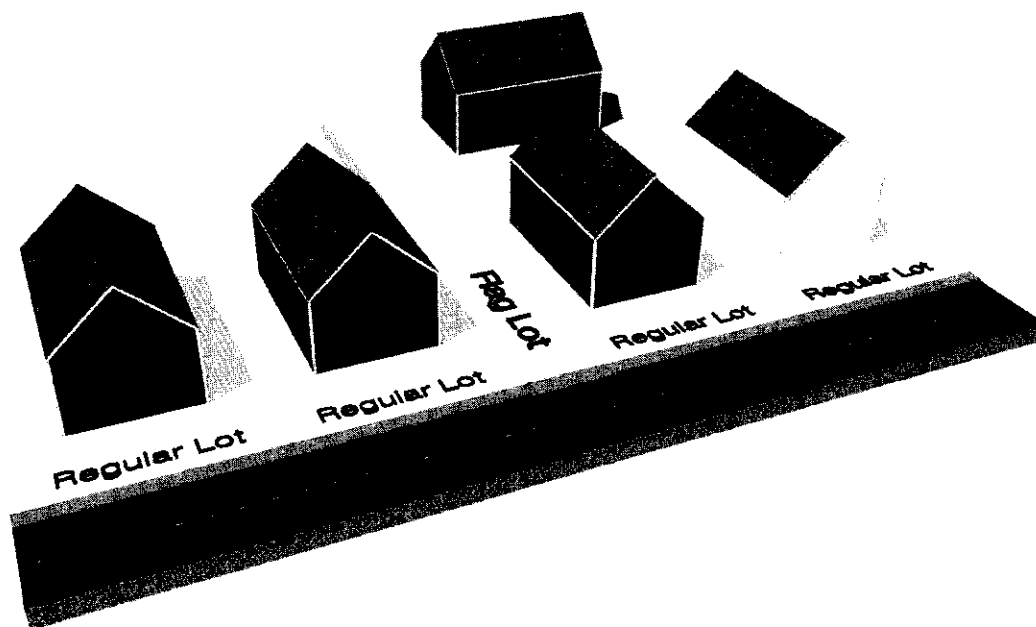
Introduction

The Town of Bay Roberts, incorporated in 1951, completed and approved a review of its 2003 Municipal Plan in 2011. The Town now wishes to amend the Municipal Plan and Development Regulations. This report has been prepared to explain the proposed changes, and to serve as a basis for consideration by the general public before they are approved by Council and submitted to the Minister of Municipal and Provincial Affairs for registration.

Background

Backlot Development

The Town has been receiving a number of development proposals for development of single residential building lots in areas where the land does not have sufficient frontage on existing developed streets. The lots typically have access to a public street with the largest portion of the lot located behind existing, developed lots that front on and have access to the street. Such lots are known as “flag” lots and the development of such lots is commonly referred to as “backlot” development.



Backlot development will be limited to existing residential areas where the development will not prevent future development of adjoining undeveloped lands. It is most suited to locations where there is sufficient land for a lot to be developed but topography or other constraint exists that would preclude development of adjoining lands on a more comprehensive basis.

In considering applications for backlot development, Council will consider the impact that development of such lots will have on adjoining developed lots, particularly with respect to the placement of dwellings relative to one another, and the access to them and will consult with adjoining property owners prior to issuing any approvals.

Other factors that will be considered include the safety and adequacy of access of the lot to the street, the sharing of access to the street by more than one dwelling and the servicing of the lot with municipal piped water and sewer services.

A corresponding Development Regulations Amendment will add specific standards for backlot development in residential use zones.

Residential Development

The Town has received numerous requests from private land owners to re-designate current land use designations to accommodate more residential developments. Council proposes to amend the Municipal Plan by re-designating a number of areas to the Residential land use designation. These include changing Rural, Environmental Protection, and Comprehensive Development Area-Mad Rocks Heritage Area land use designations to the Residential land use designation and include both serviced and unserviced lands.

Commercial Development

Council is proposing to re-designate the area at the intersection of Highway 75 and the CB Access Road from the Industrial land use designation to the Commercial land use designation. In anticipation for this "Power Centre" development, the purpose of this re-designation is to accommodate a commercial park, which may include highway commercial, large format/"big box" retail and local businesses.

A corresponding Development Regulations Amendment will rezone these areas to the appropriate land use zone.

Sustainable Development

The Town submitted its Municipal Plan to the Department of Municipal Affairs in fulfillment of its requirements for an Integrated Community Sustainability Plan. The Province requested that specific section headings be added to the Plan with corresponding context for items relating to governance and partnerships and these are proposed to be added to the Plan text.

