



## PUBLIC HEARING

### **Municipal Plan Amendment No. 8, 2019, Development Regulations Amendment No. 10, 2019, and St. John's Urban Region Regional Plan Amendment No. 5, 2019**

The Town of Portugal Cove-St. Philip's has adopted Municipal Plan Amendment No. 8, 2019 and Development Regulations Amendment No. 10, 2019. The Minister of Municipal Affairs and Environment has adopted St. John's Urban Region Regional Plan Amendment No. 5, 2019.

A Public Hearing to consider objections and representations on the above noted Amendments will be held at 7:00 p.m. on the 26 day of February, 2020, at the Portugal Cove-St. Philip's Town Hall, 1119 Thorburn Road.

The purpose of Municipal Plan Amendment No. 8, 2019 and Development Regulations Amendment No. 10, 2019, is to re-designate and rezone an area of land in the area of Civics 93-101 and 119-123 Nearys Pond Road and Civics 1557-1571C and 1573-1577A Portugal Cove Road to allow for potential future residential subdivision(s) development.

St. John's Urban Region Regional Plan Amendment No. 5, 2019, will re-designate the same land as described in Municipal Plan Amendment No. 8, 2019, and Development Regulations Amendment No. 10, 2019, 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 24 day of February, 2020. **If no written objection or representation with respect to the Portugal Cove-St. Philip's Municipal Plan Amendment No. 8, 2019, and Development Regulations Amendment No. 10, 2019 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. 8, 2019, and Development Regulations Amendment No. 10, 2019 and the St. John's Urban Region Regional Plan Amendment No. 5, 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](http://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](mailto:planning@pcsp.ca)

**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 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, 2019~~19~~<sup>20</sup>

**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*.



**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 \_\_\_<sup>th</sup> day of \_\_\_\_\_, 20\_\_;
- b) gave notice of the adoption of the St. John's Urban Region Regional Plan Amendment No. 5, 2019 by advertisement inserted on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 20\_\_ in *The Telegram* newspaper, and on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 20\_\_ in *The Telegram* newspaper; and
- c) set the \_\_\_<sup>th</sup> 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. 5, 2019, as adopted on the \_\_\_<sup>th</sup> day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
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 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 24<sup>th</sup> 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.

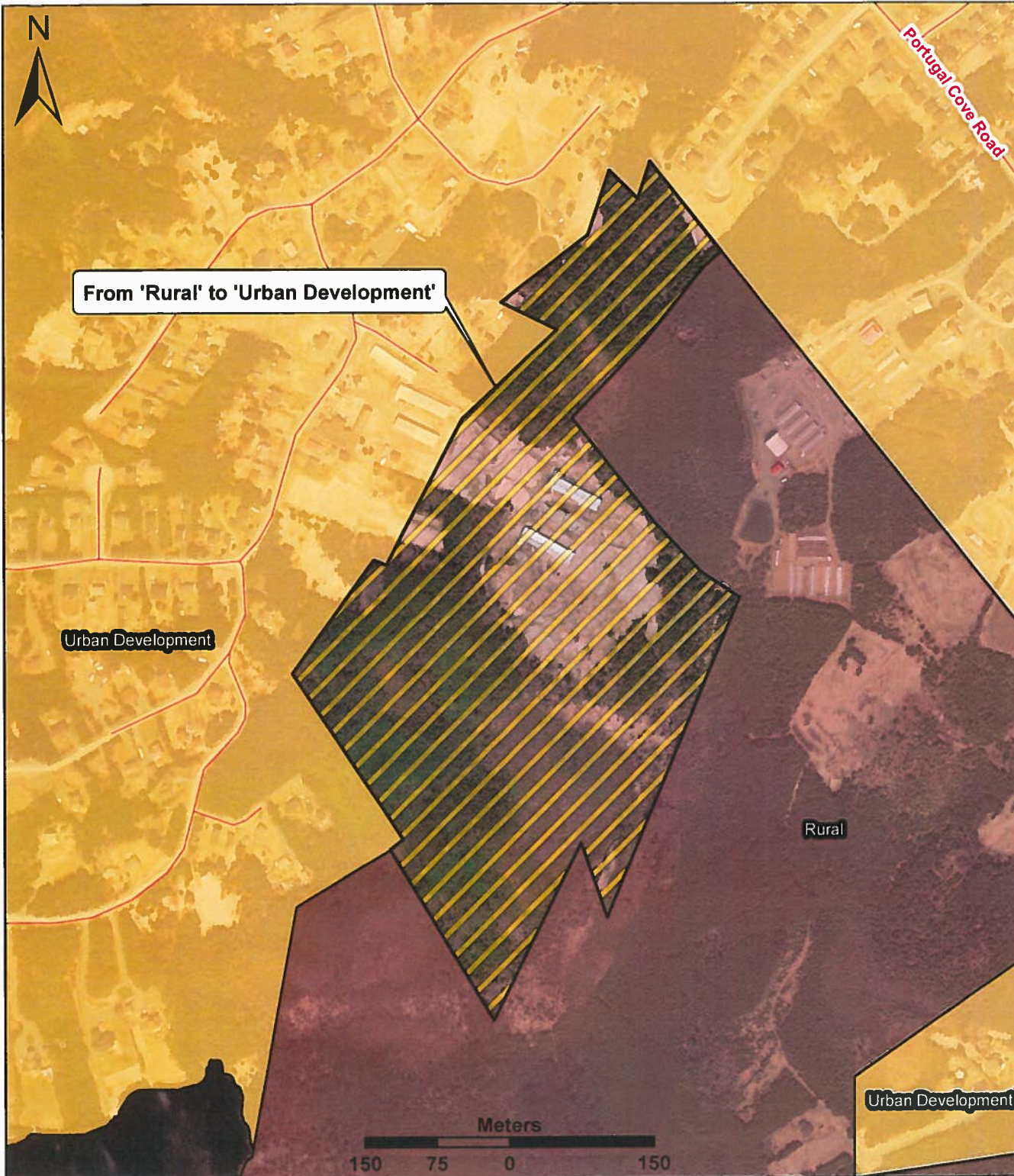
The Town also wrote to the other 14 municipalities that are subject to the St. John's Urban Region Regional Plan regarding its proposed amendment. Written responses were provided by the Towns of Conception Bay South and Torbay. There were no objections by any of the municipalities.

