

Town of Conception Bay South

Municipal Plan Amendment No. 35, 2024

705 Conception Bay Highway and 10-14 Jeffers Lane

Town of Conception Bay South

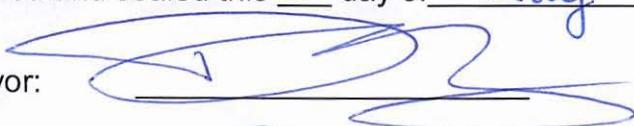
April 2024

Urban and Rural Planning Act, 2000
Resolution to Adopt
Town of Conception Bay South
Municipal Plan Amendment No. 35, 2024

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. 35, 2024.

Adopted by the Town Council of Conception Bay South on the 16th day of April, 2024.

Signed and sealed this 21 day of May 2024.

Mayor: 

Clerk: 

Canadian Institute of Planners Certification

I certify that Conception Bay South Municipal Plan Amendment No. 35, 2024 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



Urban and Rural Planning Act, 2000
Resolution to Approve
Town of Conception Bay South
Municipal Plan Amendment No. 35, 2024

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. 35, 2024 on April 16, 2024.
- b) Gave notice of the adoption of the Conception Bay South Municipal Plan Amendment No. 35, 2024, by advertisement in the Shoreline News on April 26, and May 3, 2024.
- c) Scheduled a public hearing to consider objections and submissions on May 15, 2024.
- d) No objections or representations were received by the Town of Conception Bay South within the time stipulated in the notice of public hearing.
- e) The Conception Bay South Town Council cancelled the public hearing.

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. 35, 2024, as adopted.

SIGNED AND SEALED this 21 day of May 2024.

Mayor: 

Clerk: 

Municipal Plan/Amendment

REGISTERED

Number 1145-2024-025

Date 4 JUNE 2024

Signature D. Blanchard

Town of Conception Bay South Municipal Plan Amendment No. 35, 2024

Introduction

The Conception Bay South Municipal Plan came into legal effect on July 20, 2012. The Town Council is considering amending the Municipal Plan. This report has been prepared to explain the proposed change, and to serve as a background information for the public and Council.

Background

The Town received a request to change the future land use designation of approximately 3,000m² 2.7 hectares (0.75 acres) of land located at 705 Conception Bay Highway and 10-14 Jeffers Lane. The applicant is the operator of the commercial building at 705 Conception Bay Highway. The area that is the subject of the amendment request is shown in the image below.



The subject property is within the "Residential Medium Density" designation. The commercial property operator is considering developing a restaurant / take out with drive thru service within the existing building at 705 Conception Bay Highway. The area of the amendment request would be developed to accommodate additional parking and the drive thru lane for the new restaurant.

The current designation does not provide for commercial uses such as the parking area for a restaurant nor the drive thru food service lane. The commercial property operator therefore requested that the designation be changed to accommodate the proposed development. The Town determined that the most appropriate land use designation for such a use is "Commercial". An amendment to the Conception Bay South Development Regulations to re-zone

the same lands from “Residential Medium Density (R-2)” to “Commercial - Main Street (C-1)” is being processed concurrently with this Municipal Plan Amendment.

Assessment

The property is located in the Kelligrews area of the Town and abuts commercial development to the north. Residential uses on Tilley's Road South and Jeffers Lane share a boundary with the property to the west and south. Residential uses are also adjacent to the east of the subject property on the opposite side of Jeffers Lane from the subject property.

The property is undeveloped and is naturally vegetated at present. The land rises approximately 4m from the rear of the existing commercial development at 705 Conception Bay Highway to the shared boundary between 10-14 and 20 Jeffers Lane.

Section 5.2 of the Municipal Plan outlines the goals, objectives, and policies for land within the Residential Medium Density designation. Those statements do not foresee the proposed commercial development.

Section 5.4 of the Municipal Plan outlines goals, objectives, and policies for land within the Commercial designation. Those statements, among other things, encourage increased commercial development in appropriate areas of the Town, that commercial uses should be compatible with surrounding development, and that commercial development include provision of adequate parking.

Municipal Plan policy 4.3.14 was also considered in the context of this amendment. The property is within the Low Geological Hazard Vulnerability area identified in the “Report on Vulnerability to Geological Hazards in the Town of Conception Bay South” (Batterson and Stapleton, GNL, 2011). The municipal plan policy does not restrict development within the Low Geological Hazard Vulnerability Area.

Section 9.6 of the Municipal Plan guides Council when considering amendments to the Municipal Plan. The policy supports changes to the Municipal Plan when a development proposal provides sufficient information and rationale to support the change. Council considered the proposed extension of the commercial area and determined that the Development Regulations include protections for residential uses that are adjacent to parking areas and drive thru service lanes.

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, various commercial operations, parks and recreational facilities and other uses that are characteristic and appropriate for a sub-regional centre.

The Regional Plan designates the subject property as “Urban Development” which allows for a range of urban uses connected to municipal water and sewer services. The proposed change to the Municipal Plan is consistent with the intent of the Regional Plan.