Amendment No. 1

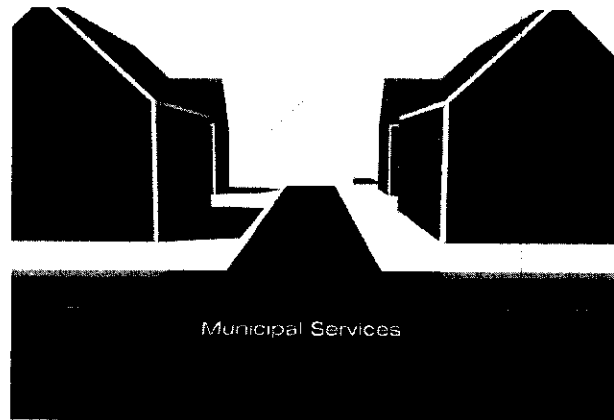
The Bay Roberts Municipal Plan shall be amended as follows:

Backlot Development

1. Section 4.1.2- Policies for Residential Land Use Designations is amended by adding the following as Policy R-11:

Policy R-11 - Backlot Development - Notwithstanding Policy G-6 and Policy R-6, limited backlot development may be considered in areas designated for residential use and zoned Residential II in the Development Regulations. Such development may be considered where:

1. There is sufficient land for a lot to be developed, but topography or other constraints would preclude development of adjoining lands on a more comprehensive basis;
2. The lot will be serviced by municipal piped water and sewer;
3. The lot will have adequate access to an existing public street;
4. There is no objection from abutting property owners who may be affected by the proposed development.



Backlot development will not be permitted where it would prevent future development of adjoining undeveloped lands.

Residential Development

2. Re-designating lands east of Veterans Memorial Highway (Route 75), north of Earles Road and east of Gosse Pond Hill, to the Residential land use designation, from the Rural land use designation. The lands to be re-designated are shown on the attached Town of Bay Roberts Future Land Use Map 1, Amendment No. 1, 2012.
3. Re-designating lands west of Veterans Memorial Highway (Route 75), south of Shearstown Road, to the Residential land use designation, from the Rural land use designation. The lands to be re-designated are shown on the attached Town of Bay Roberts Future Land Use Map 1, Amendment No. 1, 2012.
4. RE-designating lands along Water Street and Mercers Cove, to the Residential land use designation, from the Environmental Protection land use designation. The lands to be re-designated are shown on the attached Town of Bay Roberts Future Land Use Map 2, Amendment No.1, 2012.
5. Re-designating lands along Water Street, between Whitney Street and Walsh's Hill, to the Residential land use designation, from the Environmental Protection land use designation. The lands to be re-designated are shown on the attached Town of Bay Roberts Future Land Use Map 2, Amendment No. 1, 2012.

6. Re-designating lands along Front Road and Frenchs Cove, to the Residential land use designation, from the Comprehensive Development Area- Mad Rocks Heritage Area land use designation. The lands to be re-designated are shown on the attached Town of Bay Roberts Future Land Use Map 4, Amendment No. 1, 2012.

Commercial Development

7. Replacing **Section 4.3.2 Policies: Policy C-1 – Commercial Lands** with the following (*change in italics*):

Policy C-1 - Commercial Lands are intended for a range of commercial uses such as retail, professional, medical and personal service uses, office and assembly uses. In the Development Regulations implementing this Plan, lands shall be zoned to identify areas for general commercial retail uses, offices and for traffic dependent commercial uses such as service stations along the access road from the existing Conception Bay North Highway to the Bypass Road. *Shipping centres and large format shops shall be a permitted commercial use.* Agriculture, in the form of commercial greenhouses, nurseries and markets may also be considered.

8. Re-designating lands at the intersection of Highway 75 and the CB Access Road, to the Commercial land use designation, from the Industrial land use designation. The lands to be re-designated are shown on the attached Town of Bay Roberts Future Land Use Map 5, Amendment No. 1, 2012.

