



PUBLIC HEARING

Municipal Plan Amendment No. 7, 2018, Development Regulations Amendment No. 8, 2018, and St. John's Urban Region Regional Plan Amendment No. 4, 2019

The Town of Portugal Cove-St. Philip's has adopted Municipal Plan Amendment No. 7, 2018 and Development Regulations Amendment No. 8, 2018. The Minister of Municipal Affairs and Environment has adopted St. John's Urban Region Regional Plan Amendment No. 4, 2019.

A Public Hearing to consider objections and representations on the above noted Amendments will be held at 7:00 p.m. on the 2 day of March, 2020, at the Portugal Cove-St. Town Hall, 1119 Thorburn Road.

The purpose of Municipal Plan Amendment No. 7, 2018 and Development Regulations Amendment No. 8, 2018, is to re-designate and rezone an area of land in the area of Civics 432, 450-452, 460-466 and 478C Old Broad Cove Road and Civic 34 Johnathan Heights to allow for potential future residential subdivision development.

St. John's Urban Region Regional Plan Amendment No. 4, 2019, will re-designate the same land as described in Municipal Plan Amendment No. 7, 2018, and Development Regulations Amendment No. 8, 2018, from **Rural to Urban Development**

Anyone wishing to make an objection or representation at the Public Hearing shall deposit with the Town Clerk of Portugal Cove-St. Philip's, two copies of a signed written statement outlining the objection or representation by 3:00 p.m. on the 28 day of February, 2020. **If no written objection or representation with respect to the Portugal Cove-St. Philip's Municipal Plan Amendment No. 7, 2018, and Development Regulations Amendment No. 8, 2018 are received within the time indicated; the Public Hearing will be cancelled.**

Council encourages residents to view Portugal Cove-St. Philip's Municipal Plan Amendment No. 7, 2018, and Development Regulations Amendment No. 8, 2018 and the St. John's Urban Region Regional Plan Amendment No. 4, 2019. A copy of the Amendments can be viewed at the Town Office during normal working hours or on the Town's Website at www.pcsp.ca.

For more information please contact:

Planning and Development Department
Town of Portugal Cove-St. Philip's
1119 Thorburn Road
Portugal Cove-St. Philip's, NL
A1M 1T6

Tel: 895-8000 Fax: 895-3780
E-mail: planning@pcsp.ca

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976
AMENDMENT #4, 2019

Portugal Cove – St. Philip's:
Old Broad Cove Road/ Jonathan Heights

October 2019

URBAN AND RURAL PLANNING ACT, 2000
RESOLUTION TO ADOPT
ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT 4, 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. 4, 2019.


Minister of Municipal Affairs and Environment

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

this 11 day of February, 2020

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan, 1976 Amendment 4, 2019 was prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 4, 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. 4, 2019 on the 11th day of February, 2020;
- b) gave notice of the adoption of the St. John's Urban Region Regional Plan Amendment No. 4, 2019 by advertisement inserted on the ___ day of _____, 20__ in *The Telegram* newspaper, and on the ___ day of _____, 20__ in *The Telegram* newspaper; and
- c) set the ___ day of _____, 20__, at _____ pm, at _____ 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. 4, 2019, as adopted on the 11th day of February, 2020.

Minister of Municipal Affairs and Environment

Signed and sealed before me at St. John's, Newfoundland and Labrador
this ___ day of _____, 20__.

Witness

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976
AMENDMENT 4, 2019

BACKGROUND

The Town Council of Portugal Cove-St. Philip's (PCSP) is proposing two amendments 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 432, 450-452, 460-466, and 478C Old Broad Cove Road, and civic number 34 Jonathan Heights.

The subject property was formerly located in the provincial Agriculture Development Area (ADA) and designated Agriculture by the Regional Plan. Subsequent to the Felix Collins commission, lands were released from the ADA, and Regional Plan policy directives defer to the "Rural" designation.

Since the proposed development area is currently subject to the "Rural" designation, and residential subdivision development is directed to the "Urban Development" designation of the Regional Plan, an amendment is required. To accommodate the proposal, amendments are required to alter 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 land would be re-designated from the "Agricultural" designation to the "Residential" designation on the Town's Future Land Use designation map of its Municipal Plan. Corresponding changes on the Land Use Zoning Map of the Town's Development Regulations would re-zone from "Agricultural (AG)" to "Residential Low Density (RLD)".

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".

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. 4, 2019 in the *Telegram* on the 4th day of May, 2019. The Town also uses its website and social media forums to post information about amendments, and invite comments or objections. Five (5) 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.

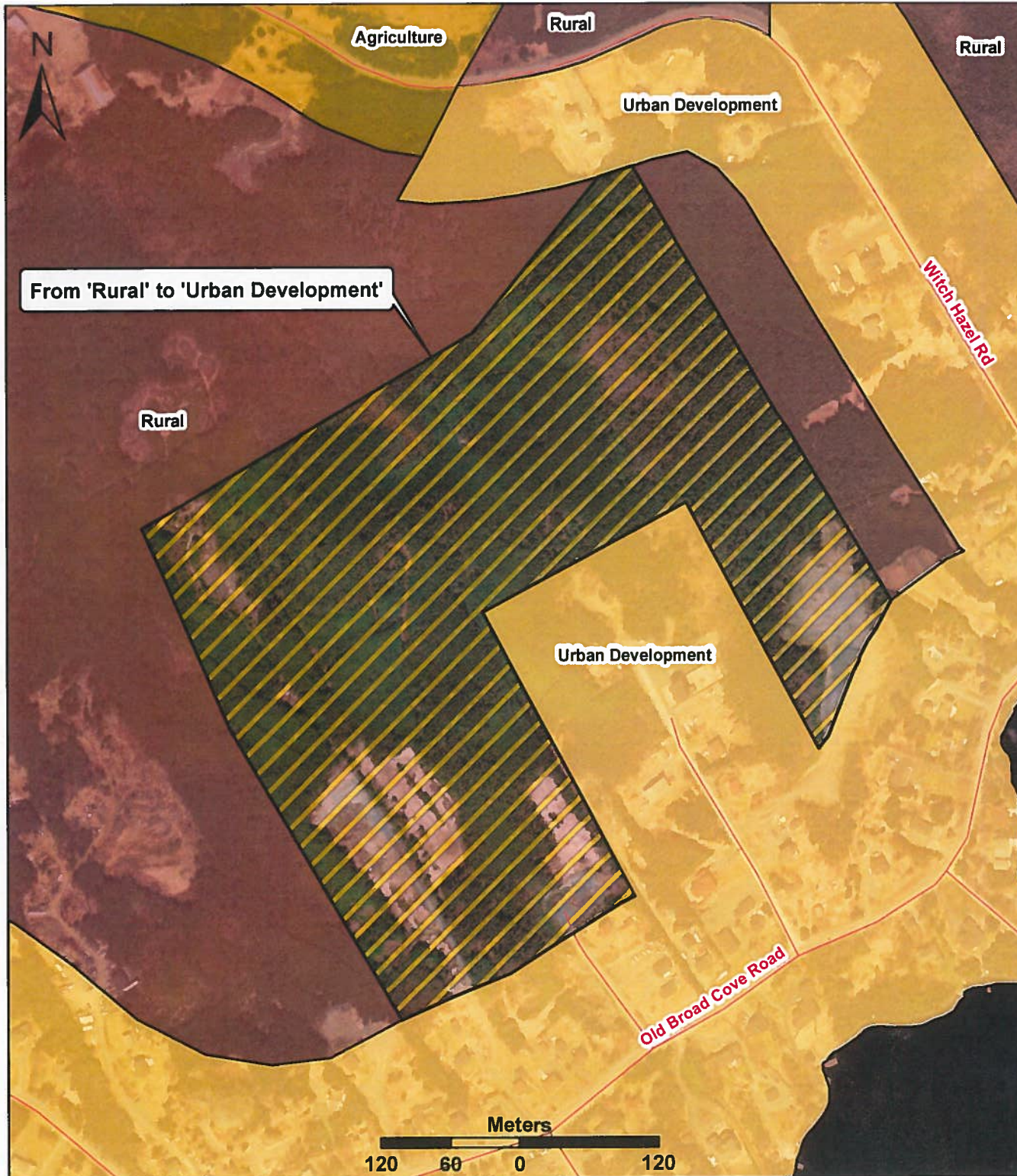
From a provincial interest perspective, the proposed amendment was referred to the Interdepartmental Land Use Committee (ILUC) for input and recommendations. The development could only proceed if compliant with the provincial requirements. In response to issues raised through the provincial referrals process via the ILUC project evaluation, adjustments were made to the proposed amendment to redefine the boundary of the amendment area to mitigate future land use conflict with existing Agriculture leases. 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, Torbay, Flatrock, Logy Bay-Middle Cove-Outer Cove, and the City of St. John's. There were no objections by any of the municipalities.

