

Town of
Conception Bay South
Municipal Plan Amendment
No. 16, 2017

Prepared by
Mary Bishop, FCIP
for
Town of Conception Bay South

April, 2017

Urban and Rural Planning Act, 2000
Resolution to Approve
Town of Conception Bay South
Municipal Plan Amendment
No. 16, 2017

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. 16, 2017 on June 20, 2017.
- b) Gave notice of the adoption of the Conception Bay South Municipal Plan Amendment No. 16, 2017 by advertisement in the Shoreline News on June 21 and 28, and in the Telegram on June 24, 2017.
- c) Set Thursday, July 13, 2017, 7:00 p.m. at the Town Hall, 11 Remembrance Square, 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. 16, 2017 as adopted.

SIGNED AND SEALED this 13th day of July 2017.

Mayor: _____

Clerk: _____

1145 - 2017 - 011
July 20/17
For MINISTER
MME

Urban and Rural Planning Act, 2000
Resolution to Adopt
Town of Conception Bay South
Municipal Plan Amendment
No. 16, 2017

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. 16, 2017.

Adopted by the Town Council of Conception Bay South on the 20th day of June, 2017.

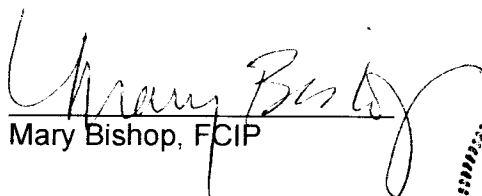
Signed and sealed this 11th day of July 2017.

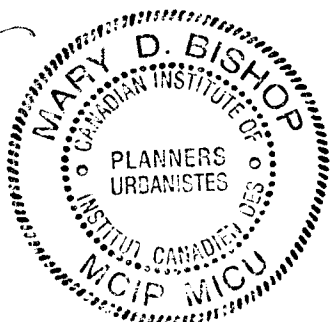
Mayor: _____

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*.


Mary Bishop, FCIP



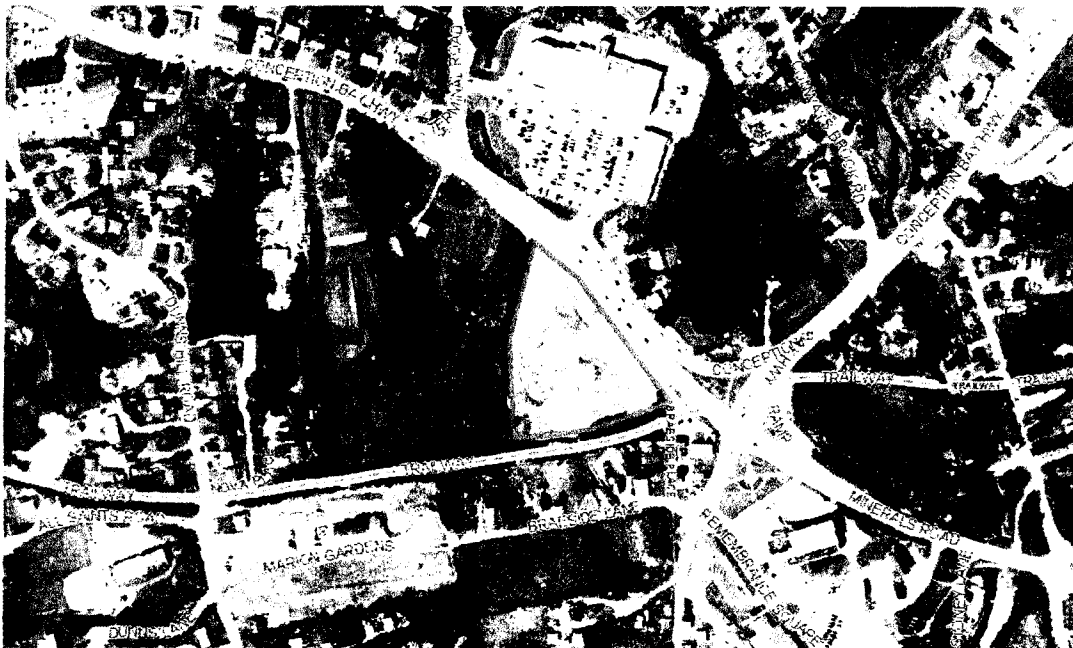
Town of Conception Bay South Municipal Plan Amendment No. 16, 2017

Introduction

The Conception Bay South Municipal Plan came into legal effect on July 20, 2012. The Town Council wishes to amend the Municipal Plan and this report has been prepared to explain the proposed change, and to serve as a basis for consideration by the public before it is adopted and approved by Council and submitted to the Minister of Municipal Affairs and Environment for registration.

