

Decision / Direction Note
Department of Municipal and Provincial Affairs

Title: Approval and Registration of Proposed St. John's Urban Region Regional Plan Amendment 7, 2023 proposed by the Town of Torbay to Align with Amendments to the Town's Planning Documents

Decision / Direction Required:

- Whether to approve and register a proposed amendment to the St. John's Urban Region Regional Plan (SJURRP) required to accommodate amendments to the Town of Torbay's (the Town) Municipal Plan and Development Regulations.
- It is recommended that the Minister sign the attached documents to approve and authorize registration of SJURRP Amendment No. 7, 2023 in accordance with sections 23 and 24 of the **Urban and Rural Planning Act, 2000 (Act)**.

Background and Current Status:

- The SJURRP is a statement of provincial policy for which the Minister of Municipal and Provincial Affairs (the Minister) is the authority. The SJURRP applies to all lands within the St. John's Urban Region Regional Planning Area, including the Town.
- The Town has requested an amendment to the SJURRP to align with amendments its council is undertaking simultaneously to the Town's municipal plan and development regulations.
- The amendments pertain to redesignation of land adjacent to South Pond subsequent to the repeal of South Pond as a water supply area by the Province of Newfoundland and Labrador in 2012.
- The Minister adopted the SJURRP amendment on August 15, 2024.
- Per sections 17 and 18 of the Act, the Town published notices of adoption and advertised a public hearing for the amendment to the SJURRP and the associated municipal plan and development regulation amendments in The Telegram on November 1, 2024, as well as via the electronic version of The Telegram (Saltwire) from October 25 to November 14, 2024. The Town also advertised the amendments on its website starting on October 25, 2024.
- Per sections 20 and 21 of the Act, the Town Council provided opportunity to receive objections and representations through a formal public hearing process. The public hearing was scheduled for November 14, 2024. No objections or representations were received before the advertised deadline (November 12, 2024) and, as such, the public hearing was cancelled.

Analysis:

- Municipal plans prepared by municipalities under their authority from the Act and within the St. John's Urban Region, must conform to the SJURRP. The proposed SJURRP map designation changes would accommodate the Town's proposed amendments to its municipal plan and development regulations.
- The proposed amendment to the SJURRP would re-designate lands on the SJURRP map from: 'Watershed Protection' to 'Rural', 'Regional Industrial', 'Urban Development', and 'Restricted Development.' As well, it would re-designate land from 'Urban Development' to 'Rural'. See map in Annex B for the anticipated changes.
- The Minister previously adopted the proposed amendment. The Town's amendments and the SJURRP amendment are being processed concurrently.
- Per section 24 of the Act, staff of Municipal and Provincial Affairs have reviewed the amendment documents and are recommending that the Minister sign the resolution to approve the SJURRP amendment, that the three amendments be registered, and that the amendments be brought into legal effect by way of the Town publishing a notice of registration in the **Newfoundland and Labrador Gazette**.

Alternatives:

1. Approve and authorize registration of St. John's Urban Region Regional Plan Amendment No. 7, 2023 in accordance with sections 23 and 24 of the Act by signing the attached documents (**Recommended**).

Advantages:

- The Minister would finalize the process regarding previously adopted amendment documents.
- The Town's municipal plan and development regulations would align and comply with the SJURRP, enabling registration of the amendment documents.

Disadvantages:

- None identified.

2. Refuse to approve and authorize registration of St. John's Urban Region Regional Plan Amendment No. 7, 2023 (**Not recommended**).

Advantages:

- None identified.

Disadvantages:

- Refusal to approve and register an adopted amendment would be inconsistent with past practice, considering no significant concerns were noted.
- Without SJURRP Amendment 7, 2023, the Town cannot proceed with proposed amendments to its municipal plan and development regulations.
- Money spent by the Town on the amendment process would be for no benefit.

Prepared/ Approved by: C. Hardy/ K. Blanchard/L. Evoy/G. Osmond/J. Hearn

Ministerial Approval:

A handwritten signature in black ink, consisting of a stylized 'L' or 'J' shape with a horizontal stroke and a small dot to the right.