St. John's Region Regional Plan, 1976 Amendment No. 4, 2019

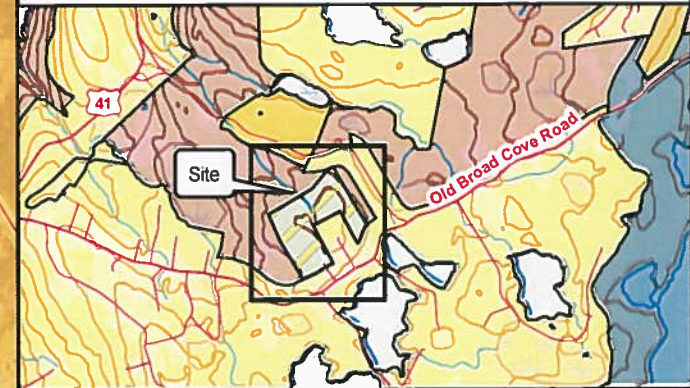
The St. John's Urban Region Regional Plan map is amended as follows:

- Proposed SJURRP re-designation from 'Rural' to 'Urban Development' to enable future residential development in the area of Old Broad Cove Road/ Jonathan Heights, as shown on the attached map.



St. John's Urban Region Regional Plan Amendment No. 4, 2019 Portugal Cove - St Philip's MPA7 & DRA8

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



St. John's Urban Region Regional Plan Amendment
REGISTERED

Number _____

Date _____

Signature _____

Signed this ____ day of _____, 20 ____.

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. 4, 2019 has
been prepared in accordance with requirements
of the Urban and Rural Planning Act, 2000.

MCIP: _____



The Town of Portugal Cove – St. Philip's

MUNICIPAL PLAN 2014-2024



Portugal Cove St. Philip's

MUNICIPAL PLAN AMENDMENTS

No. 7, 2018

AMENDMENTS TO:

GENERALIZED FUTURE LAND USE MAP(S)

October 2019

**LYDIA LEWYCKY, MCIP, CSLA
PLANNING & DESIGN**

URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF PORTUGAL COVE - ST. PHILIP'S
MUNICIPAL PLAN AMENDMENT

No. 7, 2018

Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Portugal Cove - St. Philip's:

- a) Adopted the Portugal Cove - St. Philip's Municipal Plan Amendment No. 7, 2018 on the ____ day of _____, 2019.
- b) Gave notice of the adoption of the Town of Portugal Cove - St. Philip's Municipal Plan Amendment No. 7, 2018 by advertisement inserted on the ____ day and the day of _____, 2019 in *The Telegram* newspaper.
- c) Set the ____ day of _____, 2019 at ____ p.m. at the Town Hall, Portugal Cove - St. Philip's 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 Portugal Cove - St. Philip's approved the Town of Portugal Cove - St. Philip's Municipal Plan Amendment No. 7, 2018 as adopted (or as amended).

SIGNED AND SEALED this ____ day of _____, 2019

Mayor: _____

(Council Seal)

Clerk: _____

URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF PORTUGAL COVE - ST. PHILIP'S
MUNICIPAL PLAN AMENDMENT

No. 7, 2018

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 Municipal Plan Amendment No. 7, 2018.

