

February 10 2015 Draft

**TOWN OF ST. HARBOUR GRACE
MUNICIPAL PLAN AMENDMENT NO. 2, 2015
DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2015**

MUNICIPAL PLAN TEXT AND FUTURE LAND USE MAP 2

Marine Industrial Complex (Marine Service Centre Expansion)

Expand Shoreline Industrial Area

Extend Commercial Development Area off Jamie's Way to Bannerman Lake Road

Replace Mixed Development Designation along Harvey Road and Water Street with the
Town Designation

Add Selected Uses to the Public Assembly Designation as Permitted Uses

Add Light Industry and Hazardous Industry to the Rural Designation as Discretionary
Uses

Waterways and Wetlands Policy Clarification

Replacement of Future Land Use Map 2 to include Municipal Plan Amendment No. 1,
2013

DEVELOPMENT REGULATIONS TEXT AND LAND USE ZONING MAP 2

Implement Municipal Plan Amendments

Replace Land Use Zoning Map 2 to include Future Land Use Map 2 Amendments and
Development Regulations Amendment No. 1, 2013

**TOWN OF HARBOUR GRACE
MUNICIPAL PLAN AMENDMENT NO. 2, 2015**

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF HARBOUR GRACE
MUNICIPAL PLAN AMENDMENT NO. 2, 2015**

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

- a) adopted the Harbour Grace Municipal Plan Amendment No. 2, 2015 on the ____ day of _____, 2015

- b) gave notice of the adoption of the Harbour Grace Municipal Plan Amendment No. 2, 2015 by advertisement inserted on the ___ day of _____, 2015 and the __ day of _____, 2015 in the Compass newspaper.

- c) set the __ day of _____, 2015 at 7:30 p.m. at the Town Hall, Harbour Grace 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 Harbour Grace on the __ day of _____, 2015 approves the Harbour Grace Municipal Plan Amendment No. 2, 2015.

SIGNED AND SEALED this _____ day of _____, 2015

Mayor: _____
Terry Barnes

Clerk: _____
Lisa Carroll

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF HARBOUR GRACE MUNICIPAL PLAN AMENDMENT NO. 2, 2015**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Harbour Grace adopts the Harbour Grace Municipal Plan Amendment No. 2, 2015.

Adopted by the Town Council of Harbour Grace on the ____ day of _____, 2015.

Signed and sealed this ____ day of _____, 2015.

Mayor: _____
Terry Barnes

Clerk: _____
Lisa Carroll

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. 2, 2015 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP: Arvo McMillan

TOWN OF HARBOUR GRACE MUNICIPAL PLAN AMENDMENT NO. 2, 2015

BACKGROUND

The Town of Harbour Grace has decided to proceed with amendments to the Municipal Plan and Development Regulations that would make it easier for the Town to expand its economic base by attracting more tourism, commercial, industrial and marine related industrial activity and, at the same time ensure that its historic core and downtown are sustained and developed.

This entails not only some changes to the text of the Municipal Plan, but also changes to Future Land Use Map 2 that provide for the above and a clean-up of the map to make it more user friendly (primarily by removing the Open Space designation for the Track in the built-up part of the Town and replacing Mixed Development by Town – the latter designation providing greater opportunities for development).

The changes include:

- Accommodating a Marine Industrial Complex (Marine Service Centre Expansion) attached to and accessed from the Marine Service Centre on Beach Hill Road
- Extend the shoreline industrial area south
- Extend the commercial area off Jamie's Way to Bannerman Lake Road
- Replace the Mixed Development Designation along Harvey Road and Water Street with the Town designation
- Accommodate more uses under the Public Assembly Designation to enable the adaptive reuse of existing buildings
- In addition to the current general industrial discretionary land uses, accommodate light industry and hazardous industry as discretionary land uses
- Waterways and Wetlands Policy Clarification
- Replacement of Future Land Use Map 2 to include these other changes and Municipal Plan Amendment No. 1, 2013.

PUBLIC CONSULTATION

MUNICIPAL PLAN AMENDMENT

Future Land Use Map 2 is replaced as shown on the attached plan.

Section 2 – Goals and Development Policies, Goals, Development Policies, WHICH STATES:

2 GENERAL GOALS AND DEVELOPMENT POLICIES

GOALS

1. Accommodate and encourage constructive change that will foster the community and region's economic and social development while adhering to basic principles of economically sound and environmentally appropriate urban and rural development within the Municipal Planning Area and the Town of Harbour Grace.
2. Achieve a more sustainable community that within the regional and provincial context provides and increases opportunities for residing, working and recreation within the Town and conserves and enhances the marine and terrestrial resources of the community.

DEVELOPMENT POLICIES

All development within the Harbour Grace Planning Area shall be managed in accordance with the general land use policies and designations set out in the ensuing sections. These designations are shown on the Future Land Use Maps.

BY ADDING "These goals are to be achieved through a variety of means, including development policies, and, a comprehensive design and development plan of the historic core of Harbour Grace that includes the Heritage District, the Marine Service Centre off Beach Hill Road and nearby areas." IS AMENDED TO STATE:

GOALS

1. Accommodate and encourage constructive change that will foster the community and region's economic and social development while adhering to basic principles of economically sound and environmentally appropriate

urban and rural development within the Municipal Planning Area and the Town of Harbour Grace.

2. Achieve a more sustainable community that within the regional and provincial context provides and increases opportunities for residing, working and recreation within the Town and conserves and enhances the marine and terrestrial resources of the community.

These goals are to be achieved through a variety of means, including development policies, and, a comprehensive design and development plan of the historic core of Harbour Grace that includes the Heritage District, the Marine Industrial Complex off Beach Hill Road and nearby areas.

DEVELOPMENT POLICIES

All development within the Harbour Grace Planning Area shall be managed in accordance with the general land use policies and designations set out in the ensuing sections. These designations are shown on the Future Land Use Maps.

Add Section 2.12A – ***Marine Industrial Complex*** – WHICH STATES:

2.12A *Marine Industrial Complex*

The expansion of the Marine Service Centre and the development of a marine industrial park and offshore service base northwest of the current facility is a major priority for the Town.

The general area in which this expansion is to take place is shown on Future Land Use Map 2 as 'Marine Industrial Complex', the boundaries of which are to be more precisely determined upon the approval of a plan for this site.

Development in this area is subject to the following general conditions:

- a) approval of a plan indicating site layout and land uses of the area by the Heritage Division of the Department of Tourism, Recreation and Culture, along with the Department of Environment and Conservation, Transportation Canada, Fisheries and Oceans Canada and the Town and other appropriate agencies;
- b) compatibility with the Heritage District and buildings and facilities located within that District;
- c) access only from Beach Hill Road and the Marine Service Centre;
- d) Industrial Designation.

Section 2.18 – Waterways and Wetlands – Second Paragraph, WHICH STATES:

A protective buffer of undisturbed soil and vegetation shall be preserved along the shoreline of all waterways and wetlands, except very minor ones. The buffer shall be sufficient to prevent erosion, retain natural drainage features, prevent siltation, preserve public access and protect fish habitat.

By inserting the phrase “Unless necessary to accommodate a use under Clause (5) of this Section’ IS AMENDED TO STATE:

Unless necessary to accommodate a use under Clause (5) of this Section a protective buffer of undisturbed soil and vegetation shall be preserved along the shoreline of all waterways and wetlands, except very minor ones. The buffer shall be sufficient to prevent erosion, retain natural drainage features, prevent siltation, preserve public access and protect fish habitat.

Clause 10 of Section 2.18 WHICH STATES:

(10) Any development within a wetland or the buffer of a wetland shall require the approval of the Minister of Environment and Conservation as well as the Town whether or not that wetland is zoned Conservation under the Development Regulations.

By replacing ‘is zoned Conservation under the Development Regulations’ by ‘is designated Environmental Protection under the Municipal Plan’ IS AMENDED TO STATE:

(10) Any development within a wetland or the buffer of a wetland shall require the approval of the Minister of Environment and Conservation as well as the Town whether or not that wetland is designated Environmental Protection under the Municipal Plan.

Section 7 of the Municipal Plan – PUBLIC ASSEMBLY DESIGNATION, 2nd and 3rd paragraphs WHICH STATE:

Permitted uses within the Public Assembly designation are: conservation, child care, cultural and civic, educational, general assembly, indoor assembly, medical treatment and special care, office, outdoor assembly, place of worship and recreational open space.

Discretionary uses within this designation are: antenna, cemetery, club and lodge, collective residential and transportation.