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




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

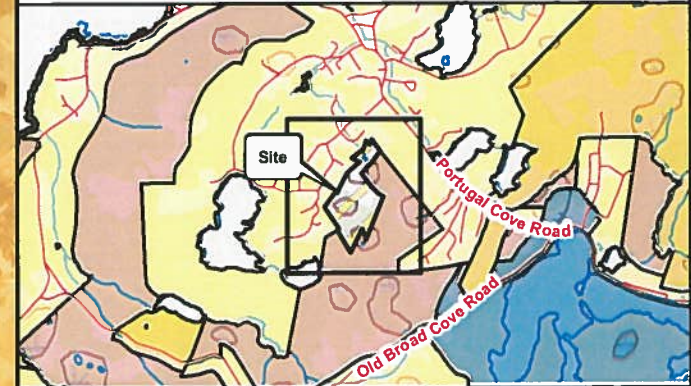
- Proposed SJURRP re-designation from 'Rural' to 'Urban Development' to enable future residential development in the area of Neary's Pond Road/ Portugal Cove Road, as shown on the attached map.





# 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 \_\_\_\_\_

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. 5, 2019 has been prepared in accordance with requirements of the Urban and Rural Planning Act, 2000.

MCIP: \_\_\_\_\_



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



**MUNICIPAL PLAN AMENDMENT No. 8, 2019**

**APRIL, 2019**

PLAN-TECH



ENVIRONMENT



**URBAN AND RURAL PLANNING ACT**  
**RESOLUTION TO APPROVE**  
**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
**MUNICIPAL PLAN AMENDMENT No. 8, 2019**

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

- a) Adopted the Portugal Cove-St. Philip's Municipal Plan Amendment No. 8, 2019, on the \_\_\_\_ day of \_\_\_\_\_, 2019.
- b) Gave notice of the adoption of the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 8, 2019, by advertisement inserted on the \_\_\_\_\_<sup>th</sup> day and the \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2019 in *The Telegram* newspaper.
- c) Set the \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ at 7:30 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*, the Town Council of Portugal Cove-St. Philip's approved the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 8, 2019, 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. 8, 2019**

Under the authority of Section 16 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's adopts the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 8, 2019.

Adopted by the Town Council of Portugal Cove-St. Philip's on the \_\_\_\_<sup>h</sup> 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. 8, 2019, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



## **TOWN OF PORTUGAL COVE-ST. PHILIP'S MUNICIPAL PLAN AMENDMENT No. 8, 2019**

### **BACKGROUND**

The Town of Portugal Cove-St. Philip's proposes to amend its Municipal Plan. The Report of the St. John's Urban Region (Agriculture) Development Area Review Commission was adopted by Government on June 7, 2013. For the Town of Portugal Cove-St. Philip's, the Review Commission recommended six (6) areas for deletion of lands from St. John's Urban Region (Agriculture) Development Area. In total, approximately 450 hectares (1100 acres) were deleted in the Town of Portugal Cove-St. Philip's.