Background

The Town has received an application to re-designate 1.609 hectares (3.976 acres) of land located at 353-371 Conception Bay Highway, Long Pond, and an adjacent small parcel of land, comprising approximately 216m² (2330 square feet), owned by the provincial government's Department of Transportation and Works. The applicant is the Morgan Group. The area that is the subject of the amendment is shown in the aerial photo below.



The land is currently designated as “Commercial” by the Municipal Plan and the applicant proposes that the designation be changed to “Residential Medium Density”. An amendment to the Conception Bay South Development Regulations to rezone the same lands from the “Commercial Main Street Zone (C-1)” to “Residential Multiple Unit Zone (RMU)” is being processed concurrently with this Municipal Plan Amendment.

This amendment is intended to apply existing policies of the Municipal Plan that would allow Council to consider the proposed development of a Personal Care Assisted Living Facility at 353 - 371 Conception Bay Highway. The proposed facility would support and provide personal care for up to 120 residents requiring various levels of care.

Assessment

The property is centrally located within the community and adjacent to several community and commercial services that would provide synergies to the proposed use. Over the years, the property has been subject to infilling, storage of fill material by a construction company, grading and re-routing of surface water to its south and western limits.

The proposed re-designation of the property is consistent with the policies of the Conception Bay South Municipal Plan.

The goals and objectives expressed in the Conception Bay South Municipal Plan are meant to encourage a range of housing options that meets the needs of a variety of age groups and incomes along with providing a variety of choice and affordable housing options. Assisted living facilities provides a housing option for individuals that require assistance with meals, chronic medical needs, or other necessities of life.

An area identified for “Moderate Risk” by a Geological Hazards Vulnerability Report prepared by the Provincial Department of Natural Resources¹ occurs on the property. The Geological Hazards Vulnerability report provides the basis for the hazard areas denoted on the Environmental Overlay Map of the Municipal Plan.

The Conception Bay South Municipal Plan allows development to be considered in areas identified as having a moderate hazard risk. Section 4.3.14 of the Municipal Plan provides context for how development should be considered in the moderate hazard area.

However, the moderate hazard area at this site is reflective of the original flow of water

¹ Batterson, M.J. and Stapleton, N. 2011: Report on vulnerability to geological hazards in the town of Conception Bay South. Newfoundland Department of Natural Resources, Geological Survey, Geological Hazards Series, Report No. 1, Open File 001N/0884, 24 pages.

at the property. As noted above, the flow of water was diverted to the perimeter of the site several years ago; water no longer flows through the property as depicted on the hazard vulnerability map. Therefore, the actual hazard vulnerability may have shifted with the alteration of water flow at the site. A Land Use Assessment Report will be required prior to any development approval to assess the flood risk and measures required to mitigate any identified risks.

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 is consistent with the intent of the St. John's Regional Plan.

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 April 6 and 13, 2017 editions of the Shoreline and the April 8, 2017 edition of the Telegram. The notice was also posted on the Town's website. Written submissions were requested by Friday, April 21, 2017. Six (6) written submissions were received by the advertised deadline. Concerns expressed include issues that will be addressed in the Land Use Assessment Report including traffic impacts and safety, stormwater management on and off-site.

The Department of Natural Resources (DNR) with the provincial government was consulted. DNR indicated that their hazard vulnerability study that forms the basis of the Municipal Plan's Environmental Overlay Map was completed using best available mapping available at the time. DNR indicated that development can occur within areas of varying hazard probability subject to assessment of specific proposals and the type of hazard at the site.

The Department of Transportation and Works (DTW) with the provincial government was consulted. DTW own a small portion of the land that is subject to this amendment. DTW did not express concerns or objections to the proposed amendment and indicates that plans for access to Route 60 will require provincial approval.