By adding “and other compatible uses” ARE AMENDED TO STATE:

Permitted uses within the Public Assembly designation are: conservation, child care, cultural and civic, educational, general assembly, indoor assembly, medical treatment and special care, office, outdoor assembly, place of worship, recreational open space, and other compatible uses.

Discretionary uses within this designation are: antenna, cemetery, club and lodge, collective residential, transportation and other compatible uses.

Section 11 of the Municipal Plan – RURAL DESIGNATION, 3RD paragraph, WHICH STATES:

The following uses are discretionary: animal, campground, catering, cemetery, commercial residential, communication, general industry, mineral working, outdoor assembly, outdoor market, penal and correctional detention, scrap yard, single dwelling accessory use, solid waste disposal, transportation, utilities and veterinary.

By adding Light Industry and Hazardous Industry IS AMENDED TO STATE:

The following uses are discretionary: animal, campground, catering, cemetery, commercial residential, communication, general industry, hazardous industry, light industry, mineral working, outdoor assembly, outdoor market, penal and correctional detention, scrap yard, single dwelling accessory use, solid waste disposal, transportation, utilities and veterinary.

**TOWN OF HARBOUR GRACE
DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2015**

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF HARBOUR GRACE
DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2015**

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

- a) adopted the Harbour Grace Development Regulations Amendment No. 3, 2015 on the ___ day of _____, 2015.
- b) gave notice of the adoption of the Harbour Grace Development Regulations Amendment No. 3, 2015 by advertisement inserted on the ___ day of _____, 2015 and the ___ day of _____, 2015 in the Compass newspaper.
- c) set the ___ day of _____, 2015 at 7:30 p.m. at the Town Hall, Harbour Grace for the 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*, the Town Council of Harbour Grace on the ___ day of _____, 2015 approves the Harbour Grace Development Regulations Amendment No. 3, 2015.

SIGNED AND SEALED this _____ day of _____, 2015

Mayor: _____
Terry Barnes

Clerk: _____
Lisa Carroll

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF HARBOUR GRACE
DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2015**

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. 3, 2015.

Adopted by the Town Council of Harbour Grace on the ____ day of _____, 2015.

Signed and sealed this _____ day of _____, 2015.

Mayor: _____
Terry Barnes

Clerk: _____
Lisa Carroll

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Development Regulations Amendment No. 3, 2015 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP: Arvo McMillan

**TOWN OF HARBOUR GRACE
DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2015**

BACKGROUND

This amendment is designed to comply with Municipal Plan Amendment No. 2, 2015.

PUBLIC CONSULTATION

The public consultation process was the same as that for Municipal Plan Amendment No. 2, 2015.

DEVELOPMENT REGULATIONS AMENDMENT

Land Use Zoning Map 2 is replaced as shown on the attached plan.

Regulation 42A is added, WHICH STATES:

42A. Marine Industrial Complex

Pursuant to the Municipal Plan, the expansion of the Marine Service Centre and the development of a Marine Industrial Park and Offshore Service Base northwest of the current facility is a major priority for the Town.

The general area in which this expansion is to take place is shown on Future Land Use Map 2 of the Municipal Plan as 'Marine Industrial Complex', the boundaries of which are to be more precisely determined upon the approval of a plan for this site.

Development in this area is to be subject to the following general conditions:

- a) approval of a plan indicating site layout and land uses of the area by the Heritage Division of the Department of Tourism, Recreation and Culture, along with the Department of Environment and Conservation, Transportation Canada, Fisheries and Oceans Canada and the Town and other appropriate agencies;
- b) compatibility with the Heritage District Zone and buildings and facilities located within that Zone;
- c) access only from Beach Hill Road and the Marine Service Centre;
- d) Industrial Zone.

Regulation Clause (9) of Regulation 65 – Waterways and Wetlands – WHICH STATES:

- (10) Any development within a wetland or the buffer of a wetland shall require the approval of the Minister of Environment and Conservation as well as the Town whether or not that wetland is zoned Conservation under the Development Regulations.

By replacing 'is zoned Conservation' by 'is zoned 'Environmental Protection' IS AMENDED TO STATE:

- (10) Any development within a wetland or the buffer of a wetland shall require the approval of the Minister of Environment and Conservation as well as the Town whether or not that wetland is zoned Environmental Protection under the Development Regulations.