January 31, 2025

ANNEX A

(Resolution to Approve)

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

AMENDMENT No. 7, 2023

**South Pond Watershed Protection Redesignation
Torbay**

January 2025

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 7, 2023

Under the authority of section 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Minister of Municipal and Provincial Affairs:

- a) adopted the St. John's Urban Region Regional Plan Amendment No. 7, 2023 on the 15th day of August 2024;
- b) gave notice of the adoption of the St. John's Urban Region Regional Plan Amendment No. 7, 2023 by advertisement inserted on the 1st day of November 2024 in **The Telegram** newspaper and from October 25th to November 12th, 2024, in the electronic version of **The Telegram** (Saltwire); and
- c) set the 14th day of November 2024 for the holding of a public hearing to consider objections and submissions.

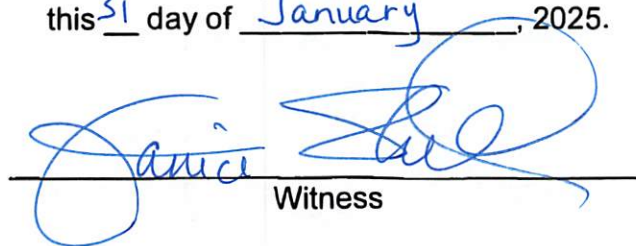
Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Minister of Municipal and Provincial Affairs hereby approves the St. John's Urban Region Regional Plan Amendment No. 7, 2023, as adopted, on the 15th day of August 2024.



Minister of Municipal and Provincial Affairs

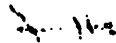
Signed and sealed before me at St. John's, Newfoundland and Labrador

this 31 day of January, 2025.


Witness

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 7, 2023

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Minister of Municipal and Provincial Affairs hereby adopts St. John's Urban Region Regional Plan, 1976 Amendment No. 7, 2023.



Minister of Municipal and Provincial Affairs

Signed and sealed at St. John's, Newfoundland and Labrador
this 15th day of August, 2024.

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan, 1976 Amendment No. 7, 2023 was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



BACKGROUND

The Town Council of Torbay is proposing to amend its municipal plan and development regulations. The Urban and Rural Planning Act, 2000 (the "Act") sets out the process for amending a plan and development regulations. The St. John's Urban Region Regional Plan, 1976 (the "regional plan") sets out a framework for growth and development within the St. John's Urban Region. Amendments to municipal plans prepared by municipalities in the St. John's Urban Region must be consistent with the regional plan.

This regional plan amendment will be processed simultaneously with the following proposed amendments to the Town of Torbay Municipal Plan and Development Regulations 2015-2025:

Municipal Plan Amendment No. 7, 2023 and Development Regulations Amendment No. 13, 2023 - the Town of Torbay has requested amendments to the regional plan map to change the regional plan designation of lands located on the west side of Torbay Bypass Road on the south side of South Pond, from 'Watershed Protection' to 'Urban Development', 'Regional Industrial', 'Rural', and 'Restricted', and from 'Urban Development' to 'Rural' to accommodate potential new land use in the South Pond Watershed area where provincial protection was repealed by the Minister of Environment and Conservation for use of South Pond as a municipal potable water supply.

In general terms, the Town's municipal plan amendment proposes to redesignate the subject lands from 'Watershed' to 'Rural', 'Conservation', 'Industrial', and 'Comprehensive Development Area – Industrial'. The Town's development regulations amendment proposes to rezone the subject land from 'Watershed' to 'Rural', 'Conservation', 'Industrial General', and 'Comprehensive Development Area – Industrial'.

ST. JOHN'S URBAN REGION REGIONAL PLAN

According to E. Urban Development (c) The Local Centres of the Regional Plan, land Portugal Cove-St. Philip's is identified as a local centre. Land within such centres shall be used in accordance with the policies of the relevant municipal plan.

The Regional Plan outlines guidelines for Municipal Plans for local centres including:

- a focus on low density development;
- encouraging infilling and consolidation of areas once municipal services are in place; and
- improvements to the local street system.

