

May 20, 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. 3, 2013  
Development Regulations Amendment No.4, 2013**

I am pleased to inform you that the **Town of Conception Bay South Municipal Plan Amendment No. 3, 2013 and Development Regulations Amendment No.3, 2013**, as adopted by Council on the **1st day of April, 2014**, 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](mailto: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).

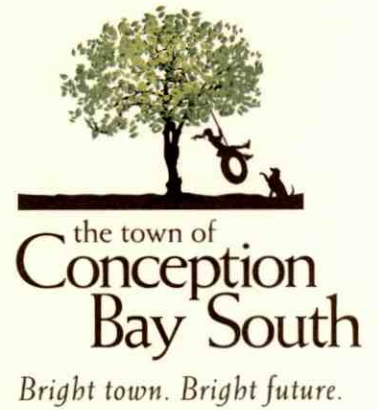
Council's registered copy of the Amendment is enclosed. As it is a legal document, it should be reserved in a safe place.

Yours truly,



Corrie Davis, MCIP  
Manager, Land Use Planning Division

/ch



**Town of**

**Conception Bay South**

**Municipal Plan Amendment**

**No. 3, 2013**

**Prepared by the**

**Town of Conception Bay South**

**November 2013**

**Urban and Rural Planning Act  
Resolution to Approve  
Town of Conception Bay South  
Municipal Plan Amendment  
No. 3, 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.3, 2013 on April 1, 2014.
- b) Gave notice of the adoption of the Conception Bay South Municipal Plan Amendment No. 3, 2013 by advertisement in the Shoreline News on March 6 and March 13, 2014 and in The Telegram on March 8, 2014.
- c) Set the March 24, 2014 at 7:30 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. 3, 2013, as adopted.

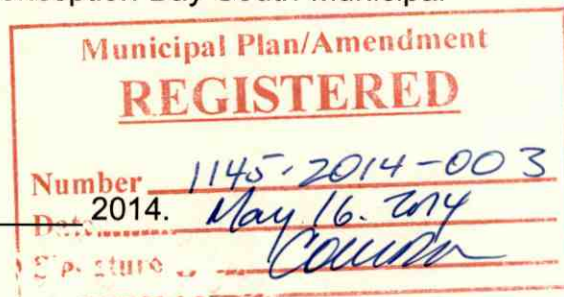
SIGNED AND SEALED this 4 day of April

Mayor:

Ken McDonald

Clerk:

[Signature]



**Urban and Rural Planning Act  
Resolution to Adopt  
Town of Conception Bay South  
Municipal Plan Amendment  
No. 3, 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. 3, 2013.

Adopted by the Town Council of Conception Bay South on the 4 day of March 2014.

Signed and sealed this 5 day of March 2014.

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

# **Town of Conception Bay South Municipal Plan Amendment No. 3, 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 reduce the Open Space Conservation future land use designation on the west side of Kirkston Avenue, south of Earlston Avenue, Topsail.

## **Background**

A portion of the rear yard of properties located on the west side of Kirkston Avenue, south of Earlston, Topsail are designated Open Space Conservation (OSC). This designation is greater than the 15 metre water course buffer. Under the Open Space Conservation designation, this land was to remain in an undisturbed and natural condition. Council wishes to increase opportunities for these residents to use their rear yards including the construction of accessory buildings. The Town now wishes to reduce the Open Space Conservation designation.

## **Assessment**

According to the Conception Bay South Municipal Plan policy 5.2.3 (2), the Residential Medium Density designation applies to the largely built up and serviced or newly serviced area of the Town. Within this designation, single detached dwellings are the predominant housing form.

According to Conception Bay South Municipal Plan policy 5.8.3, areas within the Open Space Conservation designation are to be left in relatively natural state in order to prevent development on steep slopes, protect wetlands, waterways and coastal area.

