

**Town of**

**Conception Bay South**

**Municipal Plan Amendment**

**No. 6, 2014**

**Prepared by the**

**Town of Conception Bay South**

**October 2014**

**Urban and Rural Planning Act  
Resolution to Approve  
Town of Conception Bay South  
Municipal Plan Amendment  
No. 6, 2014**

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. 6, 2014 on December 16, 2014.
- b) Gave notice of the adoption of the Conception Bay South Municipal Plan Amendment No. 6, 2014 by advertisement in the Shoreline News on January 15 and January 22, 2015 and in The Telegram on January 17, 2015.
- c) Set the 2<sup>nd</sup> day of February 2015 at 7:00 p.m. 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. 6, 2014 as adopted.

**SIGNED AND SEALED** this 25 day of March 2015.

Mayor:

Ken McDonald

Clerk:

Gromroy

|  |                      |
|--|----------------------|
| <b>Municipal Plan/Amendment<br/>REGISTERED</b> |                      |
| Number   | <u>1145.2015.006</u> |
| Date   | <u>May 12. 2015</u>  |
| Signature                                      | <u>[Signature]</u>   |

**Urban and Rural Planning Act  
Resolution to Adopt  
Town of Conception Bay South  
Municipal Plan Amendment  
No. 6, 2014**

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. 6, 2014.

Adopted by the Town Council of Conception Bay South on the 16<sup>th</sup> day of DECEMBER 2014.

Signed and sealed this 9 day of February 2014<sup>5</sup>.


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. 6, 2014**

## **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 Emerald Creek Drive, off Foxtrap Access Road, Foxtrap. In addition, the Environmental Overlay map which forms part of the Municipal Plan must be amended to alter the boundary of the wetland.

## **Background**

The developer of the Cedar Creek Subdivision, located off Foxtrap Access Road, has determined that several lots extend into the Open Space Conservation (OSC) future land use designation and zone. In this area, the Open Space Conservation future land use designation and zone is greater than the 15 metre water course buffer. Under the Open Space Conservation designation, this land is meant to remain in an undisturbed and natural condition. Council wishes to increase opportunities for the developer and residents to use their rear yards including the construction of accessory buildings. The Town now wishes to reduce the Open Space Conservation designation and zone and to alter the Environmental Overlay map with respect to a wetland in this area.

## **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 and protect wetlands, waterways and coastal areas.

Policy 4.3.13 (4) states that filling or alteration of wetlands is prohibited. The area is identified as a wetland in the Environmental Overlay Map.

Land along Foxtrap River is designated Open Space Conservation. This

designation is greater than the 15 metre watercourse buffer. The land is also identified as being a wetland in the Environmental Overlay Map. Council is aware that the developer is proposing residential lots that extend into the Open Space Conservation designation and zone and is proposing that the Open Space Conservation designation be reduced. In addition, the Environmental Overlay map will be amended.

### **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.

### **Consultation**

The Water Resources Management Division, Department of Environment and Conservation advised that if a wetland is delineated on the 1:50,000 scale topographic map, it is considered to be a water body and any alterations require approval. In this case, the Water Resources Management Division has determined that the land is not identified as a wetland.

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 October 23, 2014 and October 30, 2014 editions of the Shoreline and the October 25, 2014 edition of the Telegram. The notice was posted on the Town's website. Written submissions were requested by November 5, 2014 2014.

Two written submissions were received. These submissions were considered by Council at its November 81, 2014. Council acknowledged the potential for a walking trail along Foxtrap River. Council also indicated that it would discuss the potential for a playground in future phases of the subdivision with the developer.