E. URBAN DEVELOPMENT **(c) The Local Centres**

Policy:

The detailed development of the local centres designated on the Regional Plan Map shall be according to the policies in Local Area or Municipal Plans that might be prepared from time to time. Such plans shall conform to the following guidelines:

- i) The local centres shall be able to develop to the fullest extent possible within the areas shown on the Regional Plan Map, consistent with the constraints set out in Objective No. 11...*
- iv) Two prime aims in the local centres will be to encourage the infilling and consolidation of presently semi-development areas once essential public services to existing development are installed and to develop improved local road systems so that better circulation of traffic may be facilitated.*

ANALYSIS

The Town of Torbay is proposing to amend its Municipal Plan to redesignate the subject site to 'Rural', 'Conservation', 'Industrial', and 'Comprehensive Development Area – Industrial' and to amend its Development Regulations to rezone the same lands according to the same Municipal Plan land use classes and policies plus refinement of the 'Industrial-General' zone. In April 2012, the Minister of Environment and Conservation formally repealed the public water supply status of South Pond due to contamination and acknowledging the watershed area be removed from watershed protection. Given the lands are no longer suitable for water supply, the Town is proposing that other land use classifications and policies be applied to the lands to enable other land uses and associated developments to occur. The proposed redesignations and rezonings align with existing designations and zoning of the surrounding area and are suitable in terms of land use compatibility.

PUBLIC CONSULTATION

The Town of Torbay is responsible for conducting public consultations regarding the amendments. The Town advertised the proposed amendments in **The Telegram** on November 1, 2024, as well as via the electronic version of **The Telegram** (Saltwire) from October 25 to November 14, 2024. The Town also advertised the amendments on its website starting on October 25, 2024.

Additionally, the Town also consulted with the 14 other municipalities within the St. John's Urban Region about the proposed amendments and requested comments be supplied. No objections or concerns were identified by the municipalities.