Land along Fowlers Brook was designated Open Space Conservation. This designation was greater than the 15 metre watercourse buffer. When Ocean Glen subdivision was developed, lots on the west side of Kirkston Avenue, south of Earlston Avenue, were extended into the Open Space Conservation designation. The approval letters stated that land within the Open Space Conservation designation must be retained in a natural condition. Over time, individual property owners have improved their rear yards by landscaping and construction of fences. As a result, much of the natural vegetation has been

removed. Council is aware that individual property owners also wish to construct accessory buildings and, as a result, is proposing that the Open Space Conservation designation be reduced.

### **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 December 12, 2013 edition of the Shoreline and the December 14, 2013 edition of the Telegram. The notice was also posted on the Town's website. Written submissions were requested by December 23, 2013.

Two letters supporting the amendments were received.

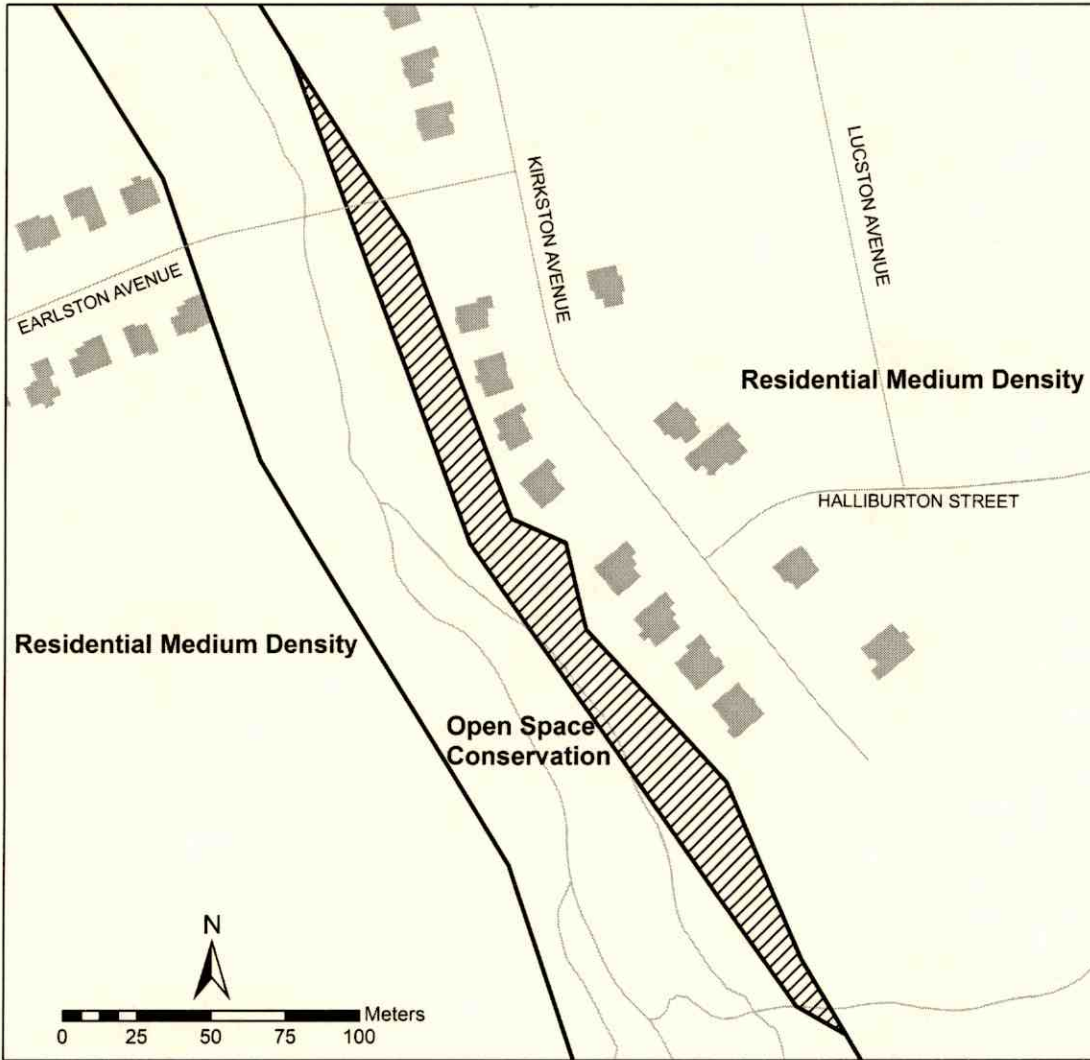
### **Conclusion**

Designating and zoning land on the west side of Kirkston Avenue, south of Earlston Avenue, Topsail from Open Space Conservation (OSC) to Residential Medium Density (R-2) is consistent with the Town's Municipal Plan and the Regional Plan. The area is not considered to be environmentally sensitive and is located outside the provincial 15 metre watercourse buffer.

### **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  
Amendment No. 03, 2013  
Future Land Use Map**

Dated: Town of Conception Bay South, NL  
this 5 day of March, 2013


*Ken McDonald*  
Ken McDonald, Mayor

*Keith Arns*  
Keith Arns, Chief Administrative Officer

I certify that this Municipal Plan Amendment No. 03, 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:

*Elaine Mitchell*  
Elaine Mitchell, MCIP

Nov 14th, 2013

 From: Open Space Conservation  
To: Residential Medium Density

**REGISTERED**

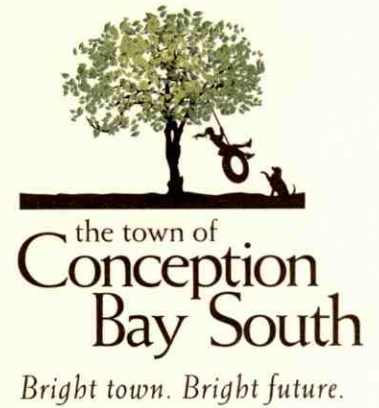
Number 1145-2014-003

Date May 16 2014

Signature *[Signature]*



**Town of  
Conception Bay South  
Development Regulations  
Amendment No. 4, 2013**



**Prepared by the  
Town of Conception Bay South**

**November 2013**



**Urban and Rural Planning Act  
Resolution to Approve  
Town of Conception Bay South  
Development Regulations  
Amendment No. 4, 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. 4, 2013 on April 1, 2014.
- b) Gave notice of the adoption of the Conception Bay South Development Regulations Amendment No. 4, 2013 by advertisement in the Shoreline News on March 6 and March 13, 2014 and in The Telegram on March 8, 2014.
- c) Set the March 24, 2014 at 7:30pm 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. 4, 2013 as adopted.

SIGNED AND SEALED this 4 day of April 2014.

Mayor:

Ken McDonald

Clerk:

[Signature]

Development Regulations/Amendment	
<b>REGISTERED</b>	
Number	<u>1145-2014-005</u>
Date	<u>May 14 2014</u>
Signature	<u>[Signature]</u>

**Urban and Rural Planning Act  
Resolution to Adopt  
Town of Conception Bay South  
Development Regulations  
Amendment No. 4, 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. 4, 2013

Adopted by the Town Council of Conception Bay South on the 4<sup>th</sup> day of March 2014.

Signed and sealed this 5 day of March 2014.

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

## **Purpose**

The purpose of this proposed Development Regulations amendment is to re-zone land west of Kirkston Avenue and south of Earlston Avenue, Topsail from Open Space Conservation (OSC) to Residential Medium Density (R-2). This amendment implements Municipal Plan Amendment No. 3, 2013, which is being processed concurrently.

