

Town of Conception Bay South
Municipal Plan Amendment No. 33, 2024
2-10 Buckleys Path

Town of Conception Bay South

March 2024

Urban and Rural Planning Act, 2000
Resolution to Adopt
Town of Conception Bay South
Municipal Plan Amendment No. 33, 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. 33, 2024.

Adopted by the Town Council of Conception Bay South on the 5th day of March, 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. 33, 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. 33, 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. 33, 2024 on March 5, 2024.
- b) Gave notice of the adoption of the Conception Bay South Municipal Plan Amendment No. 33, 2024 by advertisement in the Shoreline News on March 15 and 22, 2024.
- c) Held a public hearing to consider objections and submissions on April 10, 2024.

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. 33, 2024 as adopted.

SIGNED AND SEALED this 21 day of May 2024.

Mayor: _____

Clerk: _____

Municipal Plan/Amendment
REGISTERED

Number 1145-2024-024
Date 30 MAY 2024
Signature [Signature]

Town of Conception Bay South Municipal Plan Amendment No. 33, 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 1.15 hectares (2.8 acres) of land located at 2-10 Buckleys Path. The applicant is the property owner. The area that is the subject of the amendment is shown in the image below.



The land is currently designated as “Residential Low Density” by the Municipal Plan and the applicant requested that the designation be changed to “Residential Medium Density”. An amendment to the Conception Bay South Development Regulations to rezone the same lands to “Residential Multi Unit (RMU)” is being processed concurrently with this Municipal Plan Amendment.

This amendment is intended to apply a land use designation to the property that can accommodate development of the property. The owner proposes to develop the property with an apartment / row dwelling complex with an initial 15 units in two buildings. The property owner indicated there may be a future expansion of five additional units.

Assessment

The property is located south of Peacekeepers Way in the Kelligrews area of the Town and abuts existing residential development to east. Peacekeepers way is the immediate north of the property. There are agricultural uses in the vicinity of the property and low density rural residential style development to the west.

The property is comprised of two separate parcels. The majority of the southern parcel of land has been traditionally used for agricultural purposes. The northern parcel is undeveloped but was cleared of its vegetation approximately 15 years ago. The property abuts the end of White Bear Lane within the Greenland Estates Subdivision, where development commenced approximately 20 years ago. Any development of the property would require extension to White Bear Lane and water and sewer services.

The proposed amendment is intended to allow the development of an apartment / row dwelling complex on the property by changing the designation to Residential Medium Density and zoning to Residential Multiple Unit (RMU). An apartment complex with more than 10 units is a permitted use within the RMU zone under the "Grouped Dwelling" provisions.

The Municipal Plan Policies for lands within the Residential Low Density designation notes that the it applies to areas on the basis of available infrastructure, access and existing land use patterns. The policy also states that the designation includes areas intended for infill development along existing streets south of Peacekeepers Way (Route 2). The subject property is not capable of infill development as there are no existing roads or water and sewer services along the frontage of the property.

The Municipal Plan policies for the Residential Medium Density designation note that the designation is intended to apply built up and serviced areas of the Town. Municipal water and sewer services are available to the property boundary. The policies for areas zoned as Residential Multiple Unit states that it is intended to accommodate, among other uses, apartment buildings and row house complexes.

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 residential development within the Low Geological Hazard Vulnerability Area.

Peacekeepers Way (Route 2) abuts the property to the north. Any part of the property within 100m of the centre line of Peacekeepers Way is subject to the Provincial Protected Road Zone Regulations. The Protected Road Zoning Regulations states that any land shall be used only in accordance with the approved plan and associated regulations; in this situation, the approved plan and associated regulations would be the Conception Bay South Municipal Plan and Development regulations. Any development of this portion of the property requires approval from the provincial Department of Digital Government and Service NL.

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 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 use is consistent with the intent of the St. John's 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 were published in the January 12 and 19 2024 editions of The Shoreline newspaper. The notice was also posted on the Town's website and social media. The Town received written submissions from nine individuals in response to the notices.

A public information session was held at the Town Hall on February 1, 2024. The session was attended by 24 residents, three individuals representing the applicant, three Councillors and three staff.

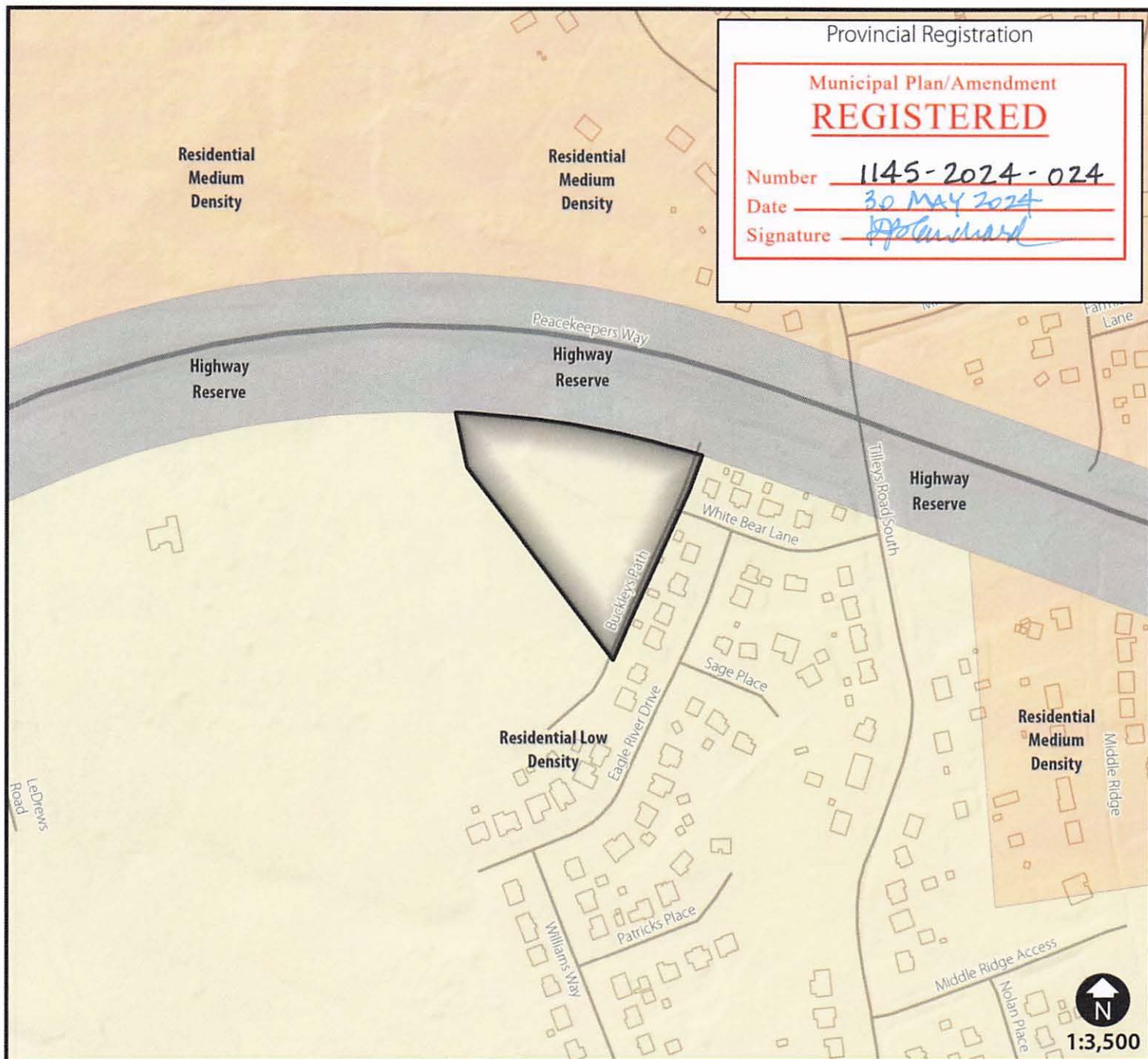
Council considered the feedback received through the written submissions and discussion at the Public Information Session and determined that many of the comments related to behavioural concerns. Council also considered the character of the neighbourhood, traffic impacts, pedestrian safety, demands on water use, generation of sanitary and storm water and determined that any changes in those factors would be marginal.

The Town determined that the 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. 33, 2024
Future Land Use

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

[Signature]
Mayor

[Signature]
Town Clerk

 From: Residential Low Density
To: Residential Medium Density

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

