

Town of Conception Bay South
Municipal Plan Amendment No. 24, 2022
1287-1295 Conception Bay Highway

Town of Conception Bay South

October, 2022

**Urban and Rural Planning Act, 2000
Resolution to Adopt
Town of Conception Bay South
Municipal Plan Amendment No. 24, 2022**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000* the Town Council of Conception Bay South adopts the Conception Bay South Municipal Plan Amendment No. 24, 2022.

Adopted by the Town Council of Conception Bay South on the 12th day of July, 2022.

Signed and sealed this 18 day of October 2022.

Mayor: 

Clerk: 



Canadian Institute of Planners Certification

I certify that the attached Municipal Plan amendment has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



**Urban and Rural Planning Act, 2000
Resolution to Approve
Town of Conception Bay South
Municipal Plan Amendment No. 24, 2022**

Under the authority of Sections 16, 17 and 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Conception Bay South

- a) Adopted Conception Bay South Municipal Plan Amendment No. 24, 2022 on July 12, 2022.
- b) Gave notice of the adoption of Conception Bay South Municipal Plan Amendment No. 24, 2022 by advertisement in the Shoreline News on July 15 and July 22, 2022.
- c) Held a paper based public hearing to consider objections and submissions between July 15 and August 15, 2022.
- d) Held a supplementary virtual public hearing to consider objections and submissions on August 31, 2022.

Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000* the Town Council of Conception Bay South approves the Conception Bay South Municipal Plan Amendment No. 24, 2022 as adopted.

SIGNED AND SEALED this 18 day of October 2022.

Mayor:

Clerk:



Municipal Plan/Amendment	
<u>REGISTERED</u>	
Number	_____
Date	_____
Signature	_____

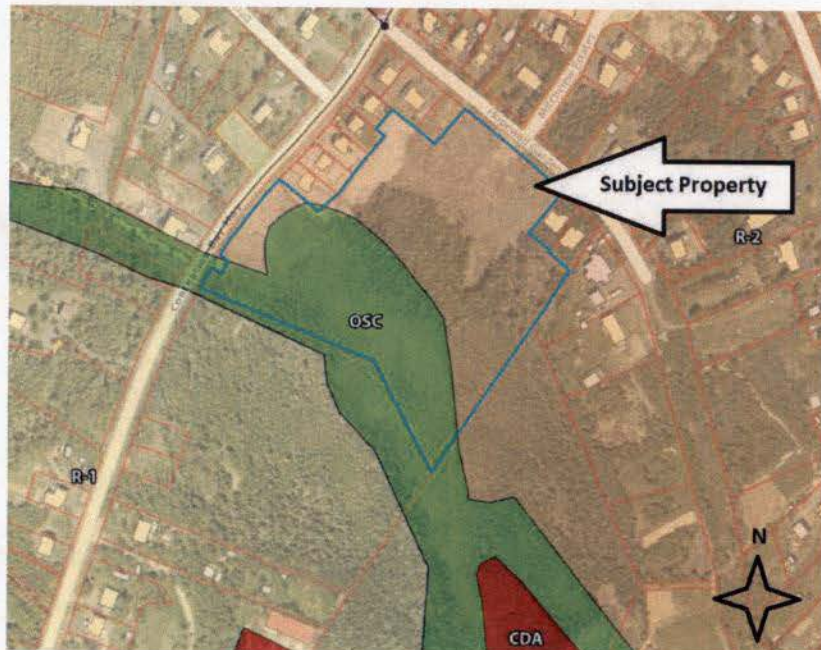
Town of Conception Bay South Municipal Plan Amendment No. 24, 2022

Introduction

The Conception Bay South Municipal Plan came into legal effect on July 20, 2012. The Town Council is considering whether to amend the Municipal Plan. This report has been prepared to explain the proposed change, and to serve as a background information for the public and Council.

Background

The Town received a request to re-designate approximately 2,760m² (0.7 acres) of land within the property located at 1287-1295 Conception Bay Highway. The applicant is the property owner, Jim's Carpentry & Upholstery Ltd. The area that is the subject of the amendment is shown in the image below.