### **Conclusion**

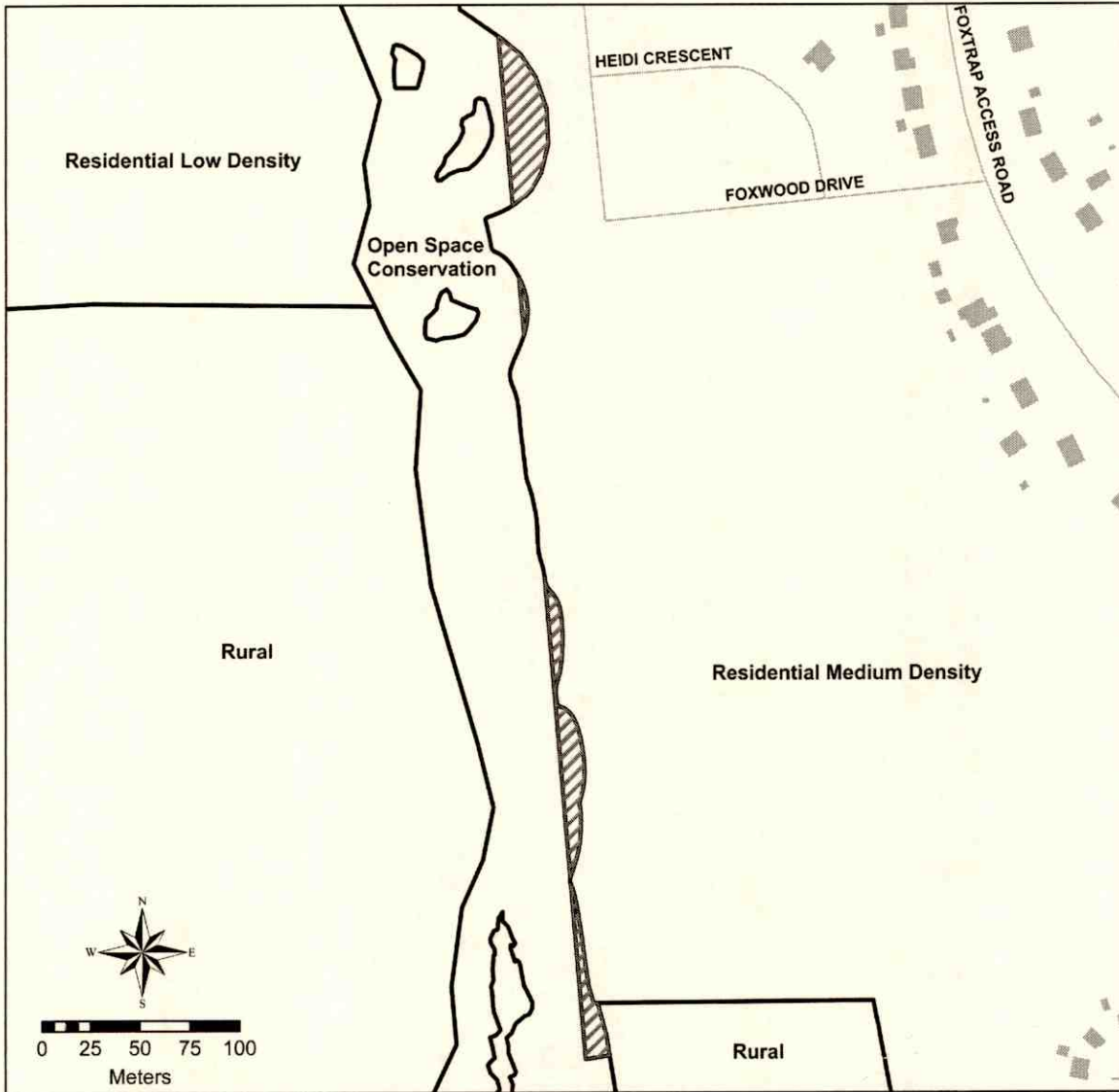
Designating and zoning land on the west side of Emerald Creek Avenue, Foxtrap from Open Space Conservation (OSC) to Residential Medium Density (R-2) is consistent with the Town's Municipal Plan and the Regional Plan. The area is not considered to be environmentally sensitive and is located outside the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

Environmental Overlay Map will also be adjusted. As the wetland is not delineated on the 1:50000 topographic map, no approvals are required from the Water Resources Management Division, Department of Environment and Conservation.

### **Amendment**

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

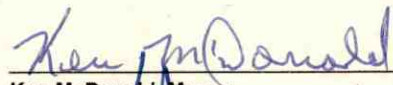
1. The Future Land Use Map is amended as shown on the attached plan.
2. The Environmental Overlay Map is amended as shown on the attached plan.

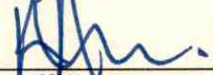


**Town of Conception Bay South  
Municipal Plan  
Amendment No. 06, 2014  
Future Land Use Map**


Dated: Town of Conception Bay South, NL  
This 9th day of February, 2014

 From: Open Space Conservation  
To: Residential Medium Density


  
Ken McDonald, Mayor

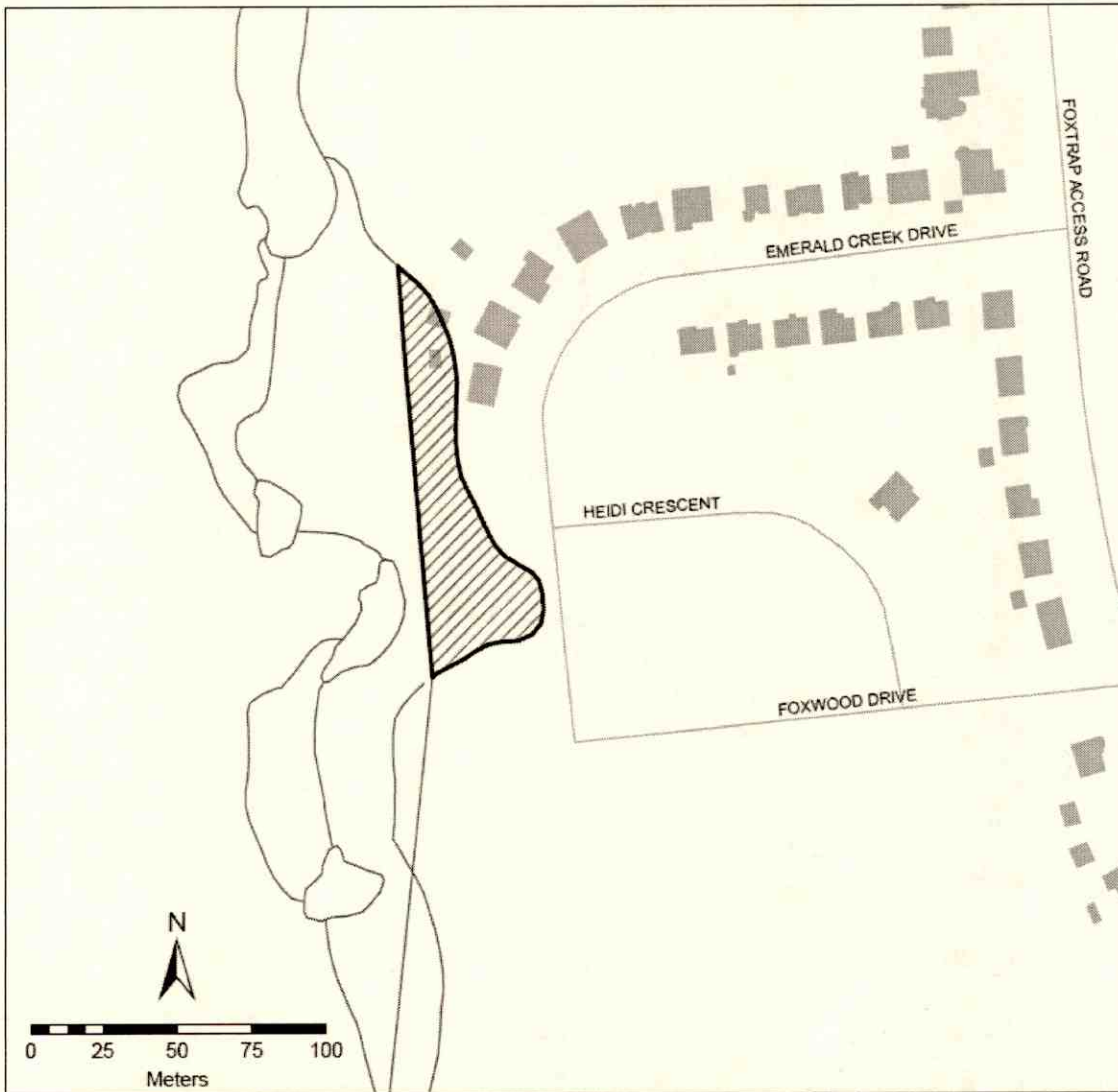
  
Keith Arns, Chief Administrative Officer

I certify that this Municipal Plan Amendment No. 06, 2014 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:


  
Elaine Mitchell, MCIP



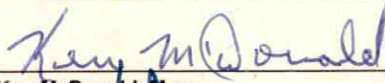
Municipal Plan/Amendment  
Oct 8th, 2014  
**REGISTERED**  
Number 1145.2015.006  
Date May 12, 2015  
Signature 



**Town of Conception Bay South  
Municipal Plan  
Amendment No. 06, 2014  
Environmental Overlay Map**


 To be removed from map

Dated: Town of Conception Bay South, NL  
This 9<sup>th</sup> day of February, 2014

  
Ken McDonald, Mayor

  
Keith Arns, Chief Administrative Officer

I certify that this Municipal Plan Amendment No. 06, 2014 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000.

  
Elaine Mitchell, MCIP

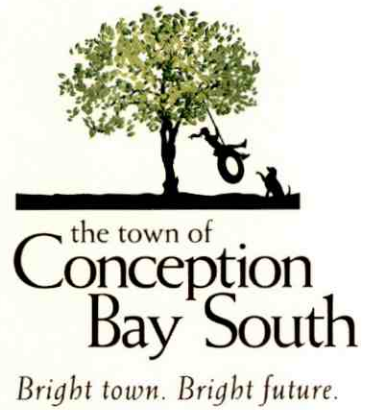


Oct 21st, 2014

**Municipal Plan/Amendment  
REGISTERED**

Number 1145-2015-006  
Date May 12, 2015  
Signature 





**Town of  
Conception Bay South  
Development Regulations  
Amendment No. 10, 2014**

**Prepared by the**

**Town of Conception Bay South**

**October 2014**

**Urban and Rural Planning Act  
Resolution to Approve  
Town of Conception Bay South  
Development Regulations  
Amendment No. 10, 2014**

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. 10, 2014 on December 16, 2015.
- b) Gave notice of the adoption of the Conception Bay South Development Regulations Amendment No. 10, 2014 by advertisement in the Shoreline News on January 15 and 22, 2015 and in The Telegram on January 17, 2015.
- c) Set the 2<sup>nd</sup> day of February at 7:00 p.m. 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. 10, 2014 as adopted.

SIGNED AND SEALED this 25 day of March 2015.

Mayor:

Ken McDonald

Clerk:

Gromsey

|                                   |                      |
|-----------------------------------|----------------------|
| Development Regulations/Amendment |                      |
| <b>REGISTERED</b>                 |                      |
| Number                            | <u>1145-2015-009</u> |
| Date                              | <u>May 12, 2015</u>  |
| Signature                         | <u>[Signature]</u>   |

**Urban and Rural Planning Act  
Resolution to Adopt  
Town of Conception Bay South  
Development Regulations  
Amendment No. 10, 2014**

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. 10, 2014

Adopted by the Town Council of Conception Bay South on the 16<sup>th</sup> day of December 2014.

Signed and sealed this 9 day of February 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 Emerald Creek Drive from Open Space Conservation (OSC) to Residential Medium Density (R-2). This amendment implements Municipal Plan Amendment No. 6, 2014, which is being processed concurrently.