Adopted by the Town Council of Portugal Cove - St. Philip's on the _____ day of _____, 2019.

Signed and sealed this _____ day of _____, 2019.

Mayor: _____

(Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Portugal Cove - St. Philip's Municipal Plan Amendment No. 7, 2018, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP: _____

Lydia M. Lewycky, MCIP, CSLA



Town of Portugal Cove – St. Philip's
Municipal Plan 2014-2024 Amendments
Generalized Future Land Use Map
No. 7, 2018

Background

The Town Council of Portugal Cove - St. Philip's proposes to amend its Municipal Plan 2014-2024 by changing the land use designation of specific parcels of land. The purpose of the proposed amendment is to allow a potential future development of a residential subdivision. The intent of the proposed amendment is to re-designate properties located at civic #432, #450-452, #460-466, and #478C Old Broad Cove Road and civic #34 Jonathan Heights from Agricultural to Residential on the Generalized Future Land Use Map. The proposed amendment will adjust the Generalized Future Land Use Map(s) as follows:

- re-designate land currently designated as Agricultural (AG) to Residential (RES)

Interdepartmental Land Use Committee (ILUC)

This Amendment has been reviewed by the Interdepartmental Land Use Committee (ILUC) and received Conditional Approval on August 28, 2019 as per the ILUC Project 1741 Report. The ILUC report (Agricultural Lands Section) recommends that *"the proposed boundary be redefined to allow more separation between the proposed Residential use and Agricultural Leases in the immediate vicinity in order to mitigate future land use conflict."* The adjusted boundary is shown on the Future Land Use Map.

The ILUC comments received are more related to development conditions and are better addressed as part of a Development Permit and do not form part of this Amendment. However, the ILUC Project 1741 – Report recommends *"that traditional agriculture practice be accommodated where possible."* ILUC also recommends that any unserved subdivisions conform to the *"Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Served by Individual Private Wells."*

St. John's Urban Region Regional Plan, 1976

The proposed Municipal Plan 2014-2024 Amendment No. 7, 2018 requires amendments to the Generalized Future Land Use Map that re-designates land uses.