The land is currently designated as "Residential Medium Density" and "Open Space Conservation" by the Municipal Plan. The applicant requested that a portion of the "Open Space Conservation" designation within the property be changed to "Residential Medium Density". An amendment to the Conception Bay South Development Regulations to rezone the same lands is being processed concurrently with this Municipal Plan Amendment.

This amendment is intended to apply a land use designation to the property that can accommodate development of the property. The owner proposes to develop a residential subdivision.

Assessment

The property is located in the Upper Gullies area of the Town and immediately abuts existing residential development to north and east. The subdivision proposal would result in new public roads along with water and sewer services to accommodate approximately 37 residential lots. The portion of the property that is subject to this amendment process is approximately 25% of the entire property that would be developed as a subdivision.

Municipal Plan Policy 5.8.3 states that the intention for the Open Space Conservation designation is that it should apply waterways and wetland areas. The proposed residential subdivision development is not listed within the range of uses that can be considered within the Open Space Conservation designation.

The applicant consulted with the Provincial Department of Environment and Climate Change's Water Resources Management Division (WRMD). WRMD determined that there is no wetland identified in this area in accordance with that agency's criteria. The Town therefore determined that removing the Open Space Conservation designation from that portion of the property would not contravene the policies of the Municipal Plan

The Municipal Plan policies for the Residential Medium Density designation note that the designation is intended to apply built up and serviced areas of the Town. Municipal water and sewer services abut the property along Conception Bay Highway and Hopewell Gardens. The development proposal, if approved, would extend municipal water and sewer services into the subject property. The Town therefore determined that application of the Residential Medium Density designation to the property is consistent with the policies of the Municipal Plan.

Municipal Plan policy 4.3.14 was also considered in the context of this amendment. The property is within the Low Geological Hazard Vulnerability area identified in the "Report on Vulnerability to Geological Hazards in the Town of Conception Bay South" (Batterson and Stapleton, GNL, 2011). The municipal plan policy does not restrict residential development within the Low Geological Hazard Vulnerability Area.

The proposed amendments would retain the Open Space Conservation designation and zone to protect the integrity of the waterway that runs along the western side of the property, including a 15m wide buffer to that waterway.

St. John's Urban Region Regional Plan

The St. John's Urban Region Regional Plan (Regional Plan) identifies Conception Bay South as a sub-regional centre. Upon installation of municipal services, the Regional Plan encourages a wide range of residential densities, a variety of commercial operations, parks and recreational facilities and other uses that are characteristic and appropriate for a sub-regional centre.

The Regional Plan designates the subject property as "Urban Development" which allows for a range of urban uses connected to municipal water and sewer services. The proposed use and this amendment are consistent with the intent of the Regional Plan.

Consultation

A notice outlining the proposed amendments was distributed to all property owners within 100 metres of the subject property. In addition, notices were published in the April 27 and May 5, 2022 editions of *The Shoreline* newspaper. The notice was also be posted on the Town's website and social media channels (Facebook and Twitter). Written submissions were requested by May 12, 2022.

As a result of the Town's consultation effort, submissions were received from seven individuals that expressed opposition to, and or concern with, the proposed re-zoning; those submissions included the following general themes:

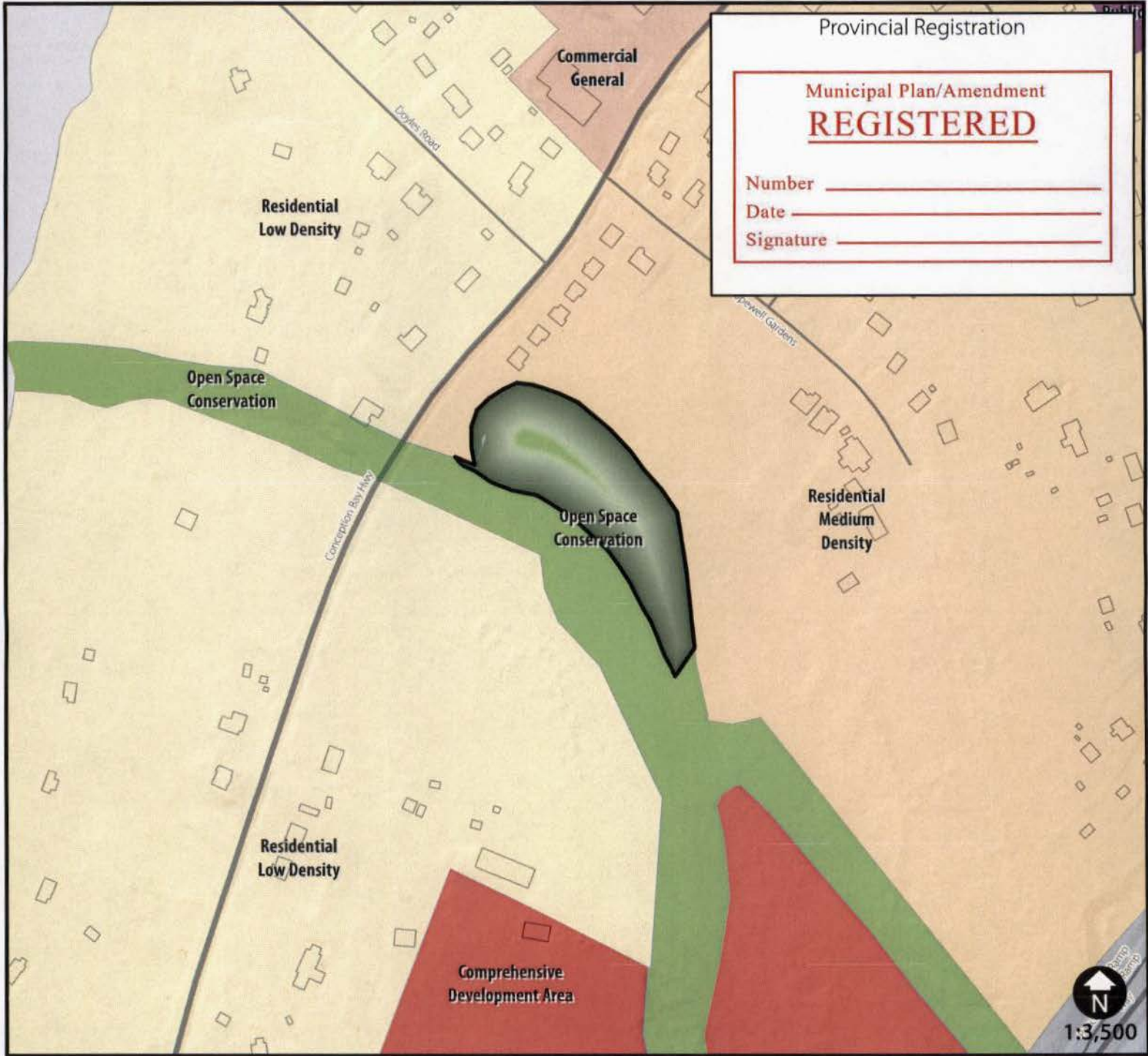
- Increased runoff from clearing of land;
- Decreased water quality and siltation in the waterway;
- Destruction of wetlands;
- Need for a comprehensive stormwater management plan;
- Impacts of increased water quantity, flooding, erosion and sedimentation on downstream properties;
- Need to improve roadside drainage along Route 60;
- Nearby private property experiences flooding since infill development associated with the subdivision began on Route 60 and Hopewell Gardens; and
- Stormwater from the subdivision being diverted to adjacent private properties.

Council considered the comments and determined that particular attention should be paid to storm water management if the amendments are implemented and the proposal moves to the detailed design stage.

Amendment

The Conception Bay South Municipal Plan Future Land Use Map shall be amended as follows:

1. The Future Land Use Map is amended as shown on the attached plan.



Provincial Registration

Municipal Plan/Amendment
REGISTERED

Number _____

Date _____

Signature _____

Town of Conception Bay South
Municipal Plan
Amendment No. 24, 2022
Future Land Use

Signed and sealed at the Town of Conception Bay South, NL
This 18 day of October, 2022

[Signature]
Mayor

[Signature]
Town Clerk



 From: Open Space Conservation
To: Residential Medium Density

I certify that this Municipal Plan Amendment has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2002.