

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976
AMENDMENT #5, 2019

Portugal Cove – St. Philip's:

Portugal Cove Road, and Neary's Pond Road

July 2019

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO APPROVE
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 5, 2019

Under the authority of section 16, 17 and 18 of the *Urban and Rural Planning Act 2000*, the Minister of Municipal Affairs and Environment

- a) adopted the St. John's Urban Region Regional Plan Amendment No. 5, 2019 on the 13th day of January, 2020;
- b) gave notice of the adoption of the St. John's Urban Region Regional Plan Amendment No. 5, 2019 by advertisement inserted on the 8th day of February, 2020 and on the 15th day of February 2020 in *The Telegram* newspaper; and
- c) set the 26th day of February 2020, at 7:00 pm, at Portugal Cove – St. Philip's Town Hall 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 Minister of Municipal Affairs and Environment hereby approves the St. John's Urban Region Regional Plan Amendment No. 5, 2019, as adopted on the 13th day of January 2020.


Minister of Municipal Affairs and Environment

Signed and sealed before me at St. John's, Newfoundland and Labrador

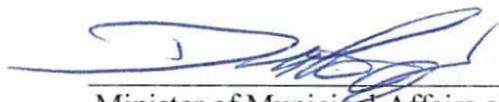
this 14 day of August, 2020.



Witness

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT 5, 2019

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Minister of Municipal Affairs and Environment hereby adopts St. John's Urban Region Regional Plan, 1976 Amendment No. 5, 2019.



Minister of Municipal Affairs and Environment

Signed and sealed before me at St. John's, Newfoundland and Labrador
this 13 day of JAN, 2019²⁰

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan, 1976 Amendment 5, 2019 was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976
AMENDMENT 5, 2019

BACKGROUND

The Town Council of Portugal Cove-St. Philip's (PCSP) is proposing an amendment to its Municipal Plan and Development Regulations. The *Urban and Rural Planning Act, 2000* (the "Act") sets out the process for amending a Plan and Development Regulations.

The St. John's Urban Region Regional Plan, 1976 ("the Regional Plan") sets out a framework for growth and development within the St. John's Urban Region. Amendments to Municipal Plans prepared by municipalities in the St. John's Urban Region must be consistent with the Regional Plan.

The Town's amendment to its Municipal Plan and Development Regulations is intended to allow for potential future residential subdivision development at civic numbers 93-101 and 119-123 Neary's Pond Road, and civic numbers 1557-1571C and 1573-1577A Portugal Cove Road. The land would be re-designated from "Agriculture" to "Residential" on the Future Land Use Map of its Municipal Plan. The same land would undergo a concurrent re-zoning amendment from "Agriculture" to "Residential Medium Density" on the Land Use Zoning Map of the Town's Development Regulations. These lands, totally approximately 808 acres (327 hectares), were previously captured within the St. John's Urban Region Agriculture Development Area ("ADA"), and were recommended for release during the ADA review that was completed and adopted by Government in 2013. Thus, the intent to see the lands transition from Agriculture to Urban Development goes back many years.

The subject property is within the regional servicing limit of the Regional Plan (i.e. below the 190-metre contour). Where piped municipal water and sewer services are available, they are utilized in development. Residential subdivision development that occurs with on-site servicing must conform to the Provincial "Groundwater Supply Assessment and Reporting guidelines for Subdivisions Serviced by Individual Private Wells".

Currently, the Regional Plan designates the proposed development area as "Rural". Residential subdivision development is directed to the "Urban Development" designation of the Regional Plan. To accommodate the proposal, the amendments are required to the municipal zoning, the municipal future land use designation, as well as the regional plan designation. In order to accommodate the proposed residential subdivision, the PCSP Town Council requested that the Regional Plan be amended so that the "Urban Development" designation is applied to the subject property.

The Minister was agreeable to the Town undertaking the amendment process, including public consultations, in consideration of the proposed change to the land use designation in the Regional Plan. The Regional Plan map amendment is to be processed simultaneously with the Town's amendments to the future land use designation map of the Municipal Plan and the land use zoning map of the Development Regulations.

PUBLIC CONSULTATION

The Town of Portugal Cove-St. Philip's arranged publication of notices soliciting comments on the proposed SJURRP Amendment No. 5, 2019 in the *Telegram* on the 24th day of August, 2019. The Town also uses its website and social media forums to post information about amendments, and invite comments or objections. Fourteen (14) written representations were received by the Town, citing concerns and objections for the unnecessary development of rural lands (a defining feature of PCSP), impact on the environment, and increased traffic.

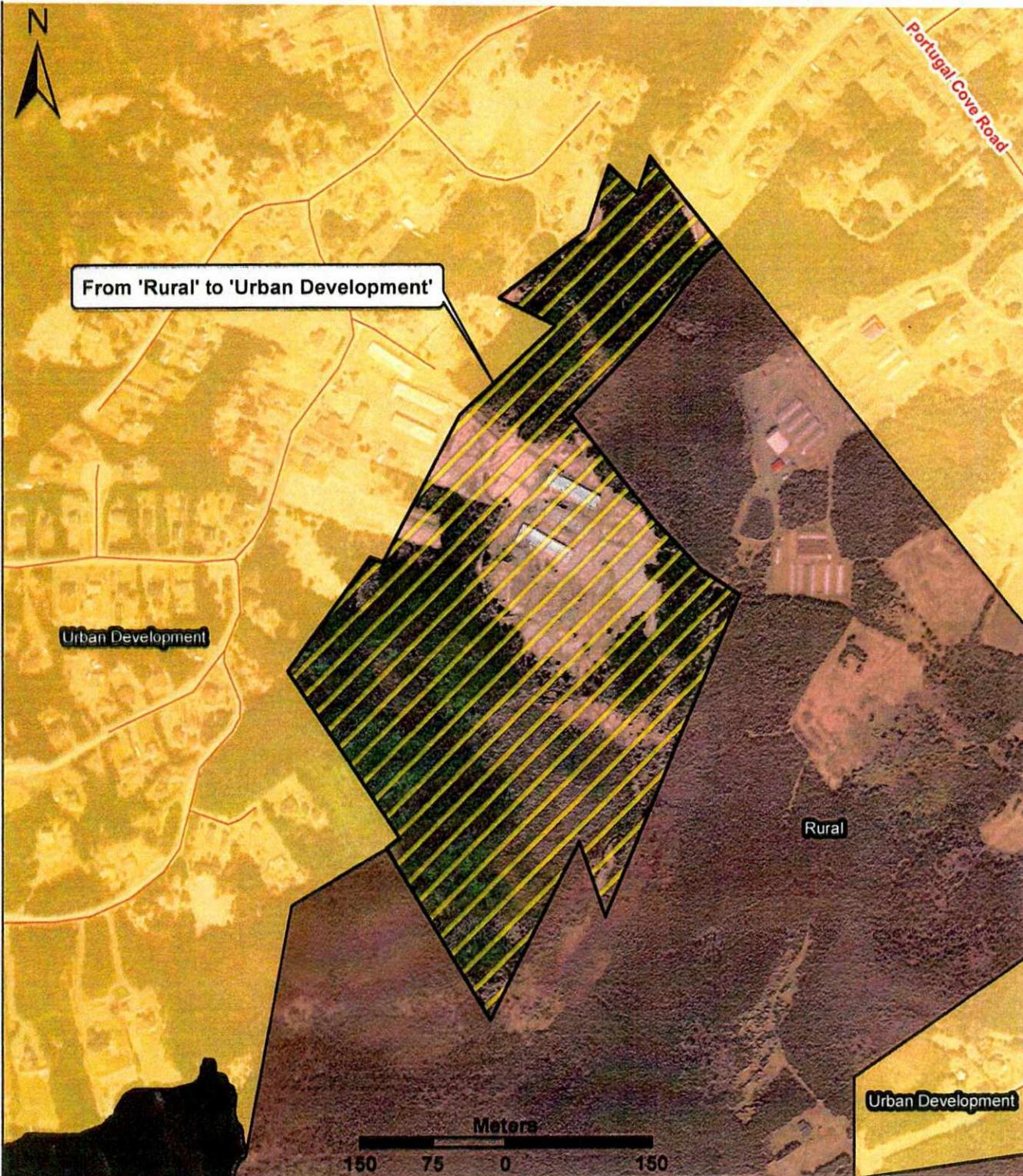
From a provincial interest perspective, the proposed amendment was referred to the Interdepartmental Land Use Committee for input and recommendations. The development could only proceed if compliant with the provincial requirements. The nature of the concerns are considered local in nature and within the development control purview of the municipal Council.

The Town also wrote to the other 14 municipalities that are subject to the St. John's Urban Region Regional Plan regarding its proposed amendment. Written responses were provided by the Towns of Conception Bay South and Torbay. There were no objections by any of the municipalities.

St. John's Region Regional Plan, 1976 Amendment No. 5, 2019

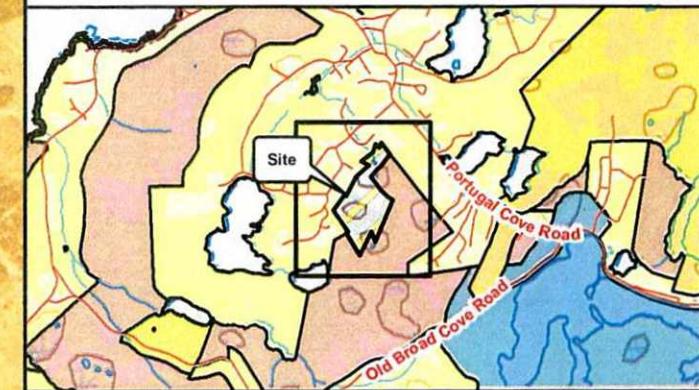
The St. John's Urban Region Regional Plan map is amended as follows:

- Proposed SJURRP re-designation from 'Rural' to 'Urban Development' to enable future residential development in the area of Neary's Pond Road/ Portugal Cove Road, as shown on the attached map.



St. John's Urban Region
Regional Plan Amendment No. 5, 2019
Portugal Cove - St Philip's MPA8 & DRA10

- From 'Rural' to 'Urban Development'
- Urban Development
- Rural



St. John's Urban Region Regional Plan Amendment
REGISTERED

Number SJUR - 2020 - 052

Date August 14, 2020

Signature

Signed this 14 day of August, 2020.

Minister of Municipal Affairs and Environment

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region
Regional Plan Amendment No. 5, 2019 has
been prepared in accordance with requirements
of the *Urban and Rural Planning Act, 2000*.

MCIP: Richard

