

January 14, 2014

Elaine Mitchell, MCIP
Director of Planning and Development
Town of Conception Bay South
106 Conception Bay Highway
Conception Bay South, NL A1W 3A5

Dear Ms. Mitchell:

**CONCEPTION BAY SOUTH
Municipal Plan Amendment No. 1, 2013
Development Regulations Amendment No. 2, 2013**

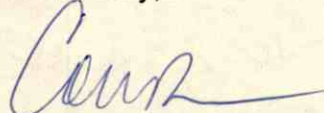
I am pleased to inform you that the **Town of Conception Bay South Municipal Plan Amendment No. 1, 2013 and Development Regulations Amendment NO. 2 2013** as adopted by Council on the **5th day of November, 2013**, have now been registered.

Council must publish a notice in the **Newfoundland and Labrador Gazette** within 10 days of this letter. The Amendment comes into effect on the date that this notice appears in the Gazette. The notice must also appear in a local newspaper. I have enclosed a notice template to assist Council in the preparation of this notice.

The Newfoundland and Labrador Gazette is published every Friday. **Notices must be submitted a week in advance.** Council can submit the notice by email (queensprinter@gov.nl.ca), by fax (729-1900) or by mail (Queen's Printer, P.O. Box 8700, St. John's, and NL, A1B 4J6).

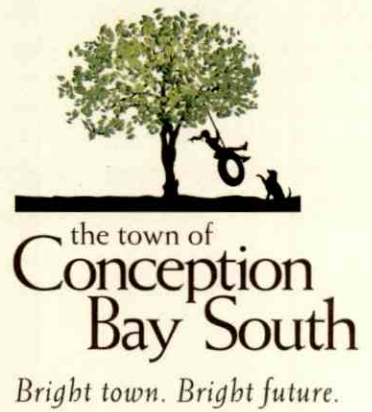
Council's registered copy of the Amendment is enclosed. As it is a legal document, it should be reserved in a safe place.

Yours truly,



Corrie Davis, MCIP
Manager, Land Use Planning Division

Encls.
/ch



Town of

Conception Bay South

Municipal Plan Amendment

No. 1, 2013

Prepared by the

Town of Conception Bay South

August 2013

**Urban and Rural Planning Act
Resolution to Adopt
Town of Conception Bay South
Municipal Plan Amendment
No. 1, 2013**

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. 1, 2013.

Adopted by the Town Council of Conception Bay South on the 5th day of NOVEMBER 2013.

Signed and sealed this 21 day of November 2013.

Mayor: Ken McDonald

Clerk: [Signature]

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*.

[Signature]
Elaine Mitchell, MCIP



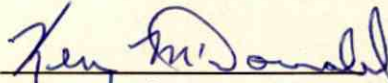
**Urban and Rural Planning Act
Resolution to Approve
Town of Conception Bay South
Municipal Plan Amendment
No. 1, 2013**

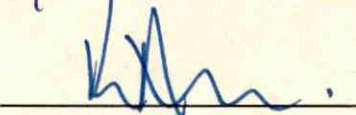
Under the authority of Sections 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Conception Bay South


- a) Adopted the Conception Bay South Municipal Plan Amendment No.1, 2013 on November 5, 2013.
- b) Gave notice of the adoption of the Conception Bay South Municipal Plan Amendment No. 1, 2013 by advertisement in the Shoreline News on November 21, 2013 and in The Telegram on November 16 and 23, 2013.
- c) Set November 4, 2013 at 7:00 pm at the Town Hall, Conception Bay South, 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 Conception Bay South approves the Conception Bay South Municipal Plan Amendment No. 1, 2013, as adopted.

SIGNED AND SEALED this 30 day of December 2013.

Mayor: 

Clerk: 

Municipal Plan/Amendment	
REGISTERED	
Number	<u>1145-2014-002</u>
Date	<u>January 10 2014</u>
Signature	<u></u>

Town of Conception Bay South Municipal Plan Amendment No. 1, 2013

Introduction

The Conception Bay South Municipal Plan came into legal effect on July 20, 2012. The Town Council now wishes to amend its Municipal Plan to accommodate future residential development on Conception Bay Highway in Seal Cove. This report has been prepared to explain the proposed changes and to serve as a basis for consideration by the general public.

