

**TOWN OF PORT HOPE SIMPSON  
MUNICIPAL PLAN 1995 - 2005**

**MUNICIPAL PLAN AMENDMENT No. 1, 2003**

**JANUARY, 2003**

**URBAN AND RURAL PLANNING ACT**  
**RESOLUTION TO ADOPT**  
**TOWN OF PORT HOPE SIMPSON MUNICIPAL PLAN AMENDMENT No. 1, 2003**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Port Hope Simpson adopts the Town of Port Hope Simpson Municipal Plan Amendment No. 1, 2003.

Adopted by the Town Council of Port Hope Simpson on the 30 day of April, 2003

Signed and sealed this 14 day of May, 2003.

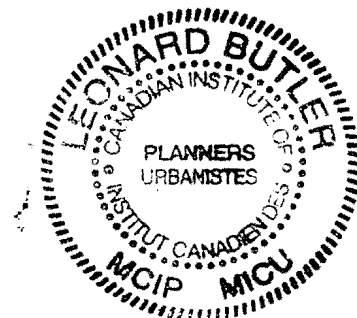
Mayor: Margaret Borden (Council Seal)

Clerk: Betty Simpson

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Port Hope Simpson Municipal Plan Amendment No. 1, 2003 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP: Leonard Butler (MCIP Seal)



**URBAN AND RURAL PLANNING ACT**

**RESOLUTION TO APPROVE**

**TOWN OF PORT HOPE SIMPSON MUNICIPAL PLAN AMENDMENT No. 1, 2003**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Port Hope Simpson.

- a) Adopted the Town of Port Hope Simpson Municipal Plan Amendment No. 1, 2003 on the 9 day of June, 2003.
- b) Gave notice of the adoption of the Town of Port Hope Simpson Municipal Plan Amendment No. 1, 2003 by advertisement inserted on the 20 day and the 26 day of May, 2003 in the Kalbarion newspaper.
- c) Set the 2 day of June at 7:30 p.m. at the Town Hall, Port Hope Simpson 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 Port Hope Simpson approves the Town of Port Hope Simpson Municipal Plan Amendment No. 1, 2003 as adopted (or as amended).

SIGNED AND SEALED this 10<sup>th</sup> day of June, 2003

Mayor: Margaret Buder (Council Seal)

Clerk: Betsy Lamp

Municipal Plan Amendment
<b>REGISTERED</b>
Number <u>3960-2003-001</u>
Date <u>26 June 03</u>
Signature <u>[Signature]</u>

## **TOWN OF PORT HOPE SIMPSON MUNICIPAL PLAN AMENDMENT No. 1, 2003**

### **BACKGROUND**

During the Fall of 2001, the Town of Port Hope Simpson wished to amend its Municipal Plan. The Council proposed to amend the land use designations along both sides of the new Trans Labrador Highways. The new Highway runs parallel to the south of the Town and just north of the airstrip. After it crosses Black Water Brook just west of the airstrip road, it gradually sweeps north wards through the western limits of the Town, near the Hydro station, and then it crosses the Alexis River. The Council felt that the new highway would open up more land for future development within the Town. The Council proposed to designate and re-designate lands that run westward of Three Fork Brook along the Trans Labrador Highways, all the way to the new bridge on the Alexis River.

The proposed amendment and map was placed on public display for one week at the Town Council office during November, 2001. There was no written objections received on the proposed amendment by the Town. The proposed amendment and map was also referred to the Departments of Works, Services and Transportation, and Municipal and Provincial Affairs for their review and comments. Both departments refused the proposed amendment.

The Department of Works, Services and Transportation reason for refusal was that the Trans Labrador Highways is a Provincial Highway that has a moderate to high speed traffic flow and that urban development along both sides of the highway would require many access to the highways. These accesses would present a danger to the public traveling along the highway. The classification of the Trans Labrador Highway as a Provincial Highway gives the department the right to determine who has access to the highway and to set standards for any access that may be granted. The department did not want any lands along the highway designated for urban development, unless it was part of the Highway Zoning Protection Plan and was limited to highway commercial uses to cater to traveling public using the highway. They refused the proposed amendment.

The Department of Municipal and Provincial Affairs reason for refusing the proposed amendment is that the Trans Labrador Highways is designated a Protected Highway. The department is responsible for developing and implementing a Protected Highway Zoning

Plan for the Trans Labrador Highways. The proposed Highway Zoning Plan restricts development and access along the highway, but does allow for limited development, highway commercial uses, in specific areas designated for such uses along the highway. The department felt that the Council was designating too much land along the highway and development was of more general types uses, and not strictly highway commercial. The department recommended that only very small portion of land along the highway between Black Water Brook and a local by-road be designated for highway commercial uses only.