Recommendation No. 5 of the Report recommended *"the deletion of all those lands, measuring approximately 808 acres (327 ha), currently within the Agricultural Zone west of Portugal Cove Road, between Old Broad Cove Road, Beachy Cove Road, Beachy Cove Brook and Pond and Neary's Pond Road and Round Pond road"*.

The land defined by this Amendment is presently designated as Agriculture on the Portugal Cove-St. Philip's Generalized Future Land Use Map. The purpose of this Amendment is to re-designate properties located at Civic Nos. 93-101 and 119-123, Neary's Pond Road, and Civic Nos. 1557-1571C and 1573-1577A Portugal Cove Road, approximately 46 acres (18.6 ha) of land located within the area of Recommendation No. 5, from **Agriculture** to **Residential**.

### **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. 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 where possible, existing traditional agriculture use shall be allowed to continue. ILUC also recommends that any unserviced subdivisions conform to the *"Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells."*

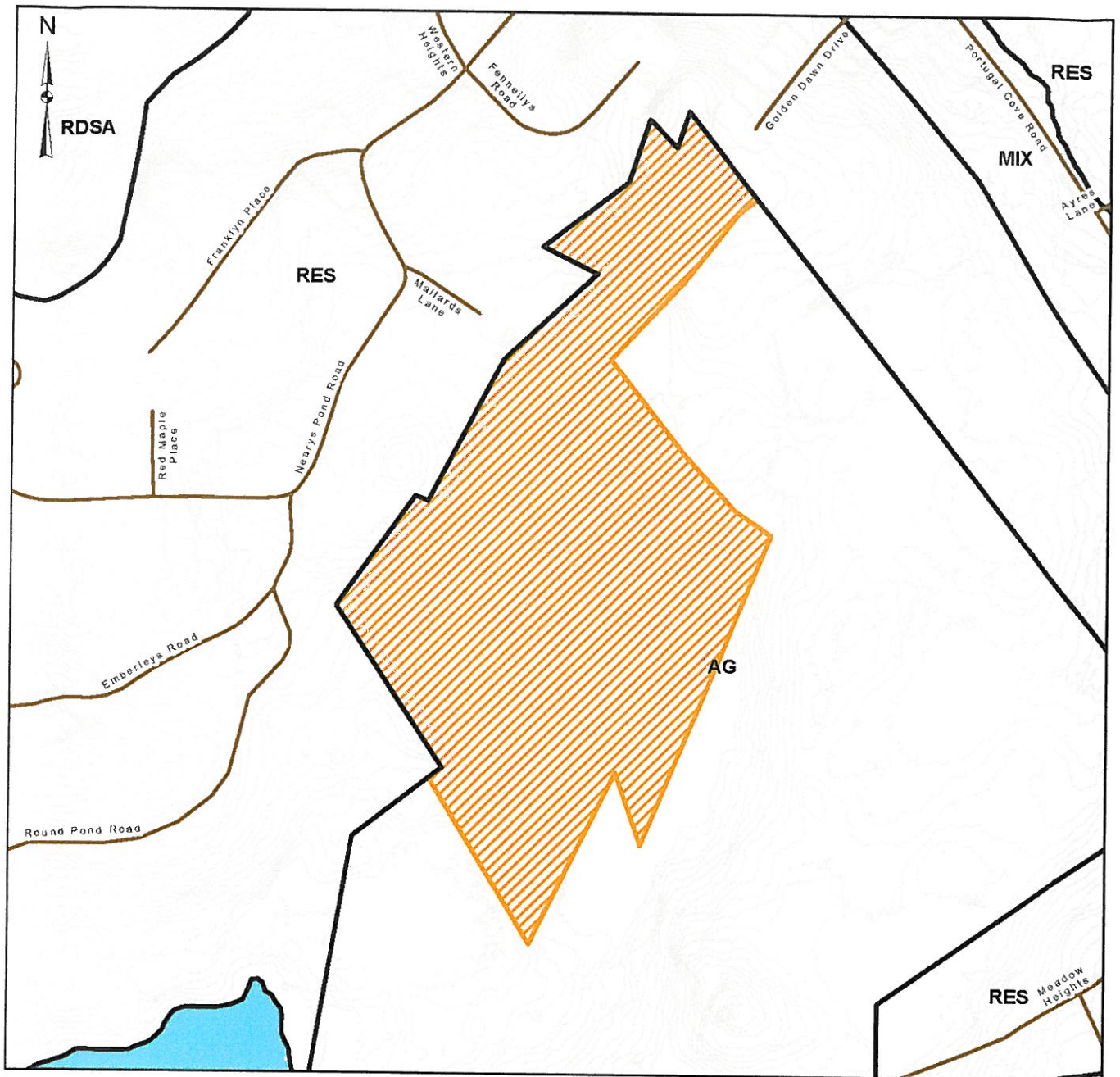
### **St. John's Urban Region Regional Plan**