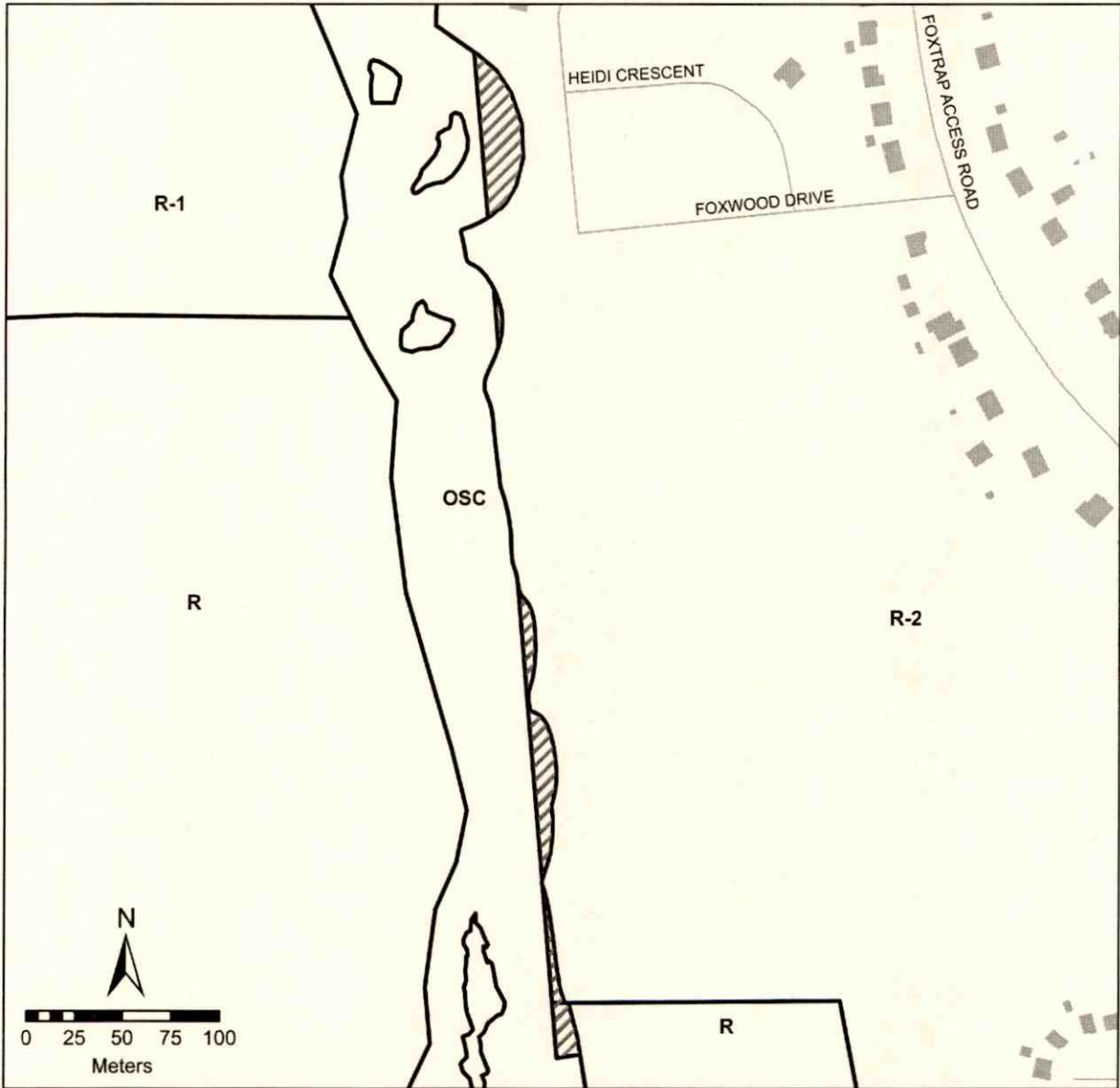
## **Consultation**


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 October 23 and October 30, 2014 editions of the Shoreline and the October 25, 2014 edition of the Telegram. The notice was posted on the Town's website. Written submissions were requested by November 5, 2014. Two written submissions were received. These submissions were considered by Council at its November 18, 2014 meeting.

## **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.



|   |  |
|---|--|
| <p><b>Town of Conception Bay South<br/>Development Regulations<br/>Amendment No. 10, 2014<br/>Land Use Map</b></p>  | <p>Dated: Town of Conception Bay South, NL<br/>This <u>9<sup>th</sup></u>, day of <u>February</u>, 2014<sup>5</sup></p> <p><u>Ken McDonald</u><br/>Ken McDonald, Mayor</p> <p><u>Keith Arns</u><br/>Keith Arns, Chief Administrative Officer</p> <p>I certify that this Development Regulations Amendment No. 10, 2014 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:</p> |
| <p> From: Open Space Conservation (OSC)<br/>To: Residential Medium Density (R-2)</p> | <p><u>Elaine Mitchell</u>, MCIP</p>  |



Development Regulations/Amendment  
Oct 10th, 2014  
**REGISTERED**

Number 1145-2015-009  
Date May 12 2015  
Signature Aluma

May 12, 2015

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. 6, 2014  
Development Regulations Amendment No. 10, 2014**

I am pleased to inform you that the **Town of Conception Bay South Municipal Plan Amendment No. 6, 2014 and Development Regulations Amendment No. 10, 2014**, as adopted by Council on the **16<sup>th</sup> day of December, 2014**, has now been registered.

Council must publish a notice in the **Newfoundland and Labrador Gazette** within 10 days of this letter. The Amendments come into effect on the date that this notice appears in the Gazette. The notice must also appear in a local newspaper.

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 Amendments are enclosed. As they are legal documents, they should be reserved in a safe place.

Yours truly,



**Corrie Davis, MCIP**  
Manager,  
Land Use Planning, Lands Branch

Encls.

/ch