Planning Context

9. Section 2.0 Planning Context is amended by adding the following:

2.6 Planning for Sustainable Governance

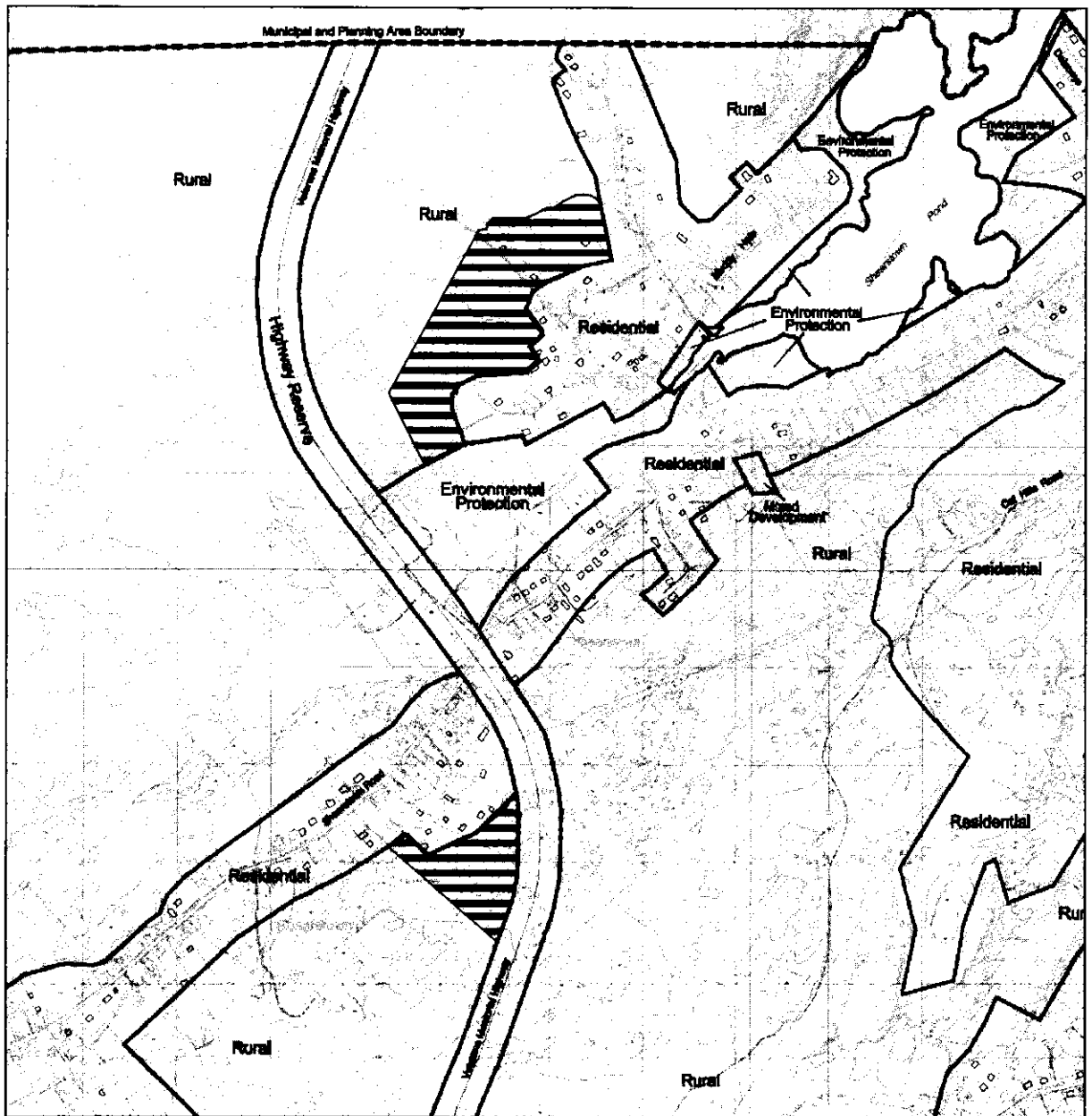
Bay Roberts has an active Municipal Council comprised of seven Councillors. Members of Council are involved in a number of committees, including the Recreation Committee, Economic Development Committee, Tourism Committee, and the Bay Roberts Festival of Lights Organizing Committee. The administration of town business is carried out by qualified staff that includes the Chief Administration Officer, Town Clerk, Accounts Receivable Clerk, Clerk Receptionist, Directors of the Departments of Development and Tourism, and Recreation and Sports, Works Superintendent, Seasonal Maintenance Supervisor, Municipal Enforcement Officer and Fire Chief.

Municipal elections have been fairly well attended, however, like much of Newfoundland and Labrador, and even Canada-wide, voter turnout has decreased over time and it is increasingly challenging to restore community engagement. In the future we will need to consider how to use both new and traditional methods of public engagement to increase interest in municipal matters.