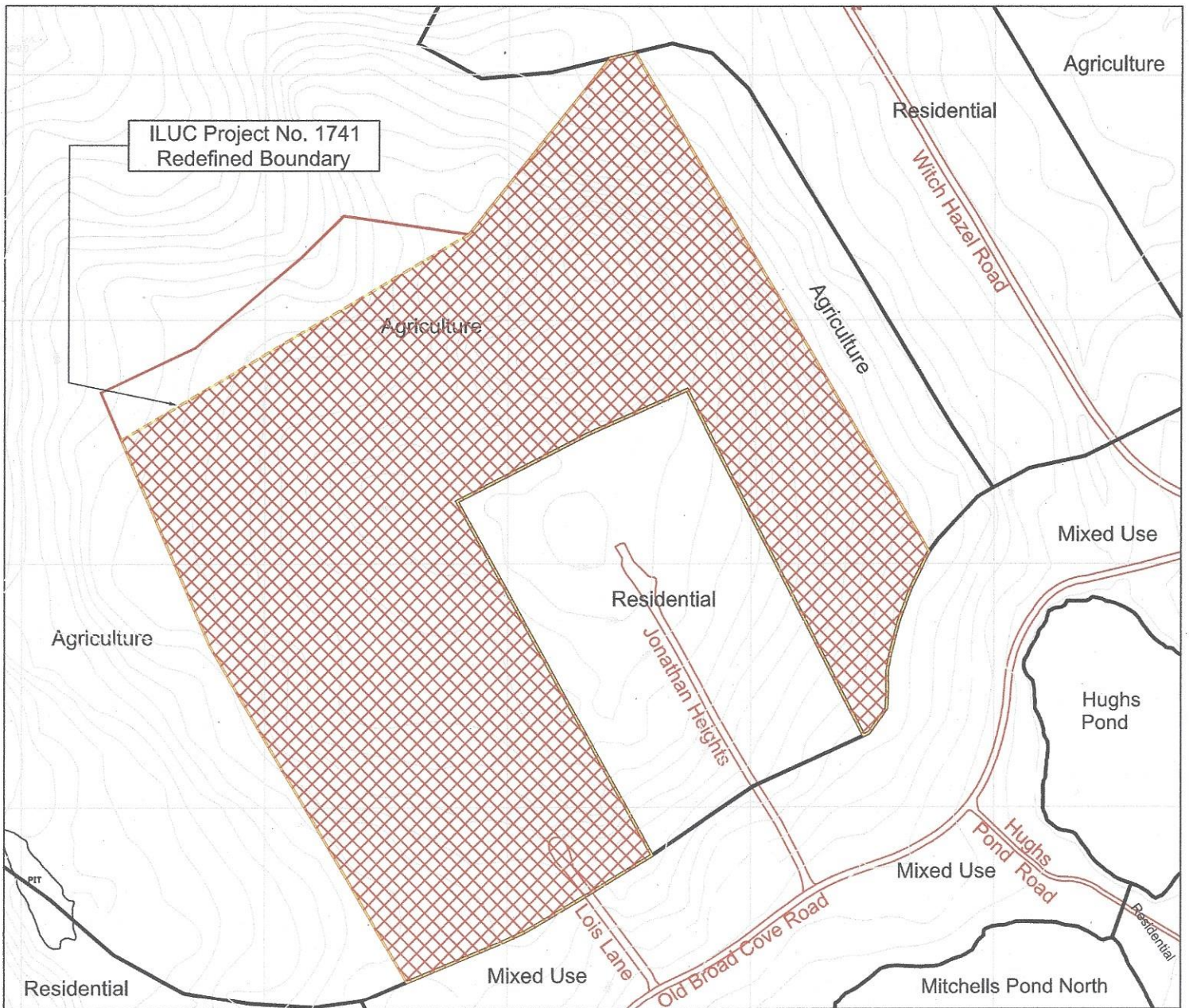
Currently, the St. John's Urban Region Regional Plan indicates lands affected by this re-designation are designated Rural. It is determined that an amendment to the St. John's Urban

Region Regional Plan is required in order to bring the proposed Municipal Plan Amendment No.7, 2018 into conformity with the Regional Plan.

Municipal Plan Amendment No. 7, 2018

The Town of Portugal Cove - St. Philip's Municipal Plan 2014-2024 is amended by:

- a) Re-designating the highlighted areas of AG land use to RES land use, as illustrated on the attached section of the Town of Portugal Cove - St. Philip's Generalized Future Land Use Map.



**TOWN OF PORTUGAL COVE- ST. PHILIP'S
MUNICIPAL PLAN 2014-2024
FUTURE LAND USE MAP**

**MUNICIPAL PLAN
AMENDMENT No. 7, 2018**

Dated at Portugal Cove-St. Philip's

This _____ Day of _____ 2019

Mayor

Clerk



Area to be changed from "Agriculture"
to "Residential "

50 0 100 200

Bar Scale



Seal



I certify that the attached Town of Portugal Cove - St. Philip's Municipal Plan Amendment No. 7, 2018, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.

The Town of Portugal Cove – St. Philip's
DEVELOPMENT REGULATIONS 2014-2024



DEVELOPMENT REGULATIONS AMENDMENTS

No. 8, 2018

AMENDMENTS TO:
DEVELOPMENT REGULATIONS MAP

October 2019

LYDIA LEWYCKY, MCIP, CSLA
PLANNING & DESIGN

URBAN AND RURAL PLANNING ACT
RESOLUTION TO APPROVE
TOWN OF PORTUGAL COVE - ST. PHILIP'S
DEVELOPMENT REGULATIONS

No. 8, 2018

Under the authority of Section 16, Section 17 and Section 18 of the *Urban and Rural Planning Act, 2000*, the Town Council of Portugal Cove - St. Philip's:

- a) Adopted the Portugal Cove-St. Philip's Development Regulations Amendment No. 8, 2018 on the ____ day of _____, 2019.
- b) Gave notice of the adoption of the Town of Portugal Cove - St. Philip's Development Regulations Amendment No. 8, 2018 by advertisement inserted on the ____ day and the ____ day of _____, 2019 in *The Telegram* newspaper.
- c) Set the ____ day of _____, 2019 at ____ p.m. at the Town Hall, Portugal Cove - St. Philip's 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 Portugal Cove - St. Philip's approved the Town of Portugal Cove - St. Philip's Development Regulations Amendment No. 8, 2018 as adopted (or as amended).

