

Decision / Direction Note
Department of Municipal and Provincial Affairs

Title: Proposed amendment to the St. John's Urban Region Regional Plan proposed by the Town of Bauline (the "Town") – **SJURRP No. 4, 2024**

Decision/Direction Required:

- Whether to proceed with initial public and stakeholder consultation for proposed amendment to the St. John's Urban Region Regional Plan (the "SJURRP"), as requested by the Town.
- It is recommended that the Minister allow Town Council to proceed with public, stakeholder, and other consultations for an amendment to the SJURRP, in accordance with section 14 of the **Urban and Rural Planning Act, 2000** ("URPA").

Background and Current Status:

- The SJURRP is a statement of provincial policy approved in 1976. The Minister of Municipal and Provincial Affairs ("MAPA") is the authority for the SJURRP. The SJURRP applies to all lands within the St. John's Urban Region, Regional Planning Area, which includes all of the Town.
- Municipal plans prepared by municipalities under their authority of URPA, and within the St. John's Urban Region, must conform to the SJURRP.
- The Town has requested an amendment to the SJURRP to correct errors resulting from a 2014 SJURRP amendment which misaligned land use designations on the SJURRP map. The errors generally include misrepresentation of land designations as 'Public Open Space' where they should be 'Restricted Development', 'Urban Development', or 'Rural'. The amendment will also revise SJURRP 'Protected Water Supply Area' designation to match new well head mapping issued by the Department of Environment and Climate Change – Water Resources Division. The remainder of the requested changes include a minor expansion of the 'Urban Development' designation to capture backlot development and encourage new development on the northern edge of the existing developed area.
- The proposed SJURRP map designation changes would accommodate the Town's proposed changes with its Municipal Plan & Development Regulations review process. The process will initiate separately from the plan review process at the onset but run concurrently from the point the requested amendment and new Municipal Plan are adopted by Minister and Town Council, respectively.

Analysis:

- The proposed amendment to the SJURRP would re-designate lands on the SJURRP map from: 'Watershed Protection' to 'Rural', from 'Urban Development' to 'Watershed Protection' and 'Rural', from 'Public Open Space' to 'Watershed Protection', 'Rural', 'Urban Development', and 'Restricted Development', and from 'Rural' to 'Watershed Protection', 'Urban Development', and from 'Regional Industrial' to 'Urban Development'. See Annex map for the anticipated changes.

- To date, the Town has not undertaken any public consultation on the proposed SJURRP amendment and is requesting the Minister's approval to proceed.
- Agreement to proceed through initial public consultation does not bind the Minister to adopting or approving the amendments if a provincial interest or public opinion warrants further consideration.
- The Town, as the municipality requesting the SJURRP amendments, must arrange and pay for legislatively mandated advertising, and the costs associated with retention of a Commissioner to hold a mandatory Public Hearing.

Alternatives:

1. Allow the Town Council to proceed with public, stakeholder, and other consultations for an amendment to the SJURRP, in accordance with section 14 of URPA **(RECOMMENDED)**.

Advantages:

- Council would be able to proceed with public consultation to inform its consideration of the proposed re-designation and re-zoning of the subject properties.
- The amendment would address issues with the current SJURRP as identified by the Town and MAPA.

- [REDACTED]

s.29(1)(a)

Disadvantages:

- None identified.

2. Do not allow the Council to proceed with consultation necessary to accommodate the amendments to the SJURRP **(NOT RECOMMENDED)**.

Advantages:

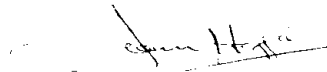
- None identified.

Disadvantages:

- Refusal to initiate the process would be inconsistent with past practice.
- The proposed amendments by the Town would not be eligible for registration, as they conflict with a policy of government and would, therefore, be contrary to section 24 of URPA.
- Errors on the SJURRP map would remain in effect.

