

**TOWN OF PORTUGAL COVE-ST. PHILIP'S  
MUNICIPAL PLAN 2014 - 2024**



**DEVELOPMENT REGULATIONS AMENDMENT No. 22, 2022**

**“RESIDENTIAL DEVELOPMENT SCHEME AREA”**

**To**

**“RESIDENTIAL LOW DENSITY”**

**DEVELOPMENT SCHEME AREA #10**

**VOISEY'S BROOK PARK**

**APRIL 2022**

**PLAN-TECH**



**ENVIRONMENT**

## TOWN OF PORTUGAL COVE-ST. PHILIP'S DEVELOPMENT REGULATIONS AMENDMENT No. 22, 2022

### **BACKGROUND**

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations. Council has received a proposal to develop approximately 31 residential lots on land located east of Woodland Drive and Jera Street. A portion of the land is zoned Residential Low Density (RLD) with the remaining land zoned as Residential Development Scheme Area #10 (RDSA) Voisey's Brook Park.

The purpose of this Amendment is to re-zone that portion of property that lies in Residential Development Scheme Area #10, from **Residential Development Scheme Area (RDSA)** to **Residential Low Density (RLD)** on the Development Regulations Map.

This Amendment was processed and conforms to Municipal Plan Policy 3.4.2 and Development Scheme Area #10 (RDSA) Voisey's Brook Park.

### **Analysis of Development Regulations Amendment No. 22:**

Municipal Plan Section 3.4.2, Comprehensive Development Area, deals with several areas throughout the Town that require a development scheme to be approved before development will be permitted to proceed. The intent is to ensure that future development *"improves community connectivity, protects the natural character, environment and scenic vistas, strengthens the Town's character and quality of life, and is sensitive to the specific geographic and community context."*

The Plan states that "a development scheme will be a professionally prepared document with text and accompanying maps ...". Plan Policies **RDSA-1** and **RDSA-2** lists the requirements (below) to be considered in preparing a Development Scheme. The Plan does not advocate that a Development Scheme and Development Regulations cannot be prepared simultaneously. This process has not come into question by Municipal Affairs in past.

Consequently, Council directed that a Development Regulations Amendment be prepared. In dealing with Residential Development Scheme Areas, (RDSA) it has been the past practice for the Town to incorporate the RDSA into the Amendment documents. That way, the RDSA forms art of the Regulations Amendment.

The area under consideration for Development Regulations Amendment No. 22 is also covered by the Environmental Overlay Map, Schedule F. It has been determined by the Town that there was no required change to the Environmental Overlay Map, and it does not form part of this proposed Amendment.

Following the Requirements of the *Urban and Rural Planning Act, 2000*, and the requirements of the Municipal Plan, Council gave public notice of the proposal with both the conceptual design and Development Regulations Amendment available for public review. Five (5) pieces of correspondence were received, and Council considered all comments and representations received. In reviewing the subdivision proposal, the Town did not identify any issues that would require a referral to any government department or agency.

The Amendment was adopted by Council on May 31, 2022, and then forwarded to Land Use Planning Division for Registration.

### **Municipal Plan Policy RDSA 1 and 2**

**Policy RDSA-1** Council shall require the submission of a comprehensive development scheme by a land development applicant prior to permitting development on lands designated Residential Development Scheme Area.

Development schemes shall contain:

- (a) An engineering evaluation of the capability of the site to accommodate on-site water and sewage services, including an assessment of soil, drainage and vegetation cover, and how on and off-site drainage is to be managed.
- (b) Street layout and linkages with existing or proposed streets surrounding the scheme area, including provisions for public walkways.
- (c) Proposed play areas, parks, open space and conservation areas as per the standards of Council and the requirements of the Urban and Rural Planning Act.
- (d) Compatibility with surrounding land uses with a focus on addressing adverse visual, noise or other impacts.
- (e) The proposed lot layout and proposed permitted, discretionary, accessory and prohibited uses within the subject area.
- (f) A phasing plan outlining the stages in which the development scheme will be developed and placed on the market.