2.7 Collaborations and Partnerships

Currently there is little regional cooperation occurring in Bay Roberts. We support and have an ongoing partnership with the Bay Arena Association which serves the Region and our Recreation Department has forged a Sport Tourism Alliance with the Towns of Harbour Grace and Carbonear. We participate in a Joint Council process and are willing to work on any regional issues with member municipalities. Within the tourism industry, our Department of Economic Development and Tourism is continually working on regional and provincial and co-operation. While we are not looking to expand into other regional operations at this time, there is an opportunity to strengthen our existing partnerships.

Town of Bay Roberts
Future Land Use Map 1
Amendment No. 1, 2012



Area to be redesignated from
 Rural to Residential

Municipal Plan/Amendment
REGISTERED
 Number 265-2012-005
 Date July 26 2012
 Signature [Handwritten Signature]

Dated at Bay Roberts, Newfoundland and Labrador
 This 18th day of June, 2012-2013

[Handwritten Signature]
 Mayor

[Handwritten Signature]
 Clerk

I certify that this Municipal Plan for the Town of Bay Roberts
 has been prepared in accordance with the requirements of
 the *Urban and Rural Planning Act, 2000*.

[Handwritten Signature]
 Mary Bishop, FCIP

Mary D. Bishop, MURP, FCIP
 Senior Project Manager
 Environmental Services

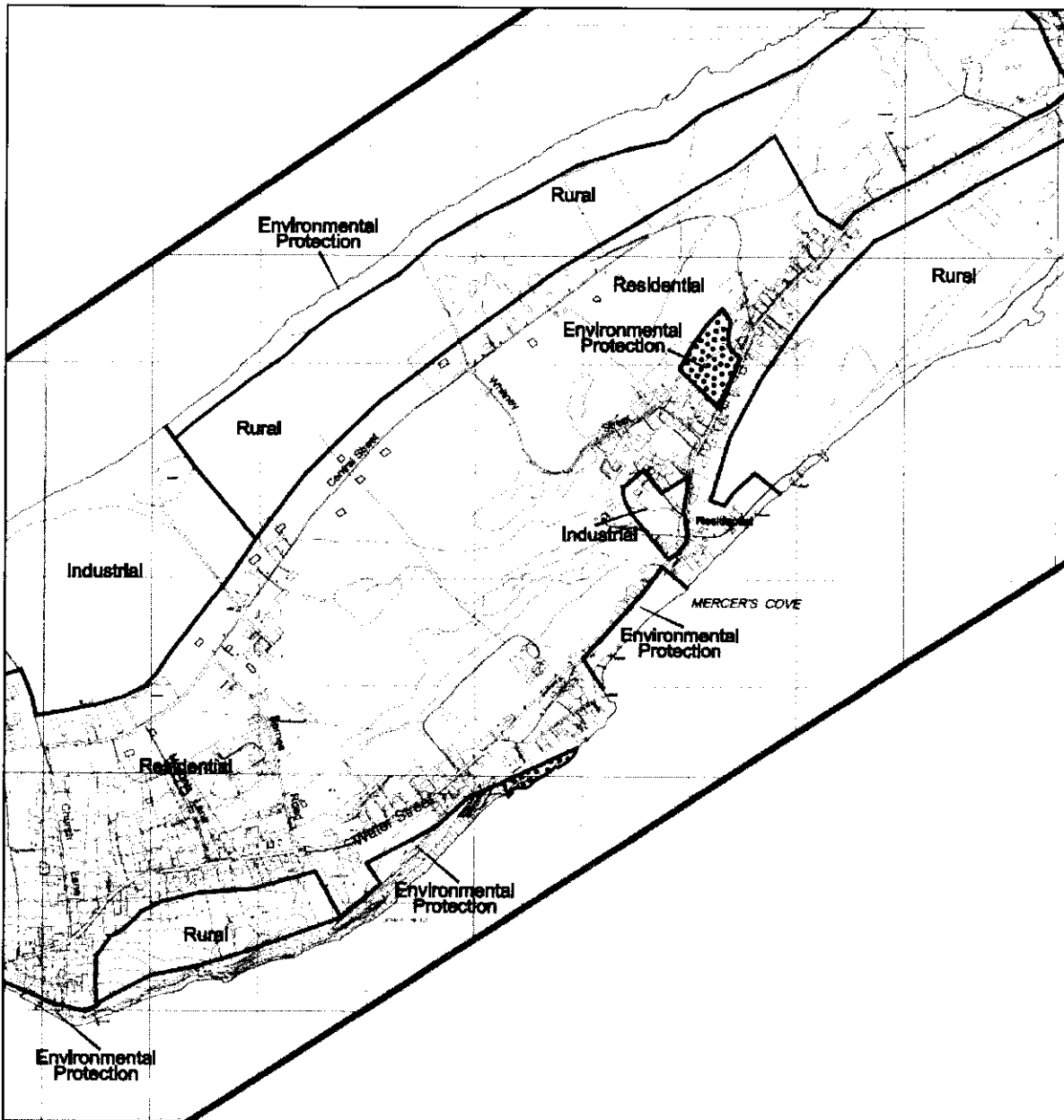
187 Kenmount Road
 St. John's, Newfoundland
 Canada, A1B 3P9