## **Consultation**

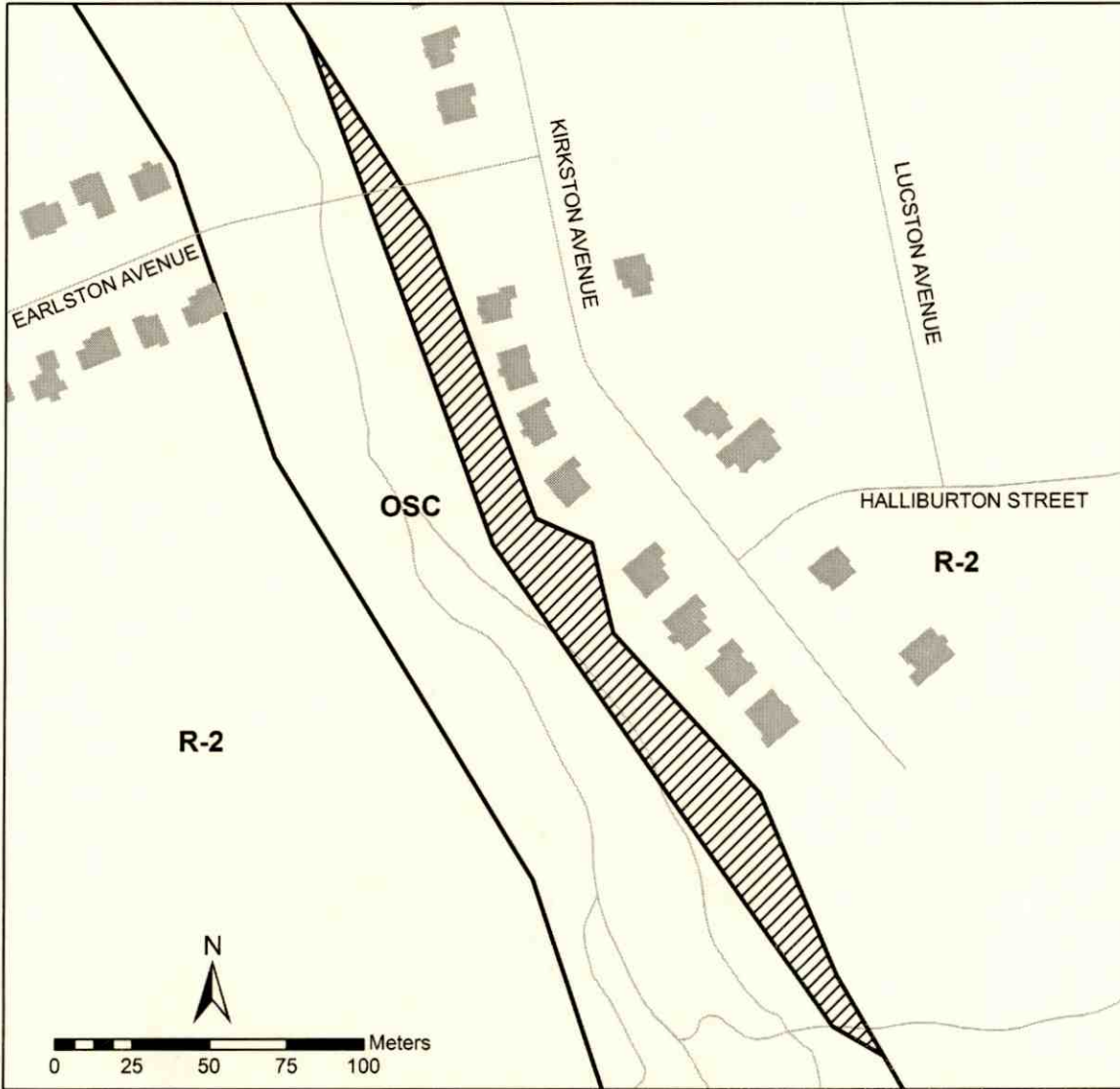
A notice outlining the proposed amendment was distributed to all property owners within 100 metres of the subject property. In addition, a notice was published in the December 12, 2013 edition of the Shoreline and the December 14, 2013 edition of the Telegram. The notice was also posted on the Town's website. Written submissions were requested by December 23, 2013.

Two written submissions supporting the amendment were received.

## **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  
Amendment No. 04, 2013  
Zoning Map**

Dated: Town of Conception Bay South, NL  
this 5 day of March, 2013

*Ken McDonald*  
Ken McDonald, Mayor

 From: Open Space Conservation (OSC)  
To: Residential Medium Density (R-2)

*Keith Arns*  
Keith Arns, Chief Administrative Officer

I certify that this Municipal Plan Amendment No. 04, 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000.

*Elaine Mitchell*  
Elaine Mitchell, MCIP

Development Regulations/Amendment  
**REGISTERED**

Number 1145-2014-005  
Date May 16, 2014  
Signature *Cowan*

Nov 14th, 2013