**Policy RDSA-2** In addition to the requirements of Policy RDSA-1, it shall be the intent of Council to prioritize development schemes that contain the following:

- (a) Site design that is sensitively related to the natural features of the existing landscape, including topography, vegetation and scenic resources.
- (b) Retention and accentuation of points of visual interest.
- (c) Retention of natural vegetation and habitat where possible.  
Submission of a forest/vegetation management plan shall be considered an asset to the development scheme.
- (d) Land use policies and design approaches that follow the principles of sustainable community design, including criteria based on Leadership in Energy and Environmental Design (LEED) for Neighbourhood Development (LEED ND), Conservation Subdivision Design, New Urbanism, Smart Growth, Stewardship Communities, or other innovative sustainable development and design initiatives.

## **PUBLIC CONSULTATION**

During the preparation of this amendment Council undertook the following initiatives so that individuals and groups could provide input to the proposed Development Regulations Amendment. The Town Council of Portugal Cove-St. Philip's published a notice in *The Telegram* newspaper on May 7, 2022, advertising the proposed amendment seeking comments or representations from the public. The Town mailed a copy of the Public Notice to area residents within 200 metres of the proposed development, seeking comments. A copy of the Public Notice was posted on the Town's website and the draft amendment was placed on display at the Town Council office. Residents were invited to view the documents between May 7 and May 20, 2022, and to provide any comments or concerns in writing to Council by the May 20, 2022, deadline. Five written pieces of correspondence were received and considered by Council.

## **St. John's Urban Region Regional Plan**

The proposed Development Regulations Amendment No. 22, 2022 consists of map changes to the 2014-2024 Development Regulations Map and conforms to the St. John's Urban Region Regional Plan. It is concluded that no Regional Plan Amendment is required.

**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 22, 2022**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Town Council of Portugal Cove-St. Philip's adopts the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 22, 2022.

Adopted by the Town Council of Portugal Cove-St. Philip's on the 31<sup>st</sup> day of May, 2022.

Signed and sealed this 16 day of June, 2022.

