

**TOWN OF PETTY HARBOUR - MADDOX COVE  
DEVELOPMENT REGULATIONS  
AMENDMENT NO. 3, 2023**

**St. Joseph's Church Property**

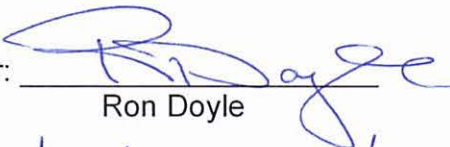
**Prepared by:  
Mary Bishop, FCIP  
May, 2023**

**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO ADOPT  
TOWN OF PETTY HARBOUR - MADDOX COVE  
DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2023**

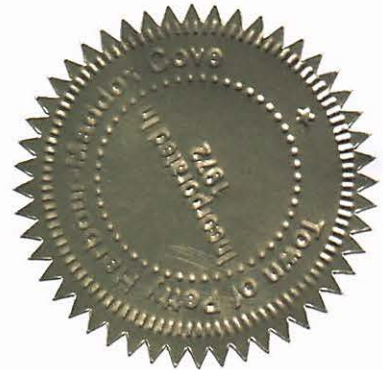
Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of Petty Harbour - Maddox Cove adopts Development Regulations Amendment No. 3, 2023.

Adopted by the Town Council of Petty Harbour - Maddox Cove on the 5<sup>th</sup> day of September, 2023.

Signed and sealed this 20<sup>th</sup> day of November, 2023.

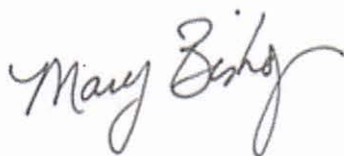
Mayor:   
Ron Doyle

Clerk:   
Stephanie Stack



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Development Regulations Amendment No. 3, 2023 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act 2000*.



Mary Bishop, RPP, MCIP, FCIP




**URBAN AND RURAL PLANNING ACT  
RESOLUTION TO APPROVE  
TOWN OF PETTY HARBOUR - MADDOX COVE  
DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2023**

Under the authority of Sections 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Town Council of Petty Harbour - Maddox Cove

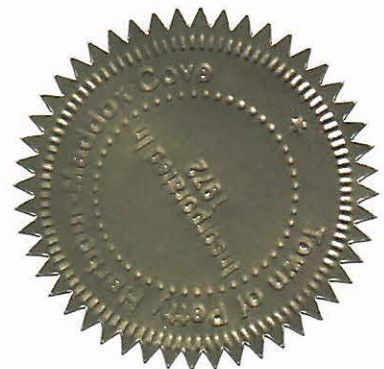
1. Adopted Development Regulations Amendment No. 3, 2023 on the 5th day of September, 2023.
2. Gave notice of the adoption of Development Regulations Amendment No. 3, 2023 by advertisement inserted in the Telegram on September \_\_\_\_ and \_\_\_\_\_, 2023.
3. Set the 5<sup>th</sup> day of October, 2023 at 7:00 p.m. at the Petty Harbour - Maddox Cove Town Hall for the holding of a public hearing to consider objections and submissions.
4. The Public Hearing was held and the Commissioner's report was received and considered by Council at its meeting of November 14<sup>th</sup>, 2023.

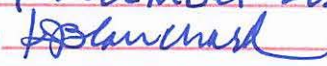
Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of Petty Harbour - Maddox Cove approves Development Regulations Amendment No. 3, 2023 on the 14th day of November, 2023, as adopted.

SIGNED AND SEALED this 20<sup>th</sup> day of November, 2023

Mayor:   
Ron Doyle

Clerk:   
Stephanie Stack



|                                   |   |
|-----------------------------------|---|
| Development Regulations/Amendment |   |
| <b>REGISTERED</b>                 |   |
| Number                            | <u>3760-2023-003</u>  |
| Date                              | <u>7 DECEMBER 2023</u>  |
| Signature                         | <u></u> |

# TOWN OF PETTY HARBOUR - MADDOX COVE DEVELOPMENT REGULATIONS AMENDMENT NO. 3, 2023

## BACKGROUND

This amendment to the Development Regulations is intended to comply with Municipal Plan Amendment No. 2, 2023. The amendment would enable Council to consider a range of commercial uses for the St. Joseph's church property which is currently vacant following a sale of the property by the Roman Catholic Episcopal Corporation of St. John's.



The property on which the church is located is 0.41 acres, bound by Skinner's Hill Road along the north side and Cribbies Road on east. The Town Hall, Community Centre, Museum War Memorial and two residences are immediately south of the property. The site is surrounded by residential development to the west and north and east along Skinner's Hill and Cribbies Roads. The property is located approximately 45m from the Main Road.

The property is located in the Heritage Area (HA) land use zone. This zone sets out the permitted and discretionary uses consistent with the policies of the Municipal Plan. Council has received an application to use the St. Joseph's church for a microbrewery and restaurant. In considering this application, and other similar inquiries, Council is proposing to add microbrewery as a discretionary use to the Heritage Area land use zone.

In considering the use of St. Joseph's church for a microbrewery, Condition 8.6.8 of the Heritage Area use zone table applies. It sets out conditions that apply to Commercial Uses in this zone as follows:

*Commercial uses such as restaurants, convenience stores and shops will only be permitted as a discretionary use under the following conditions:*

- a) *The store shall be located on the main road, or at an intersection with the main road;*
- b) *Parking, and building materials shall be similar in style and compatible with the Heritage Area;*

- c) *Shops selling craft products may be considered in locations off the main road*

Council is proposing to add microbrewery as a discretionary use in the Heritage Area use zone.

As the St. Joseph's church property is not located on the main road, or at an intersection with the main road an amendment to Condition 8.6.8 of the Development Regulations is required in order for Council to consider proposals for commercial use of the property.

### **PUBLIC CONSULTATION**

The public consultation process for this amendment was the same as that for the Municipal Plan Amendment No. 2, 2023.

### **AMENDMENT**

The Petty Harbour - Maddox Cove Development Regulations shall be amended as follows:

1. By adding microbrewery to the list of Discretionary Uses in Section 8.6.2 of the Heritage Area Use Zone Table;
2. By adding the following as subsection d) to Section 8.6.8:
  - d) Notwithstanding subsection 8.6.8 a), Council may consider a range of commercial uses for the St. Joseph's Church property, Cribbies Road, where it can be shown that
    - i) the use can occur in a manner that has minimal impact on surrounding residential uses, in terms of noise, odour, lighting and traffic;
    - ii) adequate access and parking is provided in accordance with Section 5 of these regulations.
    - iii) Council will require a parking plan that demonstrates sufficient parking is available for the proposed use, including accessible parking as required by the *Accessibility Act*.
    - iv) A traffic study may be required to determine traffic volumes and any local road improvements necessary to accommodate traffic associated with the proposed use.
    - v) A landscape plan, prepared by a qualified landscape architect may be required to provide details on the location and type of landscape materials and how it will be used to screen new parking spaces, lighting, waste receptacles, loading areas, decks or ramps from adjoining residential uses.

- vi) An operational plan will be required to provide details on water usage, hours of operation, seating capacity, and how waste, noise, odours and deliveries will be managed.
- vii) Any expansion or increased capacity of any use approved for the site will require application and approval by the Town.
- viii) Conformity with any requirements following registration and review under the *Environmental Assessment Act and Regulations*.