Consultation

A notice outlining the proposed amendments was distributed to known property owners within 100 metres of the subject property. In addition, notices are to be published in the February 16 and 23, 2024 editions of The Shoreline newspaper. The notice was also posted to the Town’s website and social media. Written submissions are requested by March 11, 2024. No written submissions were received.

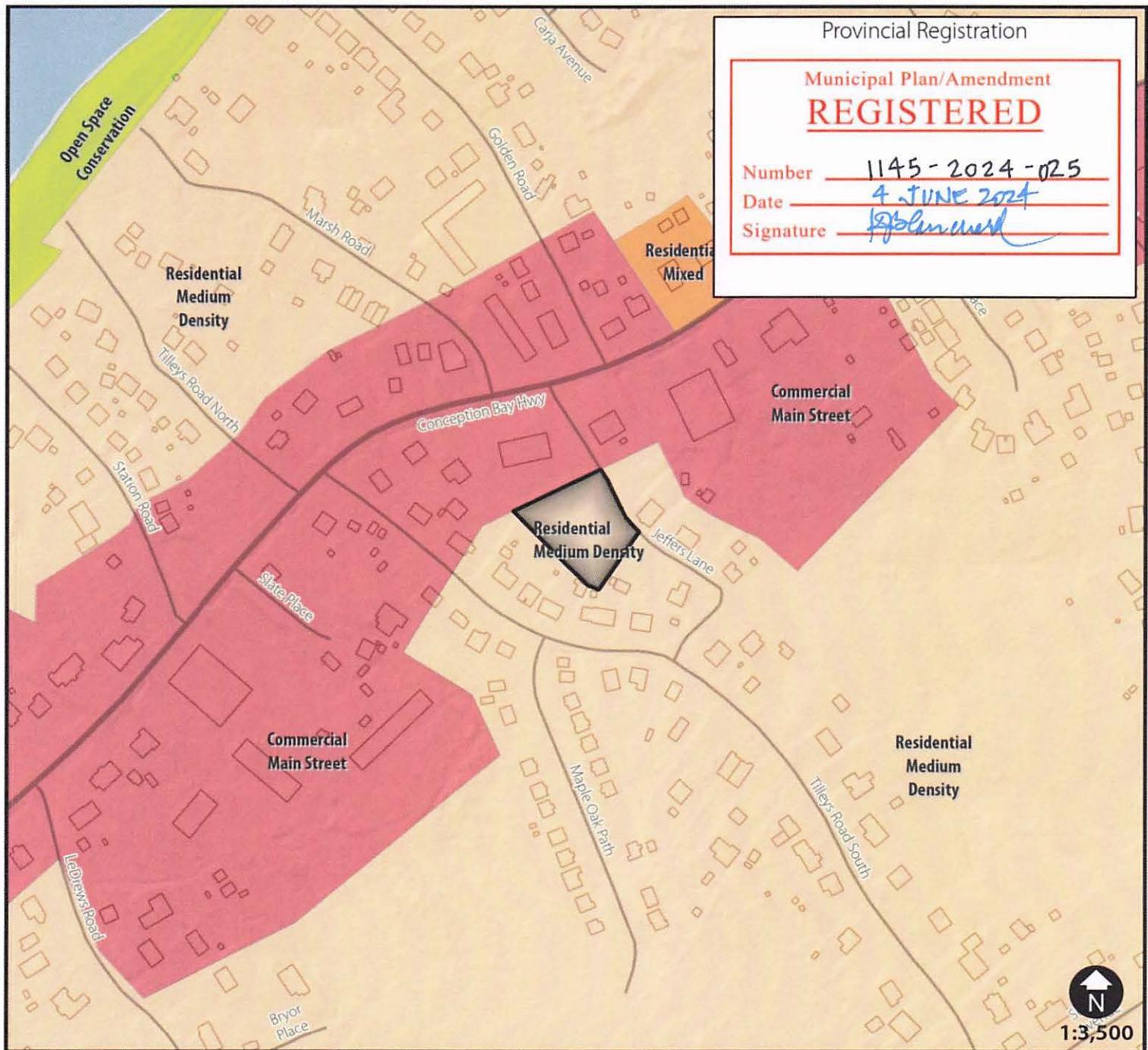
A public information session was convened on March 6, 2024; in addition to the applicants and their representatives, four individuals attended the session. The discussions at the information session centered on design details for the proposed development, and potential impacts in the area related to traffic and rodents.

The Town determined that this consultation effort was reflective of the size, structure and complexity of planning and policy issues under consideration for the proposed amendments.

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. 35, 2024
Future Land Use

From: Residential Medium Density
To: Commercial

Signed and sealed at the Town of Conception Bay South, NL
This 21 day of May, 2024

Mayor

Town Clerk

I certify that this Municipal Plan Amendment has been prepared in
accordance with the requirements of the Urban and Rural Planning Act 2000.