Conclusion

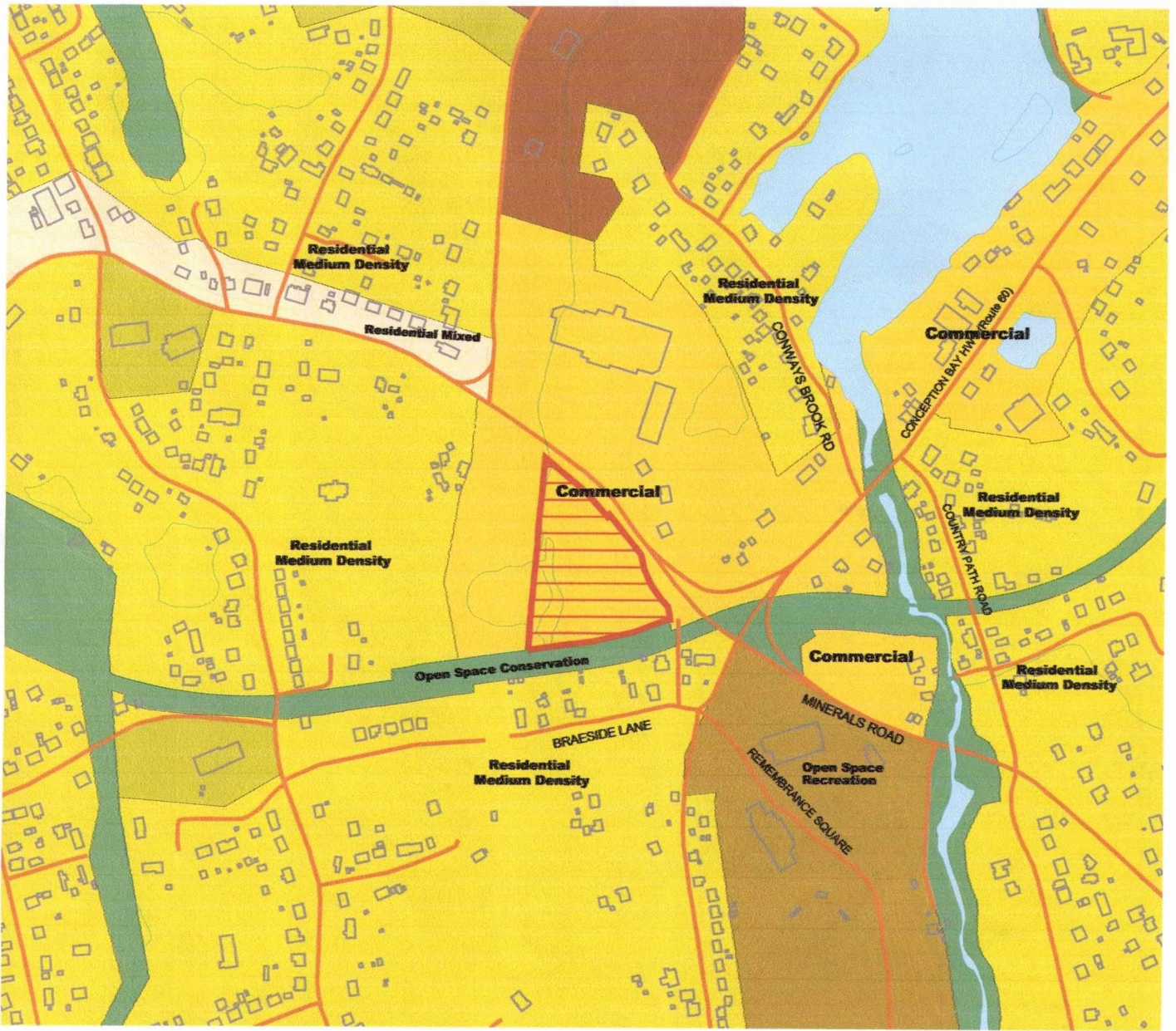
Council determined that designating land at 353-371 Conception Bay Highway, Long Pond, to the Residential Medium Density land use designation and rezoning the property to the Residential Multiple Unit Use Zone (RMU) land use zone is consistent with the Town's Municipal Plan and the Regional Plan.

The change supports the goals and objectives of the Plan to encourage diverse housing options for all age groups and within the community.

Amendment

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

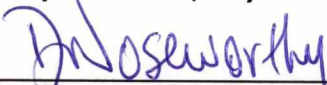
1. The Future Land Use Map is amended as shown on the attached plan.



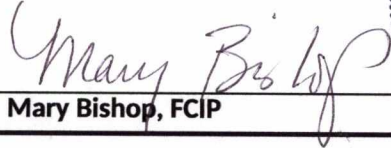
**Town of Conception Bay South
Municipal Plan
Amendment No. 16, 2017
Future Land Use**

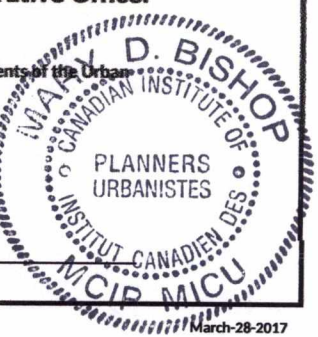
Dated: Town of Conception Bay South, NL
This 11th, day of July, 2017


Stephen Tessier, Mayor


Dan Noseworthy, Chief Administrative Officer

I certify that this Municipal Plan Amendment has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:


Mary Bishop, FCIP



 From: Commercial
To: Residential Medium Density

Municipal Plan/Amendment
REGISTERED

Number 1145-2017-011

Date July 27/17

Signature 