The Town Council having received the replies from the Departments of Works, Services and Transportation, and Municipal and Provincial Affairs did not agree with their letters and reasons for refusing the proposed amendment. The Town Council arranged for a meeting of all concerned parties which included the Town Council; representatives from Departments of Works, Services and Transportation, and Municipal and Provincial Affairs; and Hon. Ernest Mclean. The Departments of Works, Services and Transportation, and Municipal and Provincial Affairs agreed to relax their policies and to allow for the designation of some of the original lands that the Town Council had proposed in the November 2001 amendment. They offered to allow for the re-designation of lands just west of Black Water Brook over to a local by-road just before the new bridge that crosses the Alexis River. The new use for these lands would remain highway commercial, with an allowance for some highway tourism uses. The Town Council did not agree with the new proposal offered by the departments and voiced their concerns, however the departments would not allow the November 2001 proposed amendment to be passed. The Town Council decided it had few options remaining, and decided to move forward with the changes to the November 2001 proposed amendment as recommended by the departments and proceed with the amendment.

Council proposes to re-designate areas of lands that front on both sides of the new Highway that presently are designated Rural, Residential, and Mixed Development to a new land use designation of Highway Commercial. This new land use designation shall have policies that promote development along the highway that are highway commercial and tourism related business uses.

The new highway will also provides better access to undeveloped back lands and the Council would like to extend the existing residential designated lands to accommodate future residential subdivision expansion. These back lands are presently designated Rural and will need to be changed to Residential. Future access to these back lands may require access off the new Highway, if so, the access road shall require approval from the Department of Works, Services and Transportation and meet all their development requirements at the intersection of the two roads.

There are two smaller areas of rural designated lands that are recommended to be changed to Mixed Development as results of the other land use changes mentioned above.

The new Trans Labrador Highway road alignment is shown on the Future Land Use Map, B. The lands to be changed from Rural, Residential, and Mixed Development to Highway Commercial are shown in yellow. Lands to be changed from Rural to Residential are shown in green. Lands to be changed from Rural to Mixed Development are shown in orange.

### **PUBLIC CONSULTATION**

During the preparation of this amendment, Council undertook the following initiative so that individuals, and groups could provide input to the proposed municipal plan amendment. The Town of Port Hope Simpson place advertisement of the public display of the proposed amendments on local CBC Radio Station and also posted notice of the public display of the amendments at several places within the Town. The Town Council placed the proposed amendment on display at the Town Council Office one week to allow local residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendment. There was no verbal or written comments received.

**AMENDMENT No. 1, 2003**

The Town of Port Hope Simpson Municipal Plan is amended by;

- A) Adding the following new policy section to *Part III, Town of Port Hope Simpson Municipal Plan, Policies Specific to Land Use Designation*;

**Highway Commercial**

The Trans Labrador Highway offers the Town an opportunity to develop its commercial business base to offers services to the general traveling public on the highway. The business opportunities range from highway service center uses such as service stations, restaurant, and motels, to your more general tourism type business uses such as craft shops and tourist hospitality homes. The Town shall direct future development in an orderly manner to ensure that the safety of the traveling public along the highway is protected. The intent of this land use designations is to promote a mix of commercial/tourism business uses that benefits both the traveling public and the local residents of the Town. The following policies will guide the growth and development of the Highway Commercial areas.

- 1) The Highway Commercial area is established as indicated on the Future Land Use Map B.
- 2) Development of these lands will be primarily for highway and tourism business development. Other uses of land for commercial, light industrial, and general industry uses may be permitted provided public safety and amenity are protected, as well as, the safe movement of traffic along the highway. These uses shall provide services to the traveling public, or provide regional services to the Coastal Labrador region.
  - a) Highway Commercial uses shall include; Commercial Residential, Business and Personal Service, Medical and Professional, Catering, Convenience Store, Shop, Service Station, and other uses that are directly related to providing services to the public.
  - b) Commercial uses including; retail, service, office, hospitably homes, bed and breakfast etc. may be permitted. These uses will be developed with limited access to highway.

- c) Single residential dwelling may be permitted provided it is complementary to a permitted use. It shall be of a minor nature compared to the permitted use and meet the minimum development standards for a single dwelling.
- d) Small scale light industrial and general industry uses may be permitted provided they offer services on a regional bases. Limited outdoor activity may be permitted provided it is adequately screened from sight.
- e) No storage within the front lot areas shall be permitted with any development along the Highway.
- f) Any permitted use will not be a hazard or nuisance to the highway or its users. All necessary screening and buffering shall be undertaken to ensure that any development does not negatively impact the highway.

- B) Changing highlighted areas from **Rural, Residential, and Mixed Development to Highway Commercial** on the attach copy of the Town of Port Hope Simpson Future Land Use Map B.
- C) Changing the highlighted areas from **Rural to Residential** on the attach copy of the Town of Port Hope Simpson Future Land Use Map B.
- D) Changing the highlighted areas from **Rural to Mixed Development** on the attach copy of the Town of Port Hope Simpson Future Land Use Map B.

*Scott  
John  
Jan Clerk  
1/2003*

*Margaret Smith  
Mayor  
Dec 10, 2003*