Schedule C – PUBLIC ASSEMBLY (PA) ZONE, Permitted Use Classes, WHICH STATES:

PERMITTED USE CLASSES (see Regulation 92)

Conservation, Child Care, Cultural and Civic, Educational, General Assembly, Indoor Assembly, Medical Treatment And Special Care, Office, Outdoor Assembly, Place Of Worship, Recreational Open Space

By adding "medical and professional" IS AMENDED TO STATE:

PERMITTED USE CLASSES (see Regulation 92)

Conservation, Child Care, Cultural and Civic, Educational, General Assembly, Indoor Assembly, Medical and Professional, Medical Treatment And Special Care, Office, Outdoor Assembly, Place Of Worship, Recreational Open Space

Schedule C – RURAL (RU) ZONE, Discretionary Use Classes, WHICH STATES:

DISCRETIONARY USE CLASSES (see Regulations 23 and 93)

Animal, Campground, Catering, Cemetery, Commercial Residential, Communication, General Industry, Mineral Working, Outdoor Assembly, Outdoor Market, Penal and Correctional Detention, Scrap Yard, Single Dwelling, Solid Waste Disposal, Transportation, Utilities, Veterinary

By adding Hazardous Industry and Light Industry IS AMENDED TO STATE:

DISCRETIONARY USE CLASSES (see Regulations 23 and 93)

Animal, Campground, Catering, Cemetery, Commercial Residential, Communication, General Industry, Hazardous Industry, Light Industry, Mineral Working, Outdoor Assembly, Outdoor Market, Penal and Correctional Detention, Scrap Yard, Single Dwelling, Solid Waste Disposal, Transportation, Utilities, Veterinary

Condition 6 – General Industry of the Rural Zone WHICH STATES:

6. General Industry

General Industrial uses shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses, or to uses meeting the following criteria:

- a) unsuitable for location near urban development because they interfere with the amenity and use of adjacent lands by reason of appearance, noise, vibration, smell, fumes, smoke, grit, soot, ash, dust or glare;
- b) operations of a manufacturing or assembly nature or activities which require large areas for open storage and handling of materials, goods, and equipment and whose buildings are accessory to the open storage and handling;
- c) capable of being serviced by on-site water supply and sanitary sewage disposal;
- d) capable of being screened from public roads and lands designated for urban uses;
- e) generating low volumes of traffic; and
- f) capable of operations with no deleterious effect on the environment including, quality of water in any stream, pond or bog.

No warehousing or wholesale and retail sales activities shall be permitted.

IS AMENDED TO STATE:

6. Industrial Uses

Industrial uses (General Industry, Hazardous Industry, Light Industry) shall be restricted to the maintenance and repair of equipment, processing and storage related to agriculture, forestry or mineral working uses, or to uses meeting the following criteria:

- a) unsuitable for location near urban development because they interfere with the amenity and use of adjacent lands by reason of appearance, noise, vibration, smell, fumes, smoke, grit, soot, ash, dust or glare;
- b) operations of a manufacturing or assembly nature or activities which require large areas for open storage and handling of materials, goods, and equipment and whose buildings are accessory to the open storage and handling;
- c) unless other deemed by the Town, capable of being serviced by on-site water supply and sanitary sewage disposal;
- d) capable of being screened from public roads and lands designated for urban uses;
- e) generating low volumes of traffic; and
- f) capable of operations with no deleterious effect on the environment.

No wholesale and retail sales activities shall be permitted.

The opening paragraph in Schedule E – Waterways and Wetlands, WHICH STATES:

NOTE: Schedule F sets out the applicable policy directives under the Water Resources Act concerning development in and near bodies of water – waterways and wetlands – as described in Part II of the Development Regulations. These directives were obtained from the Government of Newfoundland and Labrador Department of Environment and Conservation Website and may be amended or changed without notice.

By replacing ‘Schedule F’ with ‘Schedule E’, IS AMENDED TO STATE:

NOTE: Schedule E sets out the applicable policy directives under the Water Resources Act concerning development in and near bodies of water – waterways and wetlands – as described in Part II of the Development Regulations. These directives were obtained from the Government of Newfoundland and Labrador Department of Environment and Conservation Website and may be amended or changed without notice.