**Mayor:** Carolyn S. Dale (Council Seal)

**Clerk:** Clare Murray



**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 22, 2022, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

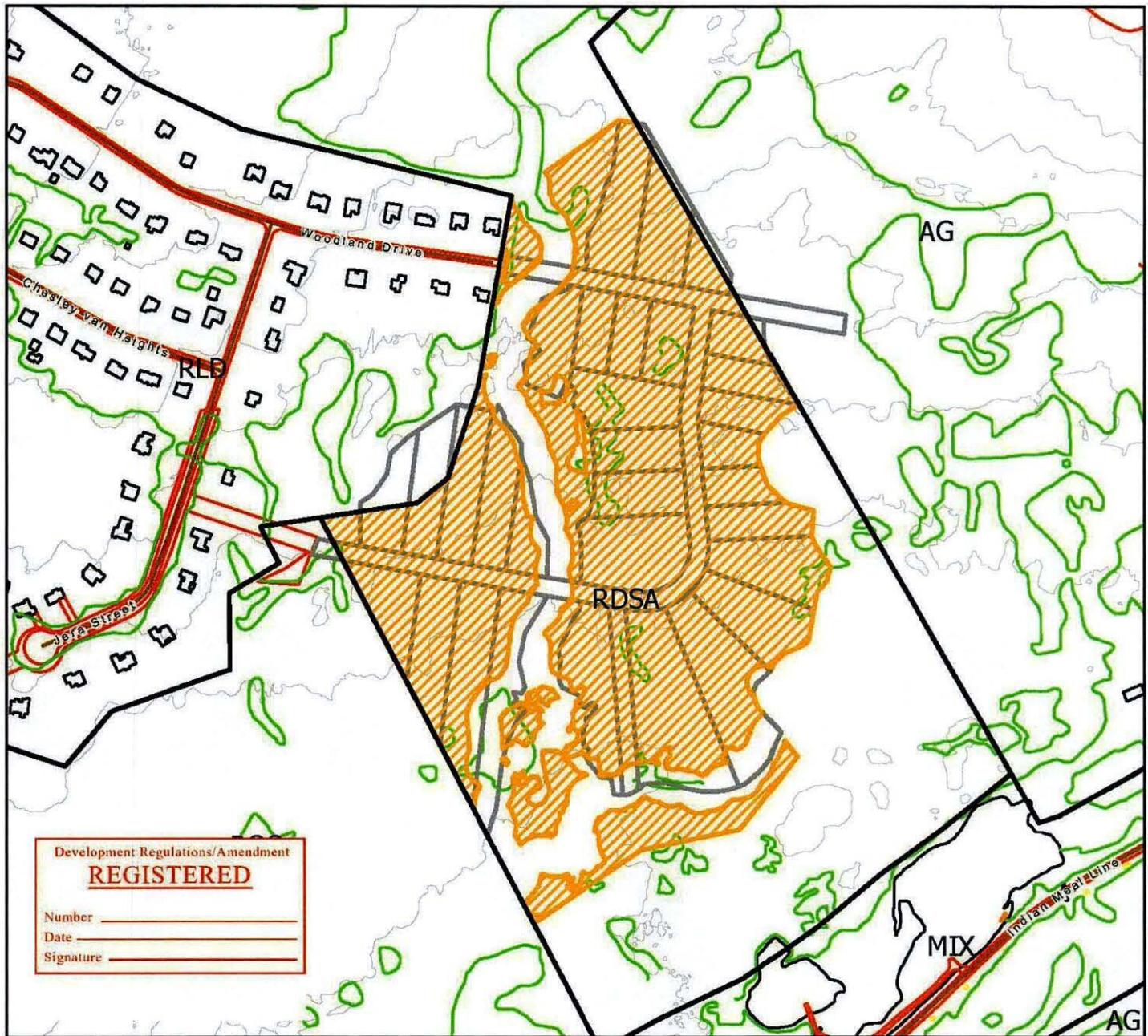
|                                   |                     |
|-----------------------------------|---------------------|
| Development Regulations/Amendment |                     |
| <b>REGISTERED</b>                 |                     |
| Number                            | 4000-2022-058       |
| Date                              | 22 Nov 2022         |
| Signature                         | <u>Jeff Anchard</u> |



## **DEVELOPMENT REGULATIONS AMENDMENT No. 22, 2022**

The Town of Portugal Cove-St. Philip's Development Regulations is amended by:

- A) *Changing* land from “**Residential Development Scheme Area (RSDA)**” to “**Residential Low Density (RLD)**” as shown on the attached copy of the Town of Portugal Cove-St. Philip's Development Regulations Map.**



TOWN OF PORTUGAL COVE-ST. PHILIP'S

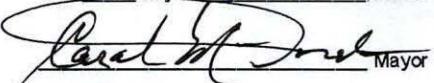
MUNICIPAL PLAN 2014-2024

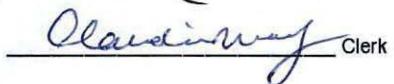
DEVELOPMENT REGULATIONS MAP

DEVELOPMENT REGULATIONS  
AMENDMENT NO. 22, 2022

Dated at Portugal Cove-St. Philip's, Newfoundland and Labrador

This 6 day of June, 2022.

 Mayor

 Clerk

 Area to be changed from "Residential Development Scheme Area" to "Residential Low Density"

Development Regulations/Amendment

**REGISTERED**

PLAN-TECH

Number 4000-2022-058

ENVIRONMENT

Date 22 Nov 2022

Signature 



Scale: 1:5,000

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 22, 2022 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.