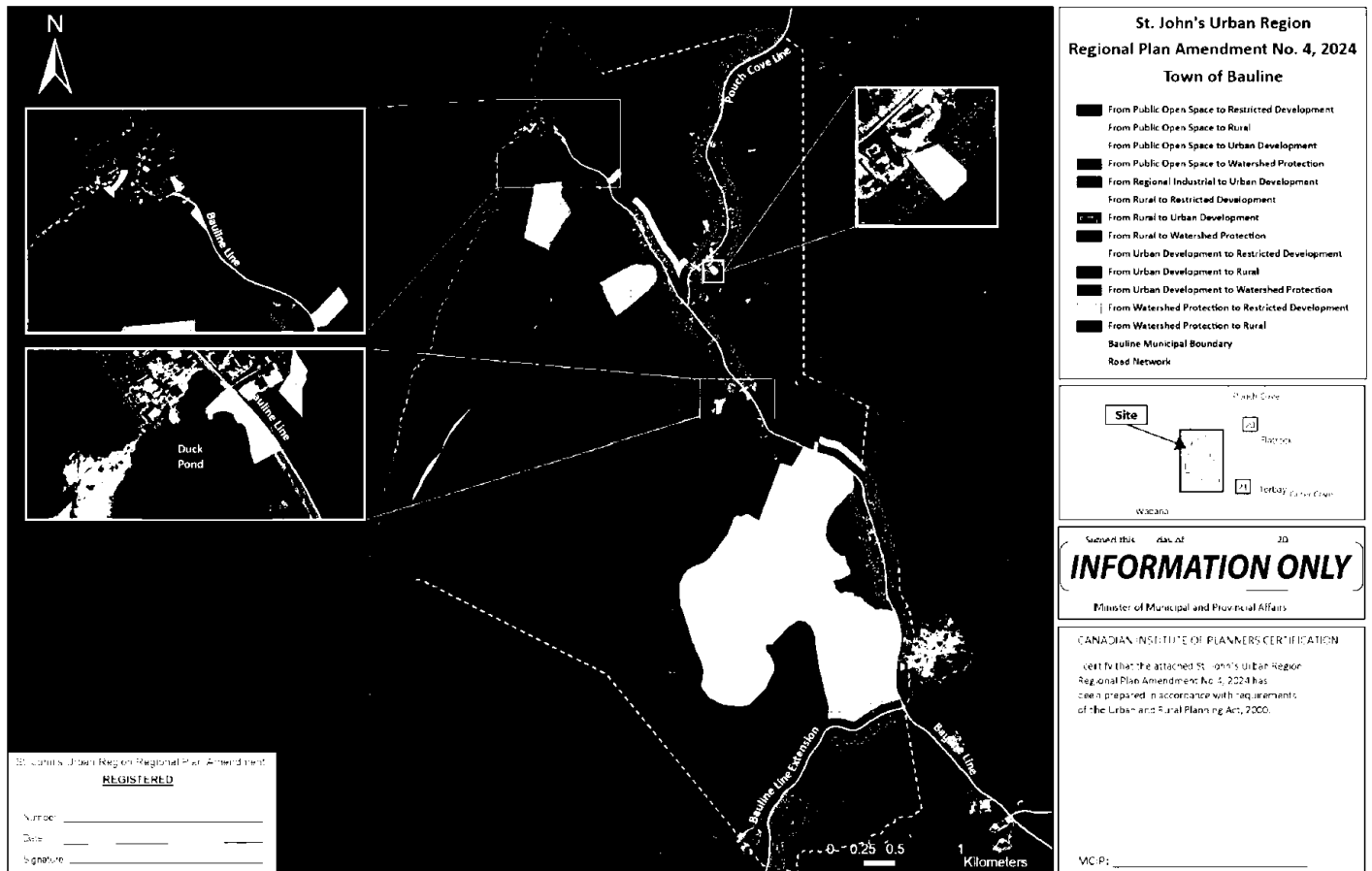
Prepared/ Approved: Darren Randell/ K. Blanchard/ L. Evoy/ J. Hearn

Ministerial Approval:

A handwritten signature in black ink, appearing to read "John Hearn", is written over a horizontal line.

