

Town of Conception Bay South Development Regulations

Amendment No. 37, 2021

“Complementary Uses in the Open Space Conservation Zone”

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

July 2021

Urban and Rural Planning Act, 2000

Resolution to Adopt

Town of Conception Bay South Development Regulations

Amendment No. 37, 2021

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000* the Town Council of Conception Bay South adopts Amendment No. 37, 2021 to the Conception Bay South Development Regulations.

Adopted by the Town Council of Conception Bay South on the 13th day of July, 2021.

Signed and sealed this 14th day of July, 2021.



Mayor: 

Clerk: 



Canadian Institute of Planners Certification

I certify that the attached Town of Conception Bay South Development Regulations Amendment No. 37, 2021 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.


Corrie Davis, MCIP


Development Regulations/Amendment
REGISTERED
Number 1145-2021-028
Date Aug. 19, 2021
Signature Molly O'Leary

Town of Conception Bay South

Development Regulations Amendment No. 37, 2021

Purpose

The Conception Bay South Development Regulations came into legal effect on July 20, 2012.

The Town Council wishes to amend the Development Regulations to allow complementary uses to occur outside of buildings within the Open Space Conservation (OSC) Zone.

Background

The Manuels River Natural Heritage Society Inc. (MRNHS) operate the Manuels River Interpretation Centre at 7 Conception Bay Highway. MRNHS are seeking approval to allow food service, including alcohol sales, on the balcony and patio at the interpretation centre. The MRNHS also provide opportunities for food truck services at the interpretation centre and host cultural and fundraising events such as Chefs for Trails and the Manuels River Arts Walk. Those special events may include food and beverage service outside the building.

The Manuels River Interpretation Centre is located within the Open Space Conservation (OSC) zone. The interpretation centre is classified as a cultural use by the Conception Bay South Development Regulations, which is listed as a permitted use within the OSC Zone.

The MRNHS mandate is to interpret the natural, cultural and geological history of Manuels River through the development of educational, recreational and conservation opportunities. Each year, the MRNHS organize several fundraisers to support trail maintenance and general operations. Those fundraisers, along with facility rentals, are an important revenue generator for the organization. The MRNHS want to have flexibility to offer more events outside the building in consideration of evolving opportunities such as food truck options and the need to provide for more outdoor reception spaces. Outdoor reception space has become more relevant and important in the context of the Covid-19 pandemic and the associated need for increased physical distancing.

However, section 10.25.4 of the Conception Bay South Development Regulations currently requires that complementary uses associated with the interpretation centre, such as catering and gift shops, be located within the interpretation centre building. This amendment removes that limitation.

St. John's Urban Region Regional Plan

All development within Conception Bay South must comply with the requirements of the St. John's Urban Region Regional Plan (Regional Plan). The 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.

Detailed regulation of cultural uses within open space areas in Conception Bay South sub-regional centre is consistent with the policies of the Regional Plan.

The Conception Bay South Municipal Plan

The Conception Bay South Municipal Plan came into legal effect on July 20, 2012.

The policies outlined in section 5.8.3(3) of the Conception Bay South Municipal Plan contemplated the development of the Manuels River Interpretation Centre and does not specify any limitations on the use of the interpretation centre and its grounds other than to reinforce Council's desire to protect the river system from urban encroachment.

Whereas this amendment relates to complementary uses associated with open space uses, the Town determined that the proposed amendment is consistent with the intent and policies of the Conception Bay South Municipal Plan.

Consultation

In accordance with sections 14 and 35(5) of the *Urban and Rural Planning Act, 2000*, notices seeking feedback from the general public on the proposed amendment was published in the June 16 and 23, 2021, editions of *The Shoreline* newspaper. The Town also provided notice of the proposed changes on its website and through its social media channels. A draft version of the proposed amendment is posted to the Town's website.

Because this amendment is specifically related to the operations at the Manuels River Interpretation Centre and grounds, notice of the proposed amendment was also sent by regular mail to property owners in the vicinity of the interpretation centre.

The Town determined that this consultation process accommodates the size, structure and complexity of issues under consideration and provided a reasonable opportunity for interested persons, businesses and community groups to comment on the proposed amendment.

As a result of the Town's consultation efforts, the Town did not receive any submissions or inquires related to the proposed amendment.

Development Regulations Amendment No. 37, 2021

The Conception Bay South Development Regulations shall be amended as follows with emphasis added for new or revised content:

1. Section 10.25.4 of the Conception Bay South Development Regulations is modified to read:

10.25.4 Cultural

1. Buildings such as museums and interpretative centres are permitted provided that they are interpreting the natural, heritage or archaeological resource in the community, is architecturally designed and placed to complement the area ensuring a high level of environmental protection.
 2. Complementary uses such as gift shops and catering (including food and beverage service) **may be permitted** in association with museums and interpretation centres.
2. All other sections of the Conception Bay South Development Regulations not referenced in this amendment retain their current wording.