Town of Bay Roberts

Future Land Use Map 2

Amendment No. 1, 2012



Area to be redesignated from
Environmental Protection to Residential

Municipal Planning Commission
REGISTERED
Number 265-2012-005
Date July 26, 2013
Signature [Signature]

Dated at Bay Roberts, Newfoundland and Labrador
This 18th day of June, 2012 2013

[Signature]
Mayor

[Signature]
Clerk

I certify that this Municipal Plan for the Town of Bay Roberts has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

[Signature]
Mary Bishop, FCIP

Mary D. Bishop, MURP, FCIP
Senior Project Manager
Environmental Services

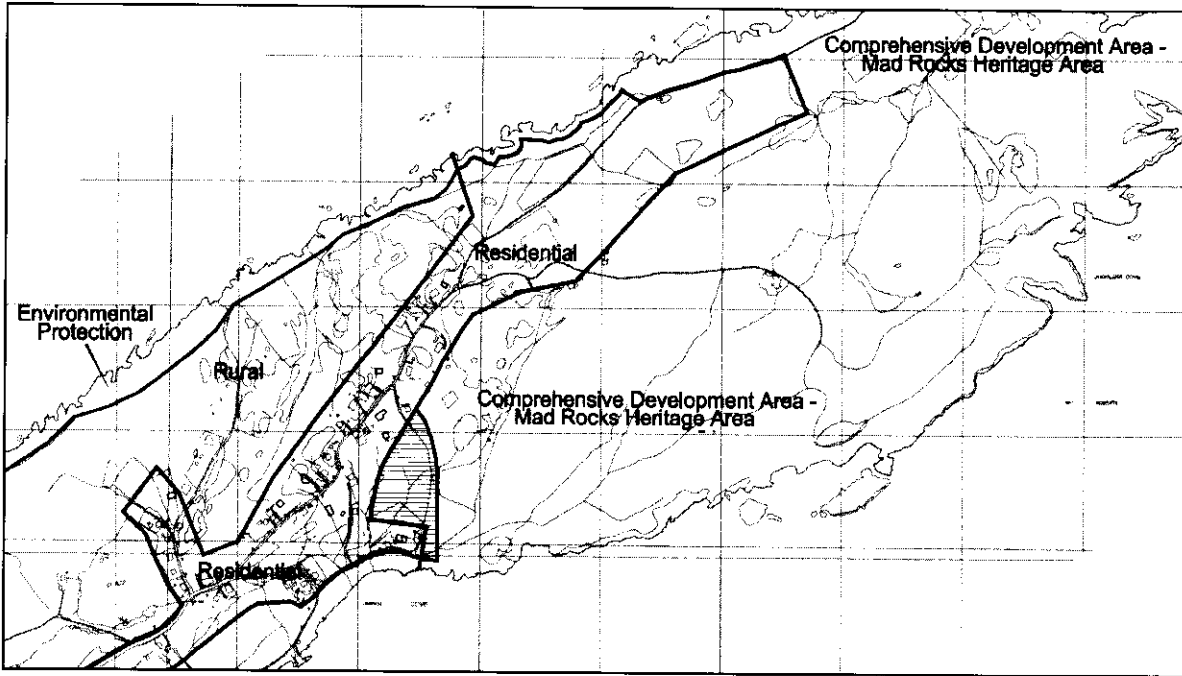
187 Kenmount Road
St. John's, Newfoundland
Canada, A1B 3P9



CBCL LIMITED

www.cbcl.ca

Town of Bay Roberts
 Future Land Use Map 3
 Amendment No. 1, 2012



 Area to be redesignated from Comprehensive Development Area - Mad Rocks Heritage Area to Residential

REGISTERED
 Number 265-2012-005
 Date July 26 2013
 Signature [Handwritten Signature]

Dated at Bay Roberts, Newfoundland and Labrador
 This 18th day of June, 2012 2013