The proposed Municipal Plan Amendment No. 8, 2019, consists of map changes to 2014-2024 Municipal Plan and is contrary to the St. John's Urban Region Regional Plan. It is concluded that a Regional Plan Amendment is required in order to bring the proposed Municipal Plan Amendment No. 8, 2019, into conformity with the Regional Plan.

## MUNICIPAL PLAN AMENDMENT No. 8, 2019

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

- A) *Changing* land from "**Agriculture**" to "**Residential**", as shown on the attached copy of the Town of Portugal Cove-St. Philip's Generalized Future Land Use Map 1.



Town of Portugal Cove-St. Philip's  
Municipal Plan

Amendment No. 8, 2019

Dated at Portugal Cove-St. Philip's

This \_\_\_\_ day of \_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Manager

 Agriculture to Residential



I CERTIFY THAT THE DEVELOPMENT REGULATIONS  
AMENDMENT HAS BEEN PREPARED IN ACCORDANCE  
WITH THE REQUIREMENTS OF THE URBAN AND  
RURAL PLANNING ACT, 2000.



\_\_\_\_\_, MCIP



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



**DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2019**

**APRIL, 2019**



**URBAN AND RURAL PLANNING ACT**  
**RESOLUTION TO APPROVE**  
**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2019**

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

- a) Adopted the Portugal Cove-St. Philip's Development Regulations Amendment No. 10, 2019, on the \_\_\_\_ day of \_\_\_\_\_, 2019.
  
- b) Gave notice of the adoption of the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 10, 2019, by advertisement inserted on the \_\_\_\_\_<sup>th</sup> day and the \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_, 2019, in *The Telegram* newspaper.
  
- c) Set the \_\_\_\_\_<sup>th</sup> day of \_\_\_\_\_ at 7:30 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*, the Town Council of Portugal Cove-St. Philip's approved the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 10, 2019, 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. 10, 2019**

Under the authority of Section 16 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's adopts the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 10, 2019.

Adopted by the Town Council of Portugal Cove-St. Philip's on the \_\_\_\_<sup>th</sup> 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. 10, 2019, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act*.



# TOWN OF PORTUGAL COVE-ST. PHILIP'S

## DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2019

### BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations. The Report of the St. John's Urban Region (Agriculture) Development Area Review Commission was adopted by Government on June 7, 2013. For the Town of Portugal Cove-St. Philip's, the Review Commission recommended six (6) areas for deletion of lands from St. John's Urban Region (Agriculture) Development Area. In total, approximately 450 hectares (1100 acres) were deleted in the Town of Portugal Cove-St. Philip's.

Recommendation No. 5 of the Report recommended *"the deletion of all those lands, measuring approximately 808 acres (327 ha), currently within the Agricultural Zone west of Portugal Cove Road, between Old Broad Cove Road, Beachy Cove Road, Beachy Cove Brook and Pond and Neary's Pond Road and Round Pond road"*.

The land defined by this Amendment is presently zoned as Agriculture on the Portugal Cove-St. Philip's Development Regulations Land Use Zone Map. The purpose of this Amendment is to re-zone properties located at Civic Nos. 93-101 and 119-123, Neary's Pond Road, and Civic Nos. 1557-1571C and 1573-1577A Portugal Cove Road, approximately 46 acres (18.6 ha) of land located within the area of Recommendation No. 5, from **Agriculture** to **Residential Medium Density**.

