

**DEVELOPMENT REGULATIONS
AMENDMENT NO. 16, 2023**

**Planned Mixed Use Development
Spinnaker Holdings Limited
Civic No. 22-40
McNamara Drive**

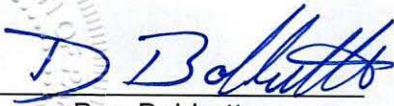
**Prepared by:
Mary Bishop, FCIP
November, 2022**


**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF PARADISE
DEVELOPMENT REGULATIONS AMENDMENT NO. 16, 2023**

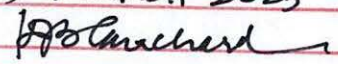
Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Paradise adopts the Paradise Development Regulations Amendment No. 16, 2023.

Adopted by the Town Council of Paradise on the 22 day of February, 2023.

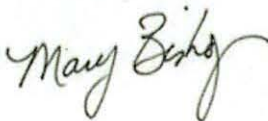
Signed and sealed this 22 day of February, 2023.

Mayor: 
Dan Bobbett

Clerk: 
Terrilynn Smith

Development Regulations/Amendment	
REGISTERED	
Number	<u>3655-2023-013</u>
Date	<u>9 MARCH 2023</u>
Signature	<u></u>

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*.



Mary Bishop, MCIP



TOWN OF PARADISE DEVELOPMENT REGULATIONS AMENDMENT NO. 16, 2023

INTRODUCTION

The Town of Paradise reviewed and revised its Municipal Plan and Development Regulations in 2016. The Town is now considering an amendment to the Development Regulations and this report has been prepared to explain the proposed change, and to serve as a basis for consideration by the general public before it is adopted by Council and submitted to the Minister of Municipal and Provincial Affairs for registration as required under the *Urban and Rural Planning Act, 2000*.

BACKGROUND

The Town has received a proposal for a mixed-use development at Civic No. 22-40 McNamara Drive, located near the intersection of McNamara Drive and Topsail Road. The property is currently undeveloped and is situated between the Town Hall property, Octagon Pond, and the ALRE commercial/retail site (formerly ACAN Windows). The proponent is proposing a mixed-use development that will include high density residential units in the form of multi-storey apartment buildings, retail, office buildings, and multi-unit residential buildings over first floor retail uses.

The Phase I commercial aspect of the proposal is located at the northern end of the property along Topsail Road. It includes a mix of multi-unit mercantile buildings and stand-alone structures intended to house a variety of commercial uses that could serve the entire community. Phase II and III of the development located in the south end of the property include multi-unit residential housing with retail and office space buildings.

A fourth phase in the center of the property has been identified and set aside for future development.

Proposed streets and pedestrian pathways will integrate the development into the surrounding areas including the ALRE commercial/retail site, the Town's Recreation Facilities, the Grand Concourse and NL Trailway walking trails and Octagon Pond.

The proposed development is shown in Schedule B.

Municipal Plan Policy

The property is located in an area designated Community Centre (blue) and Open Space (green) on the Future Land Use Map of the Municipal Plan. See Figure 1.

The proposed development is consistent with the vision and policies set out in the Municipal Plan for the Community Centre area. More specifically, the proposal would help position the Town as an age-friendly community by providing people the opportunity to live, work, and play in Paradise. In addition, a mixed-use development in this area facilitates the continuing evolution of the Community Centre as the focus of civic, recreational, residential and commercial use in the community.

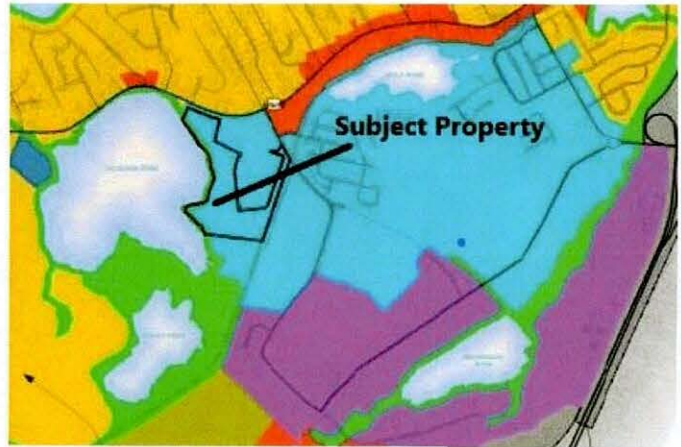


Figure 1. Future Land Use Map

Policy 8.5.2 of the Municipal Plan provides for the rezoning of lands within the Community Centre Designation without amendment to the Municipal Plan, where proposed development is consistent with the policies of the Plan, and where the proposed zoning is consistent with those zones that can be applied to areas designated Community Centre. These zones include:

- Planned Mixed Development (Commercial)
- Commercial General and Commercial/Light Industrial zones
- Medium and High Density Residential zones
- Public Use zones
- Open Space Recreation and Conservation zones

Section 10.6 of the Paradise Municipal Plan 2016 provides Council with a means to evaluate development proposals through production of a Land Use Assessment Report (LUAR). A Land Use Assessment Report for the development has been prepared which describes in detail the proposed development and is being considered as part of the amendment process.

Land Use Zoning

As shown in Figure 2, the property is subject to the following land use zones:

- Public (PU)
- Commercial/Light Industrial (CLI)
- Conservation (CON)

Schedule B shows the proposed development.

To accommodate the development, several zoning changes are required:

1. Changing the Public and Commercial/Light Industrial zoning to the Planned Mixed Development -Commercial use zone in the north portion of the property which is proposed for Phase I commercial mixed use;
2. Changing a portion of the area zoned Public to the Planned Mixed Development - Commercial use zone, where a small commercial site is proposed that will face into and become part of the ALRE commercial development;
3. Changing from Public Use to Planned Mixed Development – Commercial – the southern portion of the property where a mix of high density residential, office and retail uses are proposed in Phase II and III.

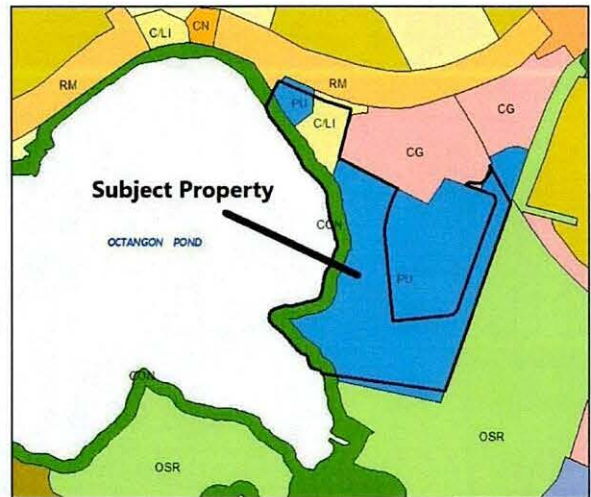


Figure 2. Land Use Zoning Map

At the present time, no change in zoning is proposed for the area included in Phase IV as development of this area has yet to be determined.

The proposed development respects the existing Conservation zone along Octagon Pond and no change is proposed or required.

Section 9.20.11 of the Paradise Development Regulations requires approved development plans in the Commercial Planned Mixed Development zone to be incorporated into the Paradise Development Regulations.

PUBLIC CONSULTATION

During the preparation of this amendment, including the preparation of the Land Use Assessment Report (LUAR), several agencies were consulted. These include the Grand Concourse Authority, Fisheries and Oceans Canada, St.

John's Metrobus, and the Department of Environment and Climate Change. Input received has been incorporated into the LUAR.

The public consultation process for this amendment included public review and comment on the proposed amendment and Land Use Assessment Report. Public Notice of the amendment was posted through the Town's website from December 21, 2022 to February 1, 2023, and in the Shoreline News December 21 and 30, 2022 and January 6, 13, 20, 27, 2023 with a deadline for comments of January 31.

Two submissions were received, one opposed to the proposed development and one posing questions about the development. The submissions were reviewed and taken into consideration by the Town.

AMENDMENT

The Paradise Development Regulations shall be amended by:

1. Rezoning land at Civic No. 22- 40 located on the east side of Octagon Pond to the Planned Mixed Development (Commercial) (PMD-Com) use zone as shown on the excerpt from the Paradise Zoning map in Schedule A.
2. The addition of the proposed Paradise Mixed Development Plan for Civic No. 22 – 40 McNamara Drive attached as Schedule B, to the Paradise Development Regulations as Appendix G.

Schedule A

**Paradise Mixed Development
Land Use Zoning Map**

Schedule B

**Paradise Planned Mixed Development Plan
Civic No. 22-40 McNamara Drive
Spinnaker Holdings Limited.**