



JUN - 1 2022

COR/2022/00972

Mayor McDonald and Council  
Town of Portugal Cove-St. Philip's  
1119 Thorburn Road  
Portugal Cove-St. Philip's, NL A1M 1T6

Email: pcsp@pcsp.ca

Dear Mayor McDonald and Council:

**St. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT NO. 5, 2020  
PORTUGAL COVE-ST. PHILIPS  
MUNICIPAL PLAN AMENDMENT NO. 11, 2021 AND  
DEVELOPMENT REGULATIONS AMENDMENT NO. 16, 2021**

I am pleased to inform you that the **St. John's Urban Region Regional Plan Amendment No. 5, 2020**, as adopted by the Minister on the **19<sup>th</sup> day of January, 2022**, and approved by the Minister, has now been registered. In general terms, the purpose of St. John's Urban Region Regional Plan Amendment No. 5, 2020 is to facilitate Portugal Cove-St. Philip's Municipal Plan Amendment No. 11, 2021 and Development Regulations Amendment No. 16, 2021 which redesignate and rezone various parcels of land near Old Broad Cove Road East.

Portugal Cove-St. Philip's Municipal Plan Amendment No. 11, 2021 and Development Regulations Amendment No. 16, 2021 have now been registered. These registered amendments are legal documents and should be saved in a secure location.

Council must publish a notice in the **Newfoundland and Labrador Gazette** within 10 days of this letter. The amendments to the Regional Plan and the Portugal Cove-St. Philip's Municipal Plan and Development Regulations come into effect on the date this notice appears in the Gazette. The notice must also appear in a local newspaper. Council should also share the notice of registration by posting it on its website and social media pages and by posters placed in prominent locations throughout the community.

Please ensure that the notice of registration in the Newfoundland and Labrador Gazette and the local newspaper includes references to St. John's Urban Region Regional Plan Amendment No. 5, 2020.

The Newfoundland and Labrador Gazette is published every Friday. **Notices must be submitted a week in advance.** Council can submit the notice by email (queensprinter@gov.nl.ca), by fax (729-1900) or by mail (Queen's Printer, P.O. Box 8700, St. John's, NL, A1B 4J6).

Attached is Council's registered copy of the Portugal Cove-St. Philip's Municipal Plan Amendment No. 11, 2021 and Development Regulations Amendment No. 16, 2021. I have also attached a copy of St. John's Regional Plan Amendment No. 5, 2020 as approved by the Minister.

Yours truly,



Kim Blanchard, MCIP  
Manager of Land Use Planning

cc: Les Spurrell, Town of Portugal Cove-St. Philip's  
Reg Garland, MCIP, Plan-Tech Environment Ltd.

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



**Portugal Cove  
St. Philip's**

**MUNICIPAL PLAN AMENDMENT No. 11, 2021**

**"Agriculture" to "Residential"  
"Agriculture" to "Mixed Use"  
"Residential" to "Mixed Use"  
"Agriculture" to "Protected Watershed"  
"Protected Watershed" to "Agriculture"**

**Old Broad Cove Road East**

**JUNE 2021**

**PLAN-TECH**



**ENVIRONMENT**

**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO APPROVE**  
**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
**MUNICIPAL PLAN AMENDMENT No. 11, 2021**


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. 11, 2021, on the 8<sup>th</sup> day of February, 2022.
- b) Gave notice of the adoption of the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 11, 2021, by advertisement inserted on the 12<sup>th</sup> day and the 19<sup>th</sup> day of February, 2022 in *The Telegram* newspaper.
- c) The Department of Municipal and Provincial Affairs has temporarily waived the requirement to hold physical public hearings. The Town Council of Portugal Cove-St. Philip's advertised the proposed Amendments and set the 15<sup>th</sup> day of March, 2022, as the deadline for receiving submissions to consider objections and representations to the Portugal Cove-St. Philip's Municipal Plan Amendment No. 11, 2021.

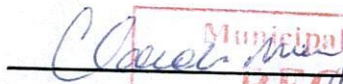
Now under section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Portugal Cove-St. Philip's approves the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 11, 2021, as adopted (or as amended).

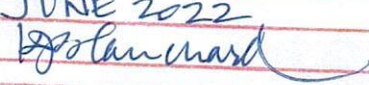
SIGNED AND SEALED this 7 day of April, 2022

Mayor:

 (Council Seal)

Clerk:



Municipal Plan/Amendment	
<b>REGISTERED</b>	
Number	<u>1000-2022-025</u>
Date	<u>1 JUNE 2022</u>
Signature	<u></u>



**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
**MUNICIPAL PLAN AMENDMENT No. 11, 2021**

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. 11, 2021.

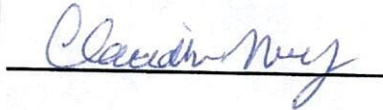
Adopted by the Town Council of Portugal Cove-St. Philip's on the 8<sup>th</sup> day of February, 2022.

Signed and sealed this 7 day of April, 2022.

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. 11, 2021, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



## TOWN OF PORTUGAL COVE-ST. PHILIP'S MUNICIPAL PLAN AMENDMENT No. 11, 2021

### BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Municipal Plan. This Amendment proposes to re-designate five (5) areas on the Generalized Future Land Use Map:

1. Over time, non-conforming residential development has occurred on the west side of Maggie's Place and Druken's Lane. Also, a small area of private land north of Murray's Garden Centre has been identified as future residential development with connection to Portugal Cove Road. This Amendment proposes to re-designate these three areas from **Agriculture** to **Residential**.
2. Two small areas of land off Old Broad Cove Road, containing existing non-conforming development, will be re-designated from **Agriculture** to **Mixed Use** to allow existing development to conform.
3. To allow more flexibility with future land uses, an area of land associated with Murray's Garden Centre, located on the west side of Portugal Cove Road, is presently designated as Residential. This Amendment proposes to re-designate this land from **Residential** to **Mixed Use**.
4. In consultation with the City of St. John's, and containing new mapping information for the Windsor Lake watershed boundary, a small area of land proposes to be re-designated from **Agriculture** to **Protected Watershed**.
5. In keeping with proposed change No. 4 above, two small areas will be redesignated from **Protected Watershed** to **Agriculture**.

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

The proposed Municipal Plan Amendment No. 11, 2021 consists of map changes to the 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. 11, 2021, into conformity with the Regional Plan.

## **PUBