

**Town of Conception Bay South
Land Use Zoning, Subdivision and Advertisement
(Development) Regulations
Amendment No. 32, 2019**

**“Indoor Market” Uses within the
Commercial – Light Industrial (CLI) Land Use Zone**

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

June 2019

**Urban and Rural Planning Act, 2000
Resolution to Adopt
Town of Conception Bay South
Development Regulations
Amendment No. 32, 2019**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000* the Town Council of Conception Bay South hereby adopts Amendment No. 32, 2019 to the Conception Bay South Development Regulations.

Adopted by the Town Council of Conception Bay South on the 18th day of June, 2019.

Signed and sealed this 19 day of June, 2019.

Mayor: _____

Clerk: _____

Canadian Institute of Planners Certification

I certify that Amendment No. 32, 2019 to the Conception Bay South Development Regulations has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.


Corrie Davis, MCIP



Development Regulations/Amendment

REGISTERED

Number 1145-2019-021

Date 31 July, 2019

Signature Mary Olney

Town of Conception Bay South Development Regulations Amendment No. 32, 2019

Purpose

The Conception Bay South Land Use Zoning, Subdivision and Advertisement (Development) Regulations came into legal effect on July 20, 2012.

A property owner with land and buildings in the Commercial / Light Industrial (CLI) land use zone is proposing to expand their business by adding an indoor market. An "indoor Market" is not currently listed as either a permitted or discretionary use in the CLI zone. The property owner therefore requested that Council considering amending the list of discretionary uses in the CLI Zone to include "Indoor Market".

Background

The owner of an existing commercial property in the Fowlers Road industrial park area is proposing to add an indoor market to their existing business. The Fowlers Road industrial park area is zoned as Commercial / Light Industrial (CLI) by the Conception Bay South Development Regulations.

Schedule A, "Classification of land Uses and Buildings" of the Conception Bay South Development Regulations lists "Indoor Market" as a unique classification for land and building uses separate from "Shop" uses.

The "Indoor Market" use classification is not listed as either a permitted or discretionary use within the CLI zone. The property owner therefore requested that Council consider amending the zoning to add "Indoor Market" as a discretionary use. The request was reviewed by Council who determined that the request was reasonable.

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. The nature of retail uses within various zones in the Conception Bay South sub-regional centre does not conflict 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.

Policy No.2 of Section 5.5.3 of the Conception Bay South Municipal Plan notes that retail uses may be considered within area designated as Commercial / Light Industrial.

The Municipal Plan defers regulation of the specific type of retail uses to the Town's Development Regulations. This amendment therefore does not contravene the intent and policies of the Conception Bay South Municipal Plan.

Consultation

In accordance with section 14 of the *Urban and Rural Planning Act, 2000*, notices seeking feedback on the proposed amendment were published in the May 29 and June 5, 2019, editions of *The Shoreline* newspaper. Notices were also sent to all property and business owners in and within 100m of any of the CLI zones in the Town. The Town also provided notice of the proposed changes on its website and through its social media channels.

The Town determined that this consultation process accommodates the size, structure and complexity of planning 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, no written submissions were received by the Town that expressed opposition to the proposed changes.

Development Regulations Amendment No. 32, 2019

The Conception Bay South Land Use Zoning, Subdivision and Advertisement (Development) Regulations shall be amended as follows:

1. "Indoor Market" is added to the list of discretionary uses within section 10.22.2 of the Commercial / Light Industry zone so that it now reads:

Discretionary Uses

General Industry
Passenger Assembly
Indoor Market
Recreational Open Space
Service Station
Shop
Take-out Food Service
Taxi Stand

2. All other sections of the Conception Bay South Land Use Zoning, Subdivision and Advertisement (Development) Regulations not referenced in this amendment retain their current wording.