[Handwritten Signature]
 Mayor

[Handwritten Signature]
 Clerk

I certify that this Municipal Plan for the Town of Bay Roberts has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

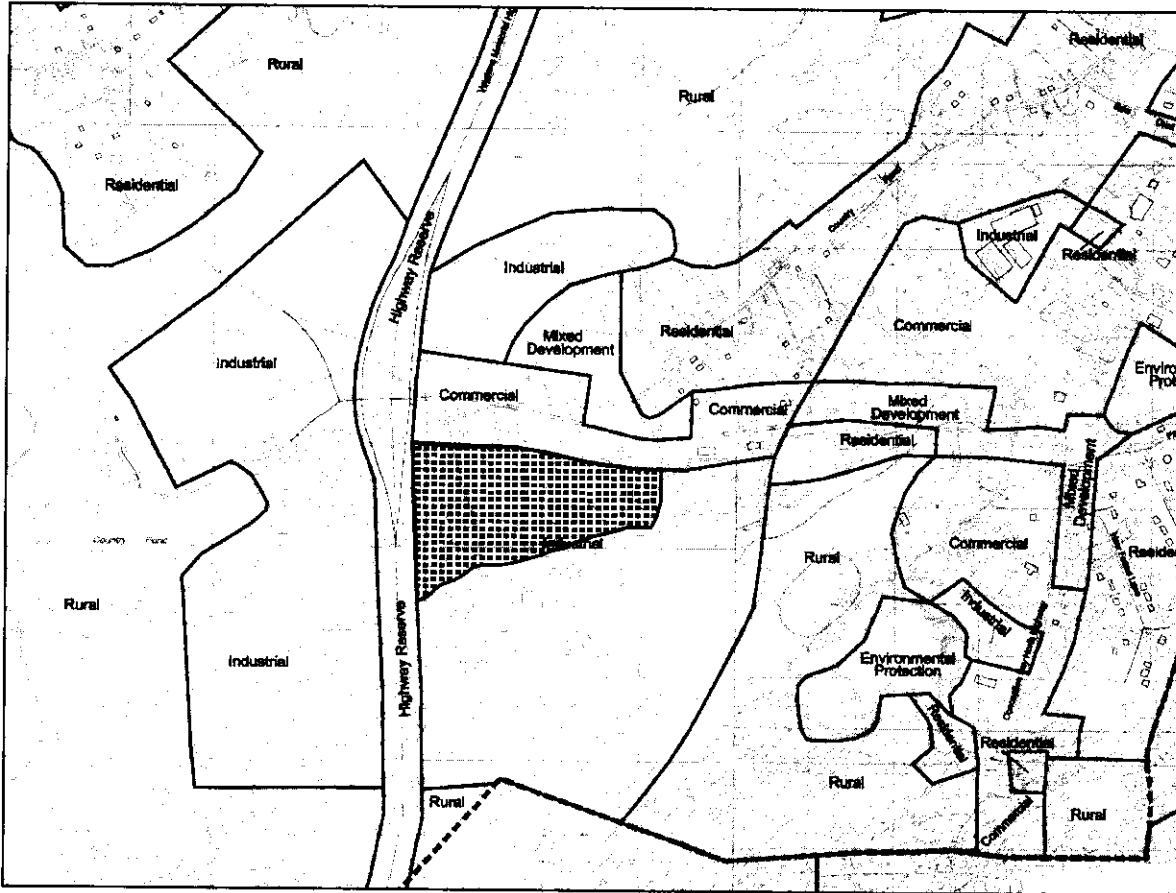
[Handwritten Signature]
 Mary Bishop, FCIP

Mary D. Bishop, MURP, FCIP
 Senior Project Manager
 Environmental Services

187 Kenmount Road
 St. John's, Newfoundland
 Canada, A1B 3P9



Town of Bay Roberts
 Future Land Use Map 4
 Amendment No. 1, 2012



Area to be redesignated from
 Industrial to Commercial

Municipal Council Resolution
REC-2013-001
 Number 265-2012-005
 Date July 26, 2013
 Signature [Signature]

Dated at Bay Roberts, Newfoundland and Labrador
 This 18th day of June, 2012 2013

[Signature]

Mayor

[Signature]

Clerk

I certify that this Municipal Plan for the Town of Bay Roberts
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 the Urban and Rural Planning Act, 2000.

[Signature]

Mary Bishop, FCIP

Mary D. Bishop, MURP, FCIP
 Senior Project Manager
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