SIGNED AND SEALED this ____ day of _____, 2019

Mayor: _____

(Council Seal)

Clerk: _____

URBAN AND RURAL PLANNING ACT
RESOLUTION TO ADOPT
TOWN OF PORTUGAL COVE - ST. PHILIP'S
DEVELOPMENT REGULATIONS AMENDMENT

No. 8, 2018

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. 8, 2018.

Adopted by the Town Council of Portugal Cove - St. Philip's on the _____ day of _____, 2019.

Signed and sealed this _____ day of _____, 2019.

Mayor: _____

(Council Seal)

Clerk: _____

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Portugal Cove - St. Philip's Development Regulations Amendment No. 8, 2018, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.

MCIP: _____

Lydia M. Lewycky, MCIP, CSLA



Town of Portugal Cove – St. Philip's

Development Regulations 2014-2024

Development Regulations Map

Amendment No. 8, 2018

Background

The Town Council of Portugal Cove - St. Philip's proposes to amend its Development Regulations 2014-2024 by changing the land use zoning of specific parcels of land. The purpose of the proposed amendment is to allow a potential future development of a residential subdivision. The intent of the proposed amendment is to re-zone properties located at civic #432, #450-452, #460-466, and #478C Old Broad Cove Road and civic #34 Jonathan Heights from Agricultural (AG) to Residential Low Density (RLD) on the Development Regulations Map(s). The proposed amendment will adjust the Development Regulations Map(s) as follows:

- re-zone land currently zoned as Agricultural (AG) to Residential Low Density (RLD)

Interdepartmental Land Use Committee (ILUC)

This Amendment has been reviewed by the Interdepartmental Land Use Committee (ILUC) and received Conditional Approval on August 28, 2019 as per the ILUC Project 1741 Report. The ILUC report (Agricultural Lands Section) recommends that *"the proposed boundary be redefined to allow more separation between the proposed Residential use and Agricultural Leases in the immediate vicinity in order to mitigate future land use conflict."* The adjusted boundary is shown on the Development Regulations Map.

The ILUC comments received are more related to development conditions and are better addressed as part of a Development Permit and do not form part of this Amendment. However, the ILUC Project 1741 – Report recommends *"that traditional agriculture practice be accommodated where possible."* ILUC also recommends that any unserviced subdivisions conform to the *"Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells."*

St. John's Urban Region Regional Plan, 1976

The proposed Development Regulations 2014-2024 Amendment No. 8, 2018 requires amendments to the Development Regulations Map that re-zones land uses.