### 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. 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 where possible, existing traditional agriculture use shall be allowed to continue. 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

The proposed Development Regulations Amendment No. 10, 2019 consists of map changes to 2014-2024 Development Regulations Land Use Zone Map and is contrary to the St. John's Urban Region Regional Plan. It is concluded that a Regional Plan

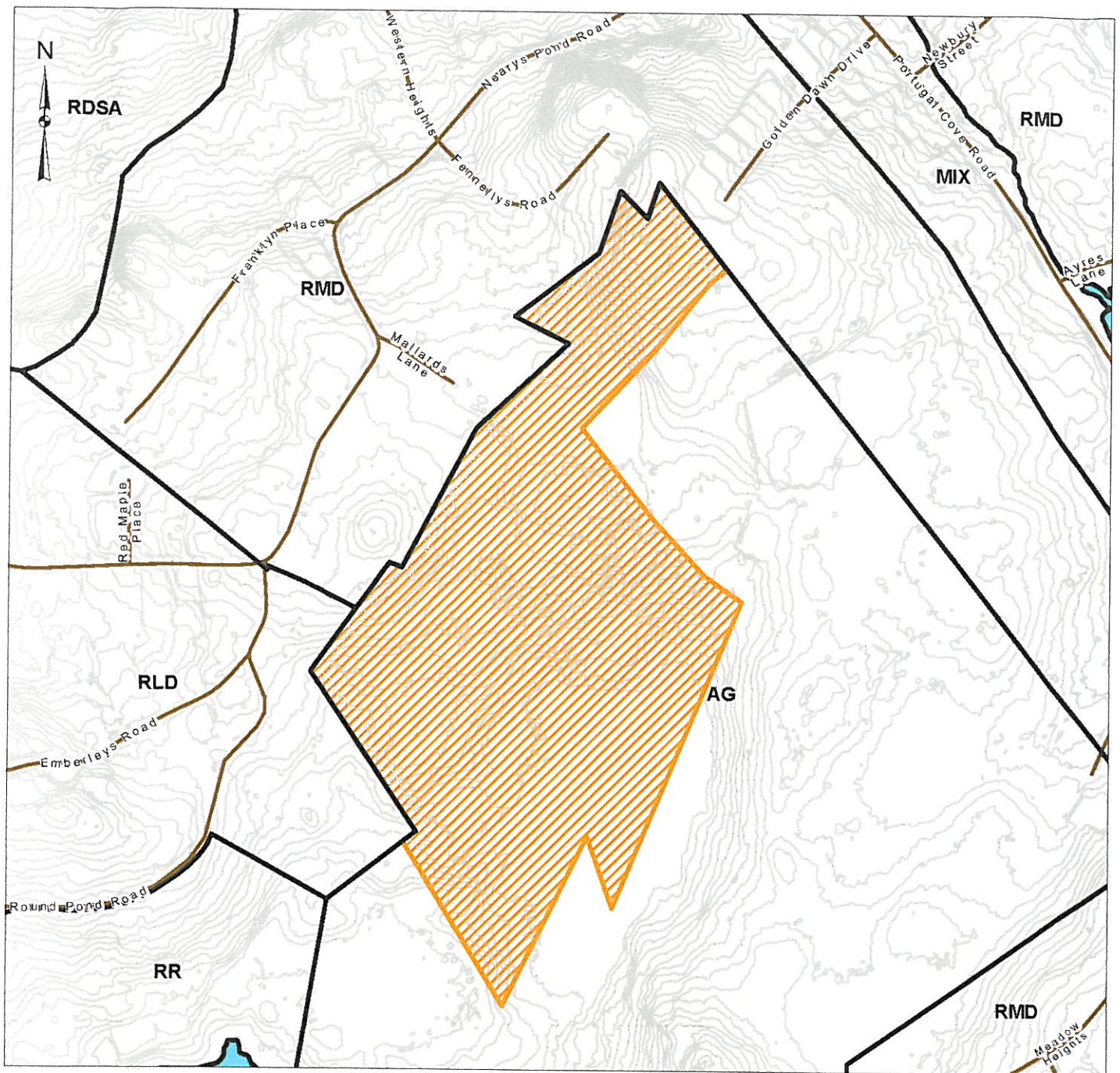
Amendment is required in order to bring the proposed Development Regulations Amendment No. 10, 2019 into conformity with the Regional Plan.

#### **DEVELOPMENT REGULATIONS AMENDMENT No. 10, 2019**

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

- A) Changing** land from **"Agriculture"** to **"Residential Medium Density"**, as shown on the attached copy of the Town of Portugal Cove-St. Philip's Land Use Zone Map.





# Town of Portugal Cove-St. Philip's Development Regulations

Amendment No. 10, 2019

Dated at Portugal Cove-St. Philip's

This \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Town Manager

 Agriculture to Residential Medium Density



I CERTIFY THAT THE DEVELOPMENT REGULATIONS  
AMENDMENT HAS BEEN PREPARED IN ACCORDANCE  
WITH THE REQUIREMENTS OF THE URBAN AND  
RURAL PLANNING ACT, 2000.



\_\_\_\_\_  
, MCIP