Date: April 5, 2024

ANNEX: Context Map of proposed Regional Plan amendments in Bauline



Decision / Direction Note
Department of Municipal and Provincial Affairs

Title: Amendment to the St. John's Urban Region Regional Plan proposed by the Town of Pouch Cove (the "Town")

Decision/Direction Required:

- Whether to proceed with initial public and stakeholder consultation for proposed amendment to the St. John's Urban Region Regional Plan (the "SJURRP"), as requested by the Town.
- It is recommended that the Minister:
 - Allow Town Council to proceed with public, stakeholder, and other consultations for an amendment to the SJURRP, in accordance with section 14 of the **Urban and Rural Planning Act, 2000** ("URPA").

Background and Current Status:

- The SJURRP is a statement of provincial policy approved in 1976. The Minister of Municipal and Provincial Affairs ("MAPA") is the authority for the SJURRP. The SJURRP applies to all lands within the St. John's Urban Region, Regional Planning Area (CNLR 927/96), which includes all of the Town.
- Municipal plans prepared by municipalities under their authority from URPA, and within the St. John's Urban Region, must conform to the SJURRP.
- The Town has requested an amendment to the SJURRP to change the regional land use designation from 'Rural' to 'Urban Development' in order to enable a local re-designation from 'Rural' to 'Residential' and re-zoning from 'Rural' to 'Residential-2' to accommodate a potential future seniors' complex development.
- The proposed SJURRP map designation changes would accommodate the Town's Municipal Plan Amendment No. 03 & Development Regulations Amendment No. 03, 2024.

Analysis:

- The proposed amendment to the SJURRP would re-designate lands on the SJURRP map from 'Rural' to 'Urban Development' for a portion of a property located on the west end of Wall's Road. A map showing the proposed SJURRP mapping change is attached in Annex A.
- The proposed SJURRP amendment involves a mapping change only; there are no proposed changes to the text of the SJURRP.
- The Town requested the proposed amendment to accommodate the development of a future 16- unit seniors' residential complex. A design concept has yet to be offered.
- To date, the Town has not undertaken any public consultation and is requesting the Minister's authorization to proceed.

- Agreement to proceed through initial public consultation does not bind the Minister to adopting or approving the amendments if a provincial interest or public opinion warrants further consideration.
- The Town, as the municipality requesting the SJURRP amendment, must arrange and pay for legislatively mandated advertising, and the costs associated with retention of a Commissioner to hold a mandatory Public Hearing.

Alternatives:

1. Allow the Town Council to proceed with public, stakeholder, and other consultations for an amendment to the SJURRP, in accordance with section 14 of URPA. **(RECOMMENDED)**

Advantages:

- Council would be able to proceed with public consultation to inform its consideration of the proposed re-designation and re-zoning of the subject property.
- Public consultation does not bind the Minister to adopt or approve the proposed SJURRP amendment if provincial interests or public opinion so warrants.

Disadvantages:

- None identified.

2. Do not allow the Council to proceed with consultation necessary to accommodate the amendments to the SJURRP. **(NOT RECOMMENDED)**

Advantages:

- None identified.

Disadvantages:

- Refusal to initiate the process would be inconsistent with past practice.
- The proposed amendments by the Town would not be eligible for registration, as they conflict with a policy of government and would, therefore, be contrary to section 24 of URPA.