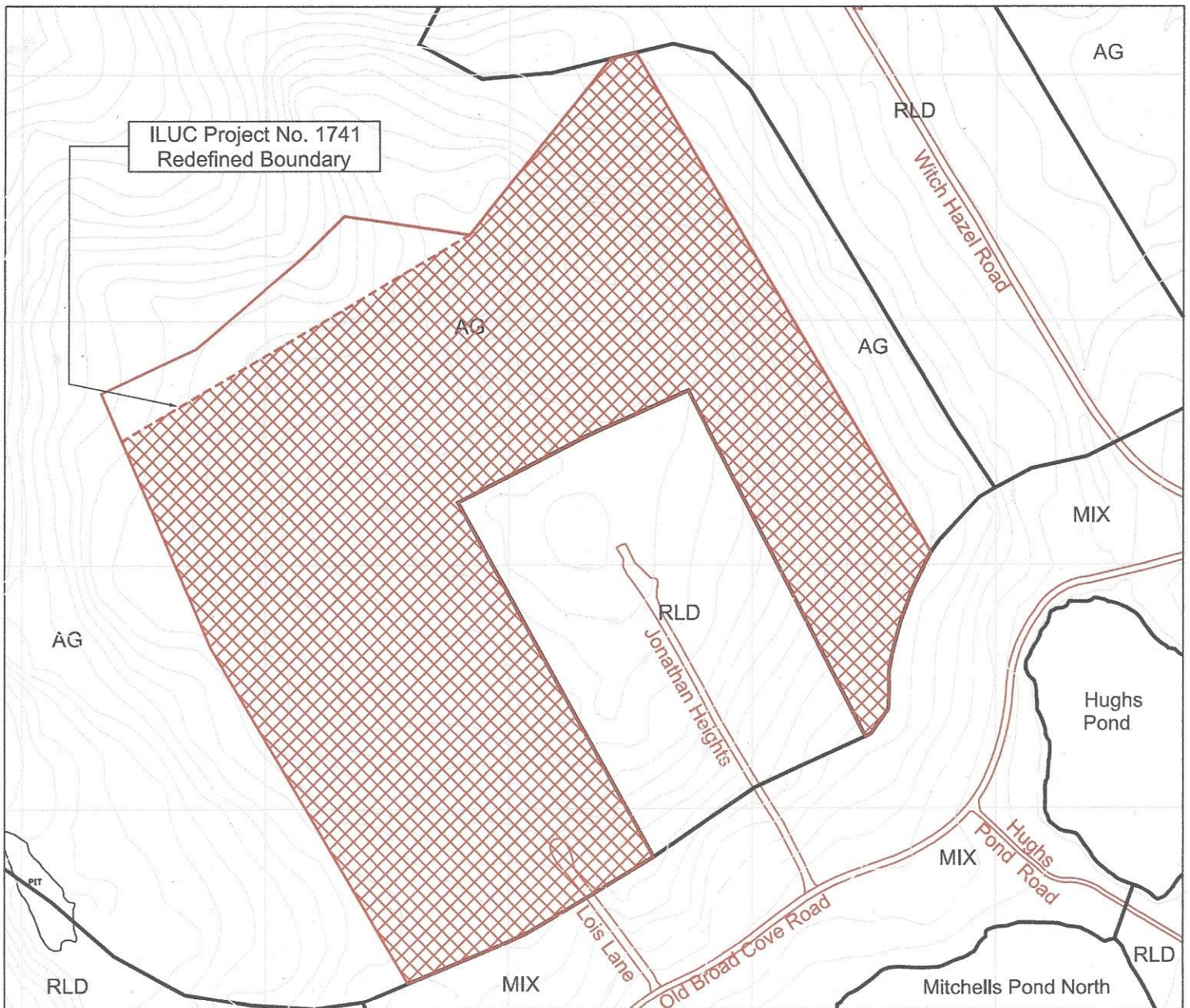
Currently, the St. John's Urban Region Regional Plan indicates lands affected by this re-zoning are designated Rural. It is determined that an amendment to the St. John's Urban Region

Regional is required in order to bring the proposed Development Regulations Amendment No. 8, 2018 into conformity with the Regional Plan.

Development Regulations Amendment No. 8, 2018

The Town of Portugal Cove - St. Philip's Development Regulations 2014-2024 is amended by:

- a) Re-zoning the highlighted areas of AG land use to RLD land use, as illustrated on the attached section 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. 8, 2018**

Dated at Portugal Cove-St. Philip's

This _____ Day of _____ 2019

Mayor

Clerk



Area to be changed from "Agriculture" (AG)
to "Residential Low Density" (RLD)

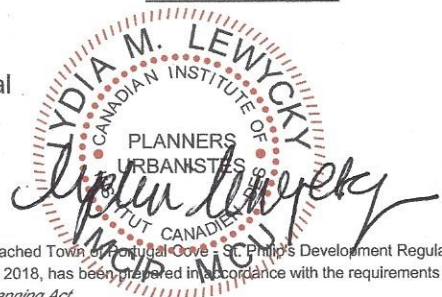


Bar Scale



Grid North

Seal



I certify that the attached Town of Portugal Cove - St. Philip's Development Regulations Amendment No. 8, 2018, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.