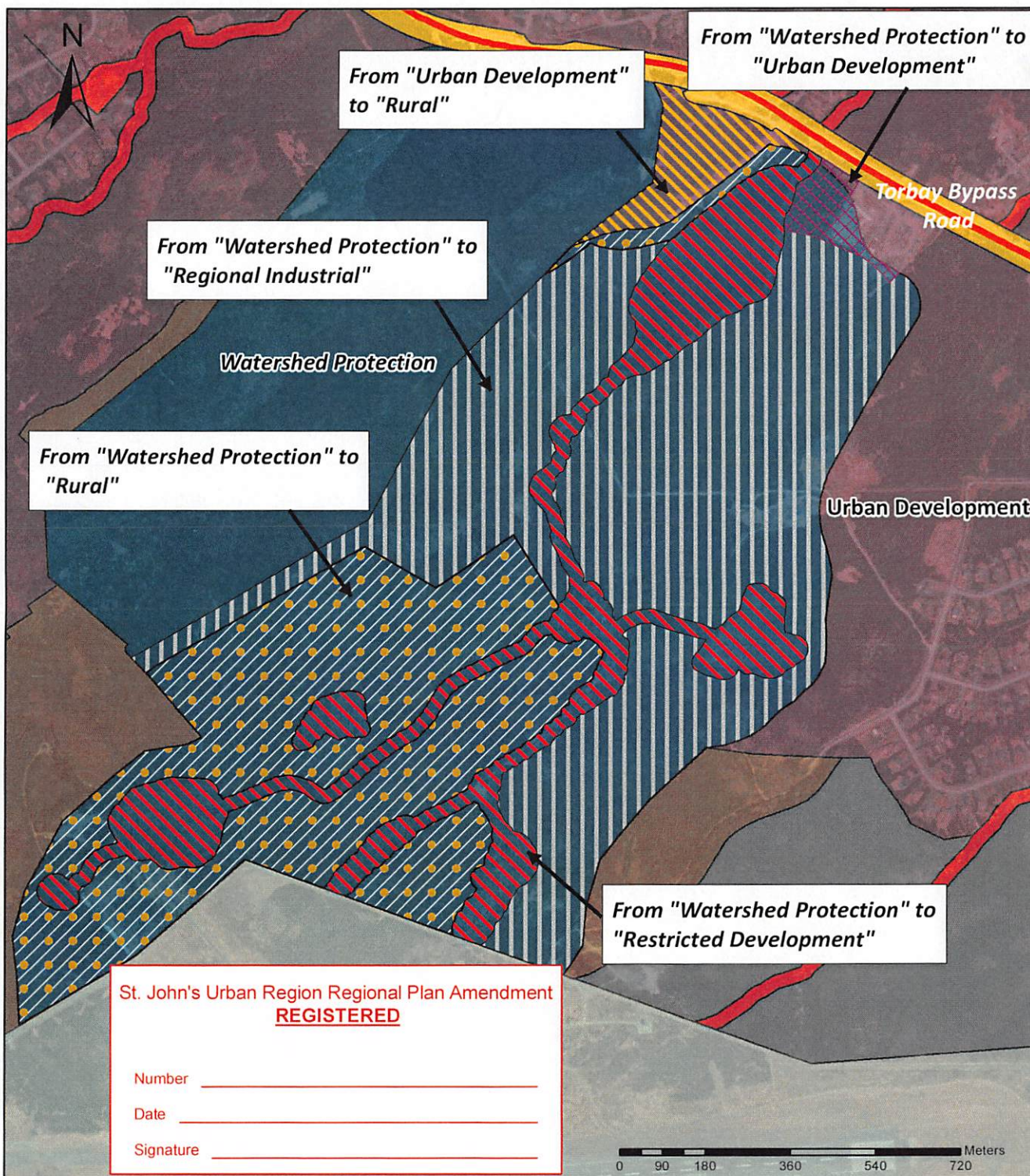
St. John's Region Regional Plan, 1976

Amendment No. 7, 2023

The proposed St. John's Urban Region Regional Plan amendment would re-designate lands on the west side of Torbay Bypass Road and south side of South Pond from 'Watershed Protection' to 'Urban Development', 'Regional Industrial', 'Rural', and 'Restricted', and from 'Urban Development' to 'Rural' in accordance with the attached map.

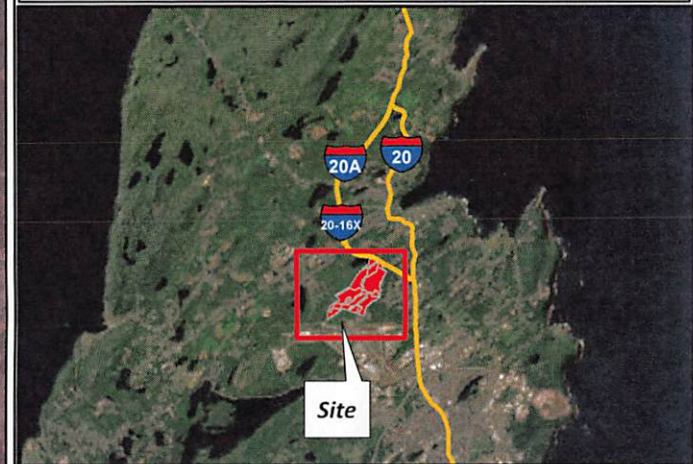
ANNEX B

(Map of Proposed SJURRP Amendment)



St. John's Urban Region Regional Plan Amendment No.7, 2023 In relation to Torbay MPA7 & DRA13, 2023

- From "Urban Development" to "Rural"
- From "Watershed Protection" to "Restricted Development"
- From "Watershed Protection" to "Regional Industrial"
- From "Watershed Protection" to "Rural"
- From "Watershed Protection" to "Urban Development"
- Torbay Bypass Road



Signed this 30th day of January, 2023.

Minister of Municipal and Provincial Affairs

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan Amendment No.7, 2023 has been prepared in accordance with requirements of the Urban and Rural Planning Act, 2000.



MCIP: _____

St. John's Urban Region Regional Plan Amendment
REGISTERED

Number _____

Date _____

Signature _____