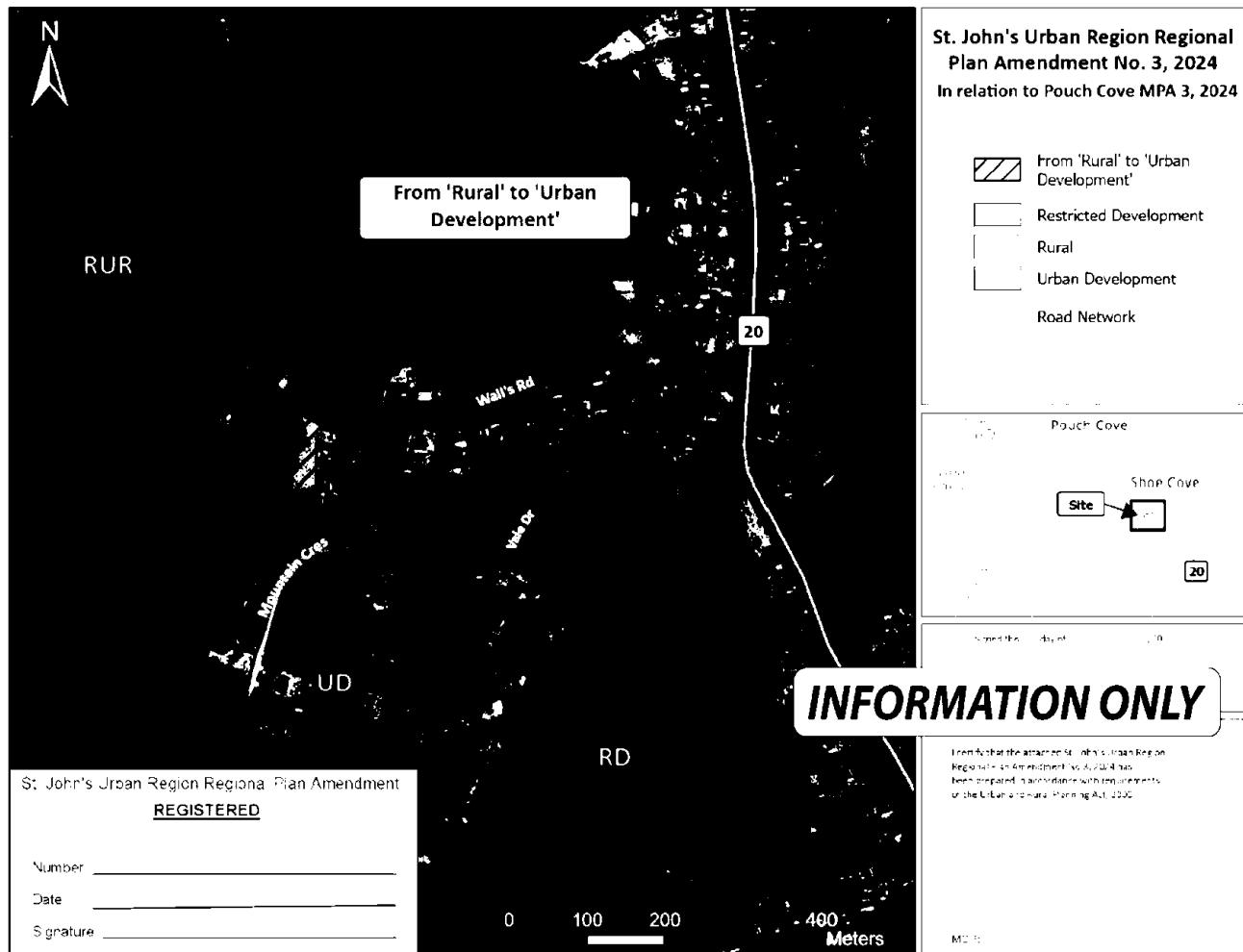
Prepared/ Approved: D. Randell/ K. Blanchard/L. Evoy/ J. Hearn

Ministerial Approval:



Date: April 15, 2024

ANNEX A – Proposed amendment on the SJURRP map



Decision/Direction Note
Department of Municipal and Provincial Affairs

Title: Expansion of Authority for the Western Regional Service Board

Decision/Direction Required:

- Whether to provide the Western Regional Service Board (WRSB) with the authority to provide fire protection services in the western region.
- It is recommended that WRSB be provided with authority to provide fire protection services, subject to any terms and conditions of the Minister, and the **Fire Protection Services Act**.

Background:

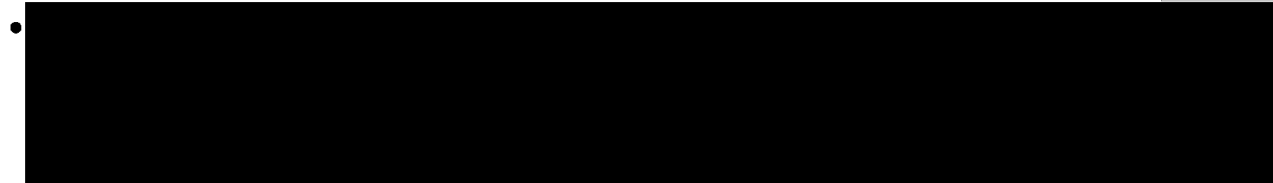
- On November 16, 2023, WRSB sent a letter to the Minister of Municipal and Provincial Affairs (MAPA) requesting that the Minister grant authority to the WRSB to provide fire protection services to communities in the Western Region. (COR/2023/01850).
- The request stated that WRSB had passed a motion at its November 2, 2023, Board meeting to formally request that the Minister expand the WRSB's authority under section 3 of the **Western Regional Service Board Regulations** (the Regulations), to provide fire protection services.
- On November 28, 2023, MAPA sent a request for additional information to WRSB to determine how it planned to provide fire protection services (COR/2023/01850-01). A response provided by WRSB on December 11, 2023, indicated that the Board intends to broker fire protection services for residents in unincorporated areas (UIAs) and Local Service Districts (LSDs) from municipalities who are willing to expand their fire protection services outside their boundaries.
- In their response, WRSB also stated it had been approached by twenty-five (25) residents of the UIA of Boom Siding to investigate the possibility of providing fire protection services to residents. In addition, a resident of Boom Siding [REDACTED] has been in contact with MAPA to advise that the residents of Boom Siding are interested in WRSB brokering fire protection services on their behalf, as they do not currently have fire protection services.
- The **Regional Service Boards Act, 2012**, established the Regional Service Boards, including WRSB. In addition, section 19 of the Act sets out a suite of services the Boards may provide. Subsection 19(f) of the Act provides that, by way of Ministerial Regulation, the Boards may provide regional fire protection services.
- Currently, only two (2) of the eight (8) Regional Service Board Regulations allow for the provision of regional fire protection services. These are the **Eastern Regional Service Board Regulations** and the **Northern Peninsula Regional Service Board Regulations**.
- In order for WRSB to provide regional fire protection services, the Minister must approve an amendment to the Regulations, which will allow WRSB to provide fire protection services. The Regulations may be amended to include a provision similar to subsection 3(3) of the **Eastern Regional Service Board Regulations**. Subsection 3(3) provides "The board has the power to provide fire protection services within the Eastern region subject to the terms and conditions that the minister may determine."

s. 40(1)

Analysis:

- Under section 184 of the **Municipalities Act**, and section 218 of the **City of Corner Brook Act**, councils may enter into agreements with other municipalities, LSDs, or persons for joint firefighting. WRSB has advised they met with regional JPS Fire and Emergency Services (FES) staff and with officials from the town of Pasadena and the city of Corner Brook, to discuss the possible expansion of fire protection services to the UIA of Boom Siding. WRSB further advised it has received initial proposals from both municipalities stating an interest in providing fire protection services to the UIA and the estimated costs.
- WRSB advised MAPA they submitted the estimated costs to FES's Fire Commissioner to ensure the costs meet all regulatory requirements for fire protection services in the province. WRSB further advised MAPA that FES did not identify any issues with the estimated costs.
- MAPA's records from 2022, indicate that the previous chair of WRSB, Josh Carey, had approached MAPA to advise that WRSB was planning to enter into discussions with a number of local fire departments throughout the area surrounding the City of Corner Brook to determine whether there was any interest in establishing regional fire services (DOC/2022/00345).
- The Minister recently approved the publishing of a Notice of Intent to Prepare a Feasibility Study to explore expanding the boundaries of the Town of Pasadena to include the UIA of Boom Siding, and the UIAs commonly known as Little Harbour/Taylor's Estate, Humber Village and Humber Valley Resort, as well as the LSD of Little Rapids. While there is no guarantee the feasibility study will recommend the expansion of the town's boundaries, if the town of Pasadena does expand its boundaries to include Boom Siding, it will become responsible for providing fire protection services to the former UIA of Boom Siding. It is important to note, that requests for boundary alterations, under subsection 3(1)(c) of the **Municipalities Act, 1999**, typically take many months to resolve. In the meantime, the residents of Boom Siding will not have access to fire protection services, unless the Minister amends the **Western Regional Service Board Regulations**.

s.29(1)(a)



- In order for WRSB to provide (broker) regional fire services for the UIA of Boom Siding, and potentially other communities within the region, an amendment along of the lines of the following must be made to section 3 of the Regulations:
"The board has the power to provide fire protection services within the Western region, subject to the terms and conditions that the minister may determine."
- Should the Minister make such an amendment to the Regulations, WRSB may then request the Minister allow it to provide (broker) fire protection services to the UIA of Boom Siding, subject to any terms and conditions the Minister may deem necessary.
- Should the Minister approve a request from WRSB, WRSB would then work with the town of Pasadena and/or the city of Corner Brook to create an agreement whereby the town and/or city would provide fire protection services to the residents of Boom Siding. It is likely that

under such an agreement, WRSB would collect the associated fees for the service from residents receiving the service and remit the same back to the town and/or city providing the service.

Alternatives:

1. In accordance with subsection 19(f) of the **Regional Service Boards Act, 2012**, the Minister amend section 3 of the **Western Regional Service Board Regulations** to allow the WRSB to provide fire protection services within the region, subject to the terms and conditions that the minister may determine. **(Recommended)**

Advantages:

- This approach is consistent with previous Ministerial decisions pertaining to requests to expand RSB authorities.
- Residents in UIAs, such as Boom Siding, and LSDs will have the opportunity to receive fire protection services through WRSB.
- The administrative burden on towns, cities and LSDs providing fire protection services to other communities within the region will be reduced through WRSB brokering agreements with neighboring communities and collecting fees from residents.

Disadvantages:

- Residents in UIAs and LSDs may be unhappy with WRSB providing fire protection services, due to the associated fees required to fund the service.

2. The Minister does not amend section 3 of the **Western Regional Service Board Regulations** to allow WRSB to provide fire protection services within the region, subject to the terms and conditions that the minister may determine. **(Not Recommended)**

Advantages:

- Residents in UIAs and LSDs will not be required to pay any fees associated with the cost of receiving fire protection services from WRSB.

Disadvantages:

- Residents in UIAs, such as Boom Siding, and LSDs will continue to have difficulty acquiring fire protection services.
- WRSB would not be able to provide/broker fire protection services for communities and residents within its region.

Prepared/Approved by: C. Meadus/ M. Oley/ J. Hearn

Ministerial Approval:



April 17, 2024

BN/2023/0075

Direction/Decision Note
Department of Municipal and Provincial Affairs

Title: Relocation of a Resident in the Community of Mud Lake

Direction/Decision Required:

- Direction is sought from the Minister of Municipal and Provincial Affairs with respect to confirming the status of residency for [REDACTED] for relocation in September 2023.
- It is recommended that the Minister:
 - approve the permanent residency status [REDACTED] who met the eligibility requirements; and
 - approve staff to send a residency status letter to [REDACTED]

Background and Current Status:

- On September 8, 2022, a public announcement was made with respect to financial assistance for residents of Mud Lake wishing to relocate. In November 2022, official with the Department of Municipal and Provincial Affairs (MAPA) finalized the Mud Lake Community Relocation Policy (the “policy”).
- The deadline for affidavit submission was June 30, 2023. To date the total relocation assistance for Mud Lake that has been approved is [REDACTED]. This represents [REDACTED] households, [REDACTED] commercial [REDACTED] and [REDACTED] non-property owners.
- In September 2023, [REDACTED] requested an affidavit package, so that [REDACTED] could apply for relocation assistance. An affidavit package was sent to [REDACTED] from MAPA and was received back, completed in November 2023.

Analysis:

- To determine residency status, MAPA requested and reviewed affidavits and supporting documentation from individuals who submitted them.
- Each affidavit requires the provision of information including, address, property ownership, and time spent in the community. Applicants were also requested to permit MAPA to confirm the information in their affidavits with various entities such as the Department of Finance. References were checked and additional information requested as needed to verify residency.
- [REDACTED] confirmed as a permanent resident, property owner.

- Relocation payout approved to date including [REDACTED] is \$4,136,600 with the break down as follows:

○ Relocation payouts approved to date	\$	[REDACTED]
○ Plus [REDACTED]	+	[REDACTED]
	= \$	[REDACTED]
○ [REDACTED]	-	[REDACTED]
○ Equals	=	\$4,136,600

- While the original deadline was set at June 30, 2023, the intention of the policy is for as many people as possible to relocate from Mud Lake.
- The notification letter for permanent resident - property owner will be sent to [REDACTED] (see Annex A).

Alternatives:

1. The Minister approves the residency status, as determined by eligibility requirements, of [REDACTED] and approve staff to send residency status letters to [REDACTED] **(Recommended)**

Advantages:

- Consistent with the response to other Mud Lake relocation requests received to date.
- Allows individual to relocate from Mud Lake.

Disadvantages:

- Government expenditure required to facilitate the relocation.
- Expands the submission date beyond the original deadline of June 30, 2023.

2. The Minister does not approve the residency status, as determined by eligibility requirements, of [REDACTED] (Not Recommended).

Advantages:

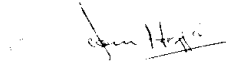
- Funding will not be required.
- In alignment with the deadline outlined in the Mud Lake Relocation Policy.

Disadvantages:

- Inconsistent with actions taken to date with respect to other Mud Lake relocation requests.

Prepared/Approve by: L. Robbins/L. Evoy/ B. Hanlon /J. Hearn

Approved by:

A handwritten signature in black ink, appearing to read "John Hearn", is written over a horizontal line.

Date: April 19, 2024

ANNEX A

NAME
ADDRESS

Dear NAME:

Re: Residency Status – Mud Lake

On September 8, 2022, the Minister of Municipal and Provincial Affairs (MAPA) made an announcement regarding the availability of relocation assistance for residents of Mud Lake.

After a review of your affidavit and supplemental information, MAPA has determined you to be a permanent resident, property owner and as such you are eligible for \$250,000 in total relocation assistance.

The Mud Lake Relocation policy provides for an appeal process for individuals dissatisfied with their residency status determination. If you wish to appeal your residency status you must submit your request within 30 days of receipt of this notice, including rational and supporting documentation to me by email at lorierobbins@gov.nl.ca or by postal mail at:

Lorie Robbins
Manager, Community Liaison
Department of Municipal and Provincial Affairs
P.O. Box 8700
St. John's, NL A1B 4J6

To proceed with your relocation please email me at lorierobbins@gov.nl.ca with confirmation you want to proceed.

A lawyer has been retained by MAPA, to provide independent legal advice, to all residents who will be relocating. It is recommended that you also consider obtaining independent financial advice. It is important to note that if you decide to obtain independent financial advice, it should be done prior to meeting with the lawyer to finalize relocation assistance.

Regards,

Lorie Robbins
Manager, Community Liaison