

**TOWN OF SOUTH RIVER
MUNICIPAL PLAN**

MUNICIPAL PLAN AMENDMENT No. 1, 2019

**URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF SOUTH RIVER MUNICIPAL PLAN
AMENDMENT No. 1, 2019**

Under the authority of section 16, section 17 and section 18 of the *Urban and Rural Planning Act 2000*, the Town Council of South River

- a) Adopted the South River Municipal Plan Amendment No. 1, 2019 on the 5th day of June 2019.
- b) Gave notice of the adoption of the South River Municipal Plan Amendment No. 1, 2019 by advertisement inserted on the 12th day and the 19th day of June 2019 in the Compass newspaper.
- c) Set the 27th day of June 2019 at 7:00 p.m. at the Town Hall, South River for the holding of a public hearing to consider objections and submissions.

Now under Section 23 of the *Urban and Rural Planning Act 2000*, the Town Council of South River approves the South River Municipal Plan Amendment No. 1, 2019 as adopted.

SIGNED AND SEALED this 9 day of July 2019

Mayor:

Scott F. Rose
Scott Rose

Clerk:

M. Dawson
Marjorie Dawson



**URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF SOUTH RIVER
MUNICIPAL PLAN AMENDMENT No. 1, 2019**

Under the authority of Section 16 of the *Urban and Rural Planning Act 2000*, the Town Council of South River adopts the South River Municipal Plan Amendment No. 1, 2019.

Adopted by the Town Council of South River on the 5th day of June 2019.

Signed and sealed this 9 day of July 2019.

Mayor:

Scott F. Rose
Scott Rose

Clerk:

M. Dawson
Marjorie Dawson



CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Municipal Plan Amendment No. 1, 2019 has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.

MCIP:

John D. Baird



Municipal Plan/Amendment	
REGISTERED	
Number	<u>4835-2019-002</u>
Date	<u>September 26, 2019</u>
Signature	<u>Mark Olney</u>

TOWN OF SOUTH RIVER
MUNICIPAL PLAN AMENDMENT No. 1, 2019

BACKGROUND

The Town of South River has received an application to amend its Municipal Plan to change the future land use designation of approximately 4.5 hectares of land on Salmon Cove Road from Mixed Development to Industrial. The applicant has proposed to develop a micro cultivation facility for the growing of cannabis. The proposed development will be a 200 square-metre (2,100 square feet) fully enclosed facility.

Subject to public comments on this proposal, Council is prepared to approve the application as a standalone development. The corresponding Development Regulations amendment will include a definition for a cannabis cultivation facility so that it is clearly differentiated from any general definition for an industrial or agricultural use. Any future expansion of a cannabis facility will require a new application for Council's consideration.

The proposal aligns with the Town's main economic development goal stated in Section 3.2 of the Municipal Plan - *"Encourage diversified and balanced economic development that fosters employment opportunities, promotes a high quality of life, contributes financially to the municipality, and protects the environment."* The proposal also aligns with several objectives outlined in Section 3.2. The proponent has estimated that the project will create up to 25 jobs.

The area to be rezoned is comprised of a single property owned by one of the project proponents. The only developed land use on the property is a construction yard and industrial building operated by Salmon Cove Excavating Ltd. The proposal is to redevelop this building as the cannabis cultivation facility. It will be fully enclosed and secured to meet the regulatory requirements of Health Canada.

The diagram below shows the location of the proposed facility in relation to existing developed land uses. The two nearest residential dwellings are located 130 and 140 metres respectively from the facility and 70 and 80 metres respectively from the proposed rezoning boundary. There is also a partially developed residential subdivision west of the site. The nearest existing home in the subdivision lies approximately 300 metres from the proposed cannabis facility and 130 metres from the rezoning boundary.

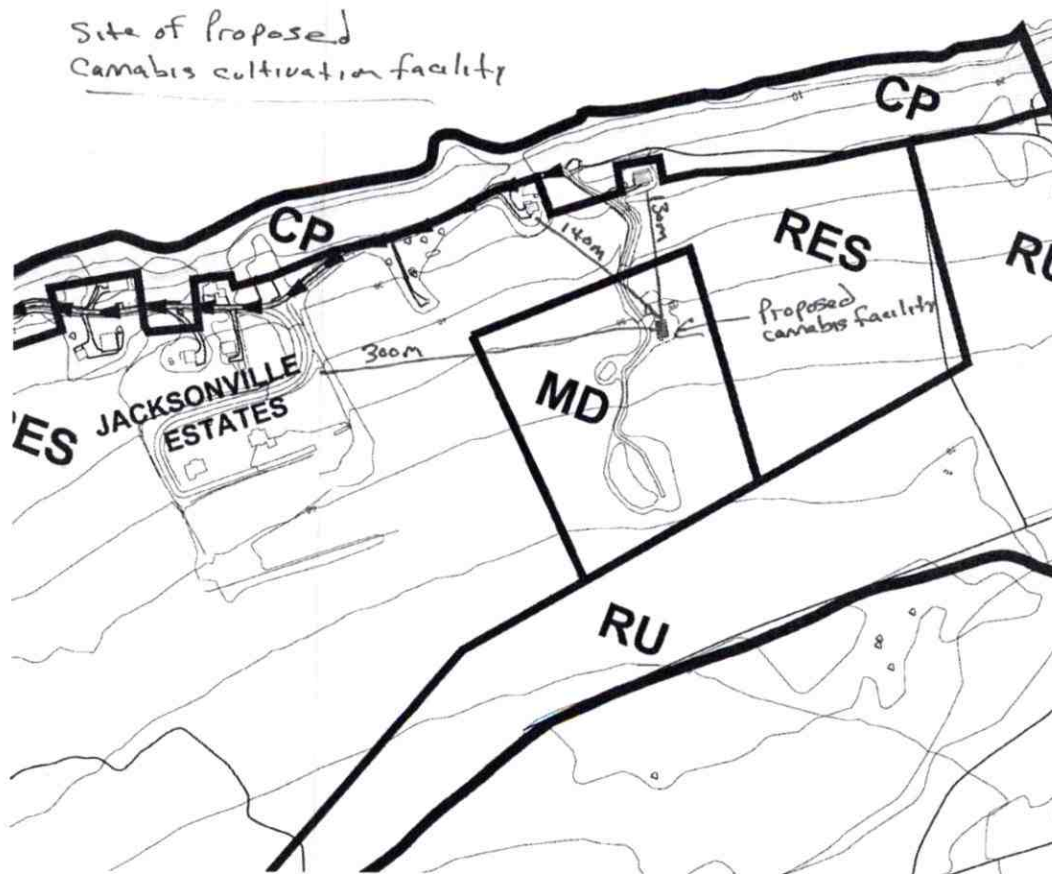
Section 5.6 of the Municipal Plan contains land use policies related to industrial development in South River. Section 5.6.3 states that new industrial development will be permitted *"to the extent that it will not unreasonably affect nearby residential areas with respect to noise, dust, glare, vibration, smell, traffic, pollution, and related factors."* Furthermore, it states that *"Council may impose conditions to require industrial uses to maintain an attractive appearance and minimize undesirable impacts on nearby residential areas."* Council fully intends to use its authority under the Municipal Plan to ensure that the development proceeds in a way that is compatible with existing and future residential development. It will also cooperate with Health Canada and other authorities to ensure the development meets all other regulatory requirements.

The slope over the entire rezoning area ranges from 11.5% to 14.0%. In response to a request from Municipal Affairs, the Geological Survey provided the following opinion on the geological stability of the site to accommodate new development:

"Land in the vicinity of Salmon Cove Road includes till and bedrock concealed by vegetation. Till is sediment deposited by or from glacier ice and is composed of a range of sizes of loosely arranged sediment. Slopes consisting of till are susceptible to slope movement, in particular landslides. As the till in the Salmon Cove Road area is thin, less than 1 meter, and the angle of the slope is moderate, the risk to slope movement is considered moderate.

As with any development, to reduce the risk level to landscape change, disturbances to the natural terrain should be minimized, inclusive of the removal of vegetation, the steepening of slope or the introduction of additional water."

The proponent has indicated water needs for the facility will be sourced on-site. Council will require the company to provide adequate information to assess possible water related impacts such as high runoff and soil erosion. If necessary, conditions will be imposed to address possible negative impacts.



PUBLIC CONSULTATION

Public consultation for the proposed amendment included public notice through various means as well as a public information session at the Town Hall on April 2, 2019 from 2:00–4:00 PM and 7:00-9:00 PM. Public notice was posted as follows:

- (1) In the Compass newspaper on March 27, 2019 (see attached)
- (2) On the Town's Facebook page beginning on March 19 (see attached).
- (3) On the Town's website beginning on March 19.
- (4) On bulletin boards beginning on March 19 in the following locations: Town Hall, Marshall's Store, Ultramar, and Baccalieu Trail Pharmacy (see attached)
- (5) Through emails sent to residents on Council's email list.

In addition the Compass newspaper published two news articles (see attached). The first article was published on March 27 and the other on April 3.

Written comments received by Council are attached along with a public consultation report summarizing input received.

Notes taken by Town Clerk at the public information session are attached.

MUNICIPAL PLAN AMENDMENT No. 1, 2019

1. Section 5.6.2

Paragraph (4) is changed to add "cannabis cultivation facility" as a discretionary use as follows:

DELETE THE FOLLOWING:

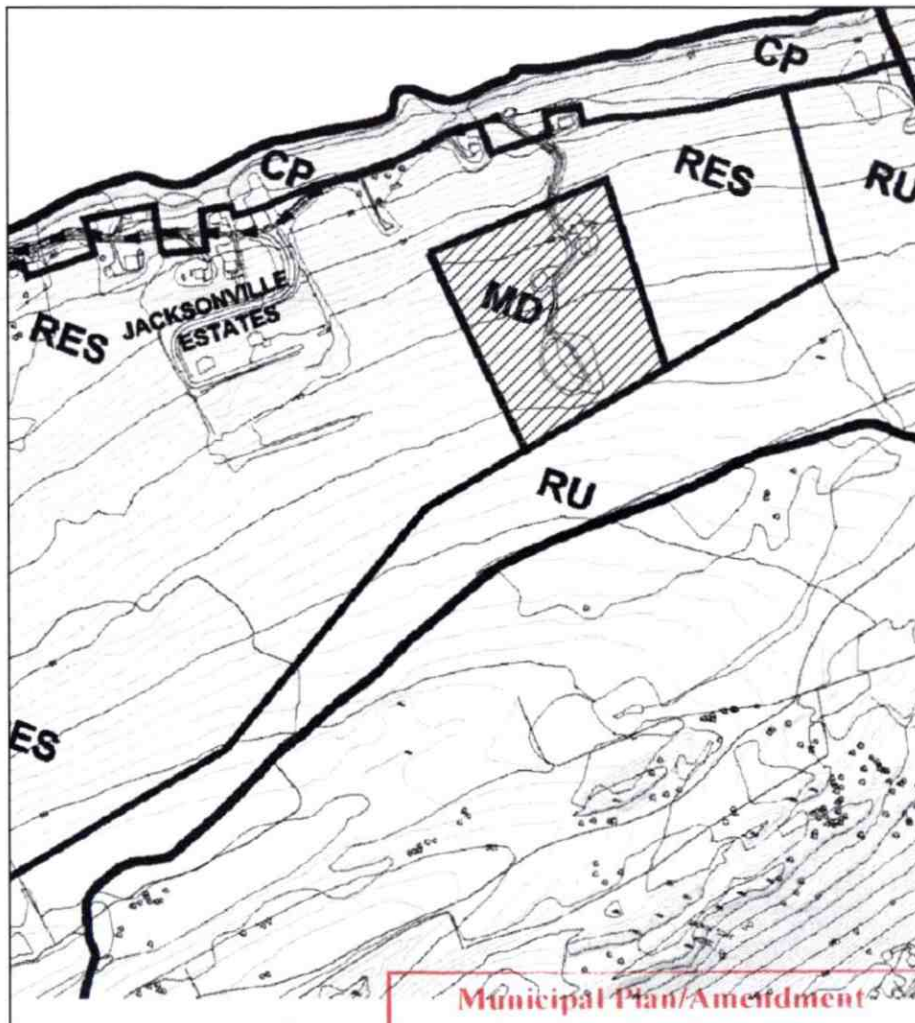
"(4) Other uses that may be permitted at Council's discretion include mineral working, mineral exploration, and transportation uses."

AND REPLACE WITH THE FOLLOWING:

"(4) Other uses that may be permitted at Council's discretion include mineral working, mineral exploration, transportation uses, and cannabis cultivation facilities."

2. On Land Use Zoning Maps 1 and 3

REDESIGNATE approximately 4.5 hectares of land in the vicinity of Salmon Cove Road from Mixed Development to Industrial as shown on the following page.



Municipal Plan/Amendment
REGISTERED

Dated: April 5-2019

Number 4835-2019-002
 Date September 26, 2019
 Signature Mary O'Leary

Town of South River
 Municipal Plan 2017-2027
 Future Land Use Maps 1 and 3
 Amendment No. 1, 2019

 From: Mixed Development
 To: Industrial

Dated at the Town of South River, Newfoundland and Labrador
 This 5 day of July, 2019

Scott F. Rose
 Scott Rose, Mayor

M. Dawson
 Marjorie Dawson, Town Clerk



I certify that this Amendment No.1, 2019,
 has been prepared in accordance with the requirements of the
 Urban and Rural Planning Act, 2000.

John Baird
 John Baird, MCIP