Background

The Town has received a request to amend the Municipal Plan from Open Space Conservation to Residential Mixed to permit the development of a 30 lot serviced residential subdivision at 1516 Conception Bay Highway, Seal Cove. In considering this request, the Town has expanded its review to include additional vacant land east of Seal Cove River to the rear of existing residential properties.

Land along Conception Bay Highway is designated and zoned Residential Mixed (R-3) and the rear portion is designated and zoned Open Space Conservation (OSC). In order to accommodate future residential development, Council wishes to redesignate the rear portion of these properties from Open Space Conservation to Residential Mixed and Residential Low Density.

Municipal Plan Policy 5.2.3 (3) provides for the construction of single dwellings as well as multiple unit buildings such as double dwellings, apartment buildings and row dwellings up to 10 units in areas designed Residential Mixed. According to Municipal Plan Policy 5.2.3 (1), single detached dwellings shall be the predominant and preferred form of development. Policy 4.3.19 (1) calls for new residential subdivisions in all residential zones except for the Residential Estate Lot zone to be fully serviced to Town standards at the developer's expense.

According to Municipal Plan policy 5.8.3 (1), areas designated Open Space Conservation shall be left in a natural state for scenic purposes and to prevent development in hazard areas. These areas are also intended to provide opportunities for passive recreation such as walking trails.

Policy 4.3.14 calls for the protection of water quality by requiring appropriate federal and provincial approvals and setbacks from streams and wetlands

Assessment

The Residential Mixed and the Residential Low Density future land use designations provide for residential development. Consistent with policy 4.3.19 (1), the developer is proposing to extend municipal water and sewer services to the subdivision to Town standards. The Town's Engineering and Public Works Department has reviewed the proposal and determined that municipal infrastructure in the area has sufficient capacity to accommodate the proposed dwellings. Future residential subdivisions will also be assessed to ensure that the Town's water and sewer services have sufficient capacity.

The Department of Transportation and Works has advised that there is sufficient site distance to accommodate an access for the proposed residential subdivision. The exact location will be determined on the basis of the subdivision plan and will be subject to the Department of Transportation and Works normal approval procedures. Future residential subdivisions will be so assessed to ensure that the access meets the Department of Transportation and Works requirements.

In this case, the Open Space Conservation designation and zone extends a considerable distance from Seal Cove River. The hazard maps incorporated into the Municipal Plan do not identify any wetland or other natural features that may present a hazard to future residential development. A review of the aerial photography does not identify any significant features except for a channel extending from Route 60. This drainage channel was evaluated by the Department of Environment and Conservation and the Department of Transportation and Works. The Department of Environment and Conservation (Water Resources Management Division) advises that this channel appears to be storm drainage from Route 60 and is not subject to a permit under the Water Resources Act. The Department of Transportation and Works will permit a change to this storm drainage subject to conditions and appropriate permits. In order to comply with the Town's requirements, all storm water must be managed in culverts and there may be a requirement for on-site storm water detention systems to minimize run-off into the wetlands or Seal Cove River.

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.

Public Consultation

A notice outlining the proposed amendments was distributed to all property owners within 100 metres of the subject property. In addition, a notice was published in the August 30, 2013 edition of the Shoreline and the August 31, 2013 edition of the Telegram. The notice was also posted on the Town's website. Written submissions were requested by September 13, 2013.

Conclusion

Designating and zoning land on Conception Bay Highway to Residential Mixed and Residential Low Density to accommodate future residential development is consistent with the Town's Municipal Plan and the Regional Plan. The resulting residential development will be compatible with the surrounding area. Municipal water and sewer services have sufficient capacity to accommodate additional residential development. The area has no resource potential and is not considered to be environmentally sensitive.

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.



**Town of Conception Bay South
Municipal Plan
Future Land Use
Amendment No. 1, 2013**

Dated: Town of Conception Bay South, NL

This 27, day of November, 2013

Ken McDonald

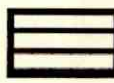
Ken McDonald, Mayor

Keith Arns

Keith Arns, Chief Administrative Officer

I certify that this Municipal Plan Amendment No. 1 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:

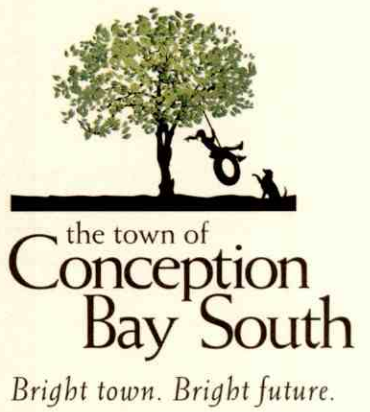
Elaine Mitchell
Elaine Mitchell, MCIP

 From: Open Space Conservation
To: Residential Mixed

 From: Open Space Conservation
To: Residential Low Density

REGISTERED

Number 1145-2014-002
Date January 10, 2014
Signature *[Signature]*



**Town of
Conception Bay South
Development Regulations
Amendment No. 2, 2013**

Prepared by the

Town of Conception Bay South

**Urban and Rural Planning Act
Resolution to Adopt
Town of Conception Bay South
Development Regulations
Amendment No. 2, 2013**

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 Development Regulations Amendment No. 2, 2013

Adopted by the Town Council of Conception Bay South on the 5th day of NOVEMBER 2013.

Signed and sealed this 27 day of November 2013.

Mayor: Ken McDonald

Clerk: [Signature]

Canadian Institute of Planners Certification

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

[Signature]
Elaine Mitchell, MCIP



**Urban and Rural Planning Act
Resolution to Approve
Town of Conception Bay South
Development Regulations
Amendment No. 2, 2013**

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 the Conception Bay South Development Regulations Amendment No. 2, 2013 on November 5, 2013.

- b) Gave notice of the adoption of the Conception Bay South Development Regulations Amendment No. 2, 2013 by advertisement in the Shoreline News on November 21, 2013 and in The Telegram on November 16 and 23, 2013.

- c) Set November 4, 2013 at 7:00 pm at the Town Hall, Conception Bay South, 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 Conception Bay South approves the Conception Bay South Development Regulations Amendment No. 2, 2013 as adopted.

SIGNED AND SEALED this 30 day of December 2013.

Mayor:

Ken McDonald

Clerk:

[Signature]

Development Regulations/Amendment	
REGISTERED	
Number	<u>1145-2014-003</u>
Date	<u>January 10, 2014</u>
Signature	<u>[Signature]</u>

Purpose

The purpose of this proposed Development Regulations amendment is to re-zone land east of Seal Cove River to the rear of residential properties from Open Space Conservation (OSC) to Residential Mixed (R-3) and Residential Low Density (R-1). This amendment implements Municipal Plan Amendment No. 1, 2013, which is being processed concurrently.

Consultation

A notice outlining the proposed amendment was distributed to all property owners within 100 metres of the subject property. In addition, a notice was published in the August 30, 2013 edition of the Shoreline and the August 31, 2013 edition of the Telegram. The notice was also posted on the Town's website. Written submissions were requested by September 13, 2013.

Amendment

The Conception Bay South Land Use Zoning, Subdivision and Advertisement (Development) Regulations shall be amended as follows:

1. The Zoning Map is amended as shown on the attached plan.

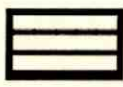


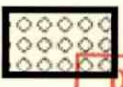
**Town of Conception Bay South
Development Regulations
Land Use Zoning
Amendment No. 2, 2013**

Dated: Town of Conception Bay South, NL

This 27, day of November, 2013

Ken McDonald
Ken McDonald, Mayor

 From: Open Space Conservation (OSC)
To: Residential Mixed (R-3)

 From: Open Space Conservation (OSC)
To: Residential Low Density (R-1)

Keith Arns
Keith Arns, Chief Administrative Officer

I certify that this Development Regulations Amendment No. 2 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:

REGISTERED

Number 1145-2014-003

Date January 10, 2014

Signature *Carson*

Elaine Mitchell
Elaine Mitchell, MCIP