

COR/2013/04010

June 5, 2014

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. 2, 2013
Development Regulations Amendment No. 3, 2013**


I am pleased to inform you that the **Town of Conception Bay South Municipal Plan Amendment No. 2, 2013 and Development Regulations Amendment No. 3, 2013**, as adopted by Council on the **4th day of March, 2014**, has now been registered.

Council must publish a notice in the **Newfoundland and Labrador Gazette** within 10 days of this letter. The Amendment comes into effect on the date that this notice appears in the Gazette. The notice must also appear in a local newspaper. I have enclosed a notice template to assist Council in the preparation of this notice.

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), 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 Amendment is enclosed. As it is a legal document, it should be reserved in a safe place.

Yours truly,



Corrie Davis, MCIP
Manager, Land Use Planning Division

/ch

Town of

Conception Bay South

Municipal Plan Amendment

No. 2, 2013

Prepared by the

Town of Conception Bay South

November 2013

**Urban and Rural Planning Act
Resolution to Approve
Town of Conception Bay South
Municipal Plan Amendment
No. 2, 2013**

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.2, 2013 on March 4, 2014.
- b) Gave notice of the adoption of the Conception Bay South Municipal Plan Amendment No. 2, 2013 by advertisement in the Shoreline News on March 6 and March 13, 2014 and in The Telegram on March 8, 2014.
- c) Set the March 24, 2014 at 7:30 pm 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. 2, 2013, as adopted.

SIGNED AND SEALED this 24 day of April 2014.

Mayor:

Ken McDonald

Clerk:

[Signature]

Municipal Plan/Amendment	
REGISTERED	
Number	<u>1145-2014-004</u>
Date	<u>June 4, 2014</u>
Signature	<u>[Signature]</u>

Urban and Rural Planning Act Resolution to Adopt Town of Conception Bay South Municipal Plan Amendment No. 2, 2013

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. 2, 2013.

Adopted by the Town Council of Conception Bay South on the 4 day of March 2014.

Signed and sealed this 5 day of March 2014.

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*.

A circular purple stamp with the text "ELAINE MITCHELL" at the top, "CANADIAN INSTITUTE OF PLANNERS" in the middle, and "MCIP MCIP" at the bottom. A signature is written across the stamp.

Elaine Mitchell, MCIP

Town of Conception Bay South Municipal Plan Amendment No. 2, 2013

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 accommodate a proposal for an industrial storage yard located off Butlers Pit Road, behind residential and industrial properties located on the east side of Conception Bay Highway, Seal Cove. This report has been prepared to explain the proposed changes and to serve as a basis for consideration by the general public.

Background

The Town has received a request for the development of an industrial storage yard located in an old quarry located off Butlers Pit Road, behind existing residential and industrial uses. In order to accommodate this development proposal, Council wishes to redesignate land off Butlers Pit Road (also known as Tilt Road), behind residential and industrial properties located on the south side of Conception Bay Highway from Comprehensive Development Area to General Industrial. Council proposes that a portion of the Comprehensive Development Area be redesignated Residential Low Density to create a buffer between the residential properties and the proposed industrial storage yard. Council also proposes that a land between the proposed Industrial General designation and Seal Cove River be redesignated from Comprehensive Development Area to Residential Low Density.

According to policy 5.3.3 of the Town's Municipal Plan, the Comprehensive Development Area is set aside to accommodate residential development upon provision of municipal services. Council now wishes to accommodate industrial development and is proposing to amend a portion of this area by redesignating it to Industrial General.

According to policy 5.5.3, lands designated to for industrial use are intended to accommodate a mix of industrial uses including bulk storage.

Adjacent land on Conception Bay Highway is designated Commercial/Light Industrial. This designation is intended to accommodate light industrial and office uses (policy 5.5.3).

Existing residential properties are designated Residential Low Density. This

amendment proposes an extension to this designation to serve as a buffer between the industrial storage yard and the existing dwellings as well as capturing land between the proposed industrial site and Seal Cove River.

Assessment

The industrial storage yard is proposed for a site which was previously used as a quarry. The Mineral Lands Division of the Department of Natural Resources advised that it has no issue with the re-use of this land.

Butlers Pit Road is an existing Crown Lands right of way used as access to mineral workings located east of the bypass route. In accordance with section 163 of the Municipalities Act, this Crown Lands right of way is considered to be a public road.

A portion of the property lies within the protected road building control line. In accordance with section 10 of the Protected Road Zoning Regulations, development must be in accordance with an approval plan and associated regulations. A permit is required from the Government Service Centre for development within the building control lines.

Conception Bay Highway is serviced with municipal water and sewer at this location. The proposed storage yard will not require these services but there is sufficient capacity to accommodate future residential development in the area.

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 subject area is designated Rural. According to policy F (b), the Regional Plan anticipates industrial development within the Rural designation where it is clearly demonstrated that a rural location is necessary. The Regional Plan specifies that:

- No municipal service are needed;
- The amenity of the surrounding rural areas are protected;
- Adequate buffers in the form of trees, shrubs or fencing is provided;
- All such industrial sites front on public roads and shall have a limited number of openings for vehicle exits and entrances; and
- The Department of Health (now Service NL) shall approve such locations.

Public Consultation

A notice outlining the proposed amendments will distributed to all property owners within 100 metres of the subject property. In addition, a notice was published in the December 12, 2013 edition of the Shoreline and the December 14, 2013 edition of the Telegram. The notice was also posted on the Town's website. Written submissions were requested by December 23, 2013.

No written submissions were received.

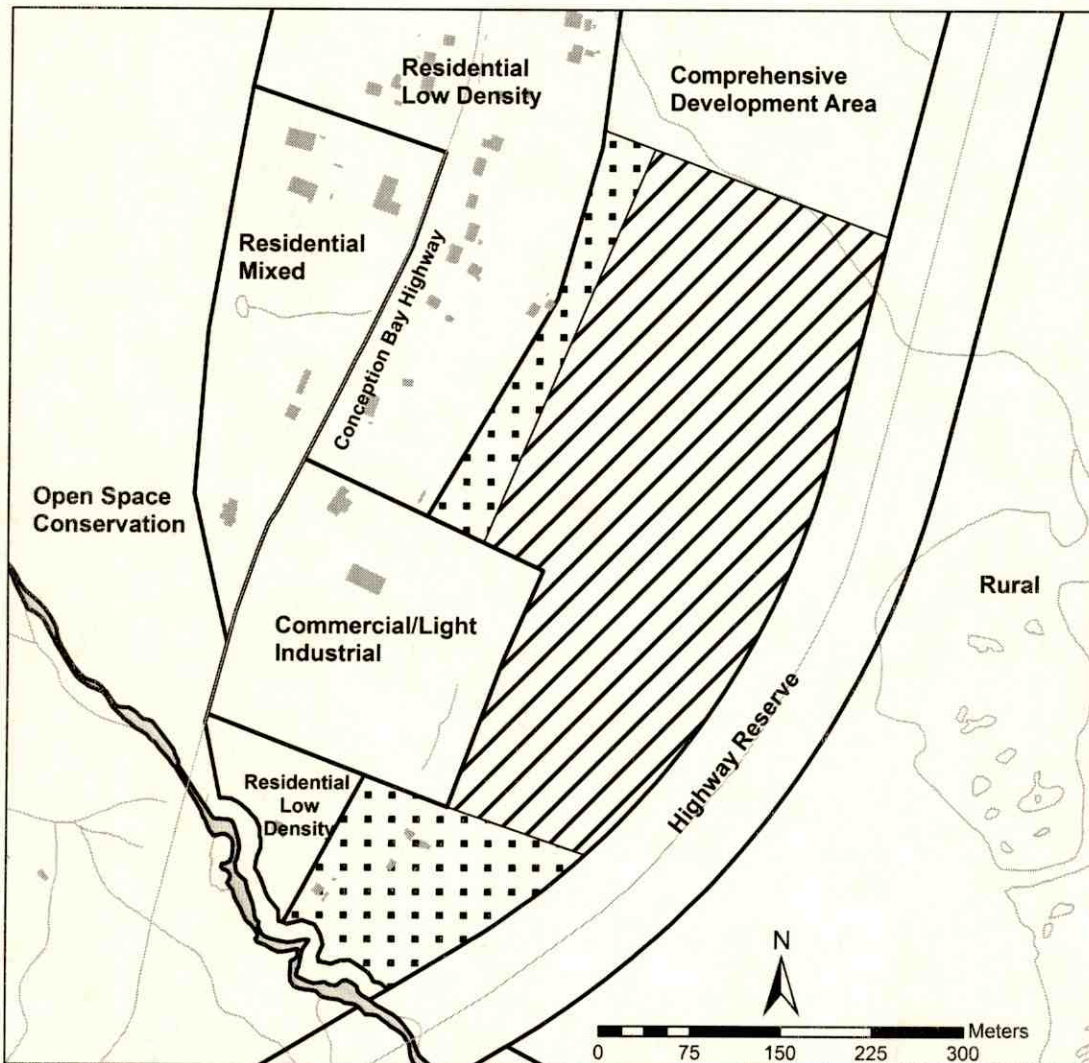
Conclusion

Designating and zoning land on Conception Bay Highway to accommodate the proposed industrial site is consistent with the Town's Municipal Plan and the Regional Plan.



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.




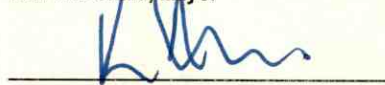
**Town of Conception Bay South
Municipal Plan
Amendment No. 2, 2013
Future Land Use Map**

- 
 From: Comprehensive Development Area
To: Residential Low Density
- 
 From: Comprehensive Development Area
To: Industrial General

**Municipal Plan/Amendment
REGISTERED**

Dated: Town of Conception Bay South, NL
this 5, day of March, 2014

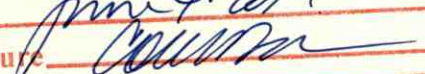

Ken McDonald, Mayor


Keith Arns, Chief Administrative Officer

I certify that this Municipal Plan Amendment No. 02, 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000:

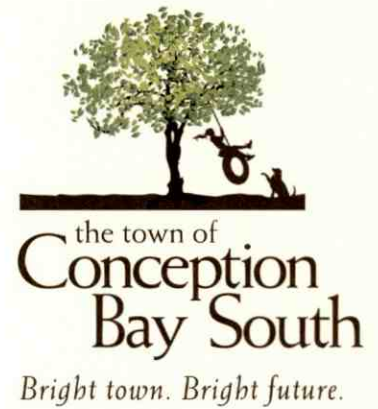

Elaine Mitchell, MCIP

Dec 9th, 2013

Number 1145-2014-0013
Date June 4, 2014
Signature 



**Town of
Conception Bay South
Development Regulations
Amendment No. 3, 2013**



Prepared by the

Town of Conception Bay South

November 2013

**Urban and Rural Planning Act
Resolution to Approve
Town of Conception Bay South
Development Regulations
Amendment No. 3, 2013**

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. 3, 2013 on March 4, 2014.
- b) Gave notice of the adoption of the Conception Bay South Development Regulations Amendment No. 3, 2013 by advertisement in the Shoreline News on March 6 and March 13, 2014 and in The Telegram on March 8, 2014.
- c) Set the Mach 24, 2014 at 7:30 pm 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. 3, 2013 as adopted.

SIGNED AND SEALED this 24 day of April 2014.

Mayor:

Ken McDonald

Clerk:

[Signature]

Development Regulations/Amendment	
REGISTERED	
Number	<u>1145-2014-006</u>
Date	<u>June 4, 2014</u>
Signature	<u>[Signature]</u>

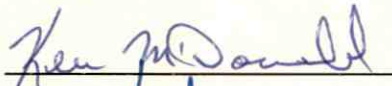
Urban and Rural Planning Act Resolution to Adopt Town of Conception Bay South Development Regulations Amendment No. 3, 2013

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. 3, 2013

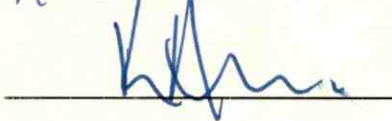
Adopted by the Town Council of Conception Bay South on the 4th day of March 2014.

Signed and sealed this 5 day of March 2014.

Mayor:




Clerk:



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*.



Elaine Mitchell, MCIP



Purpose

The purpose of this proposed Development Regulations amendment is to re-zone land off Butlers Pit Road, behind existing residential and industrial properties located on the south side of Conception Bay Highway from Comprehensive Development Area to Industrial General (IG) to accommodate an industrial storage yard. The Town is also proposing to create a buffer east of the existing residential properties by rezoning land to Residential Low Density. This amendment implements Municipal Plan Amendment No. 2, 2013, which is being processed concurrently.

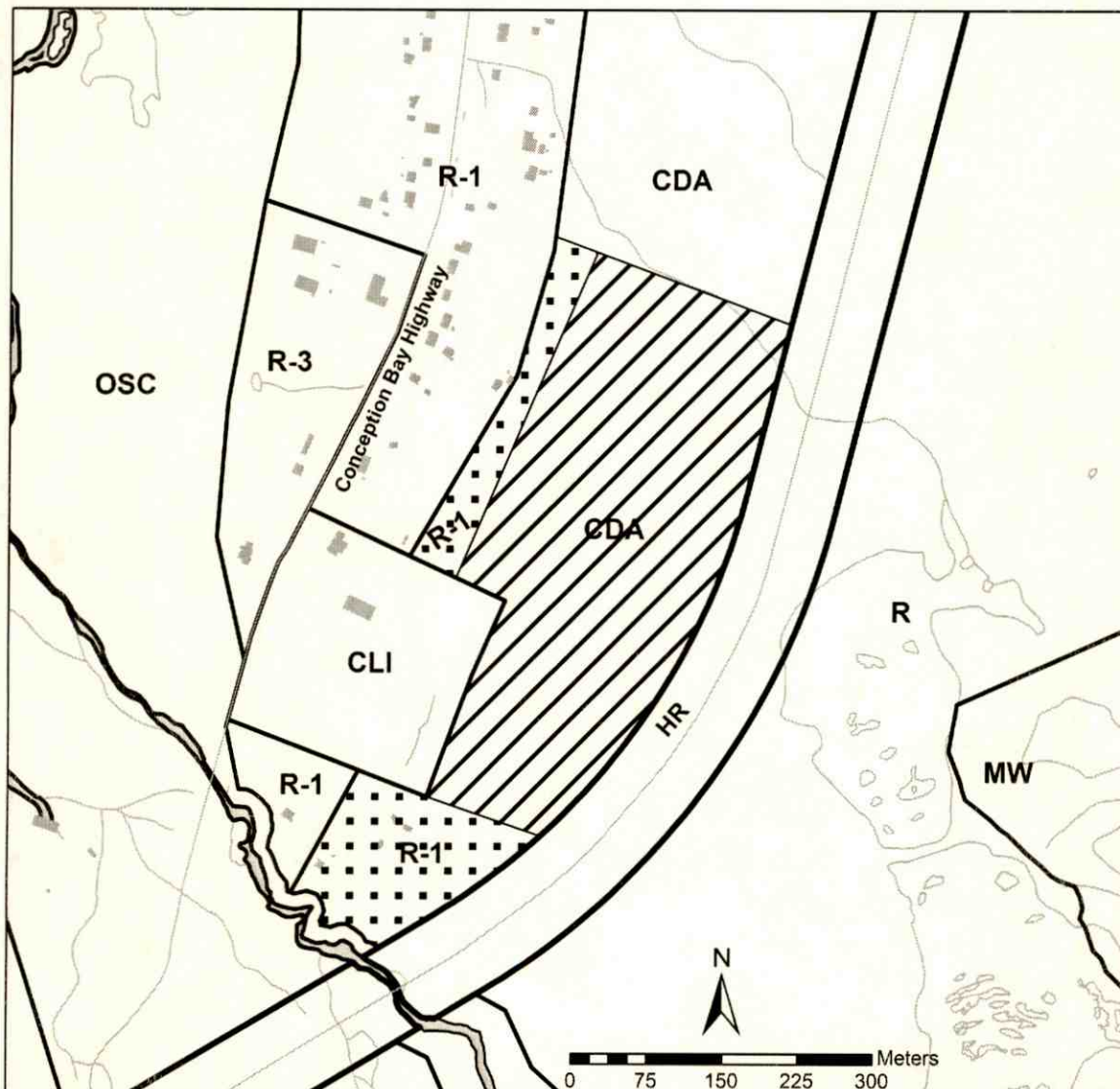
Consultation

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 December 12, 2013 edition of the Shoreline and the December 14, 2013 edition of the Telegram. The notice was also posted on the Town's website. Written submissions were requested by December 23, 2013.

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.



**Town of Conception Bay South
Development Regulations
Amendment No. 3, 2013
Zoning Map**

- From: Comprehensive Development Area (CDA)
To: Residential Low Density (R-1)
 From: Comprehensive Development Area (CDA)
To: Industrial General (IG)

Dated: Town of Conception Bay South, NL

this 5, day of March, 2014

Ken McDonald, Mayor

Keith Arns, Chief Administrative Officer

I certify that this Development Regulations Amendment No. 03, 2013 has been prepared in accordance with the requirements of the Urban and Rural Planning Act 2000.

Elaine Mitchell, MCIP

Dec 9th, 2013

**Development Regulations/Amendment
REGISTERED**

Number 1145-2014-006
 Date June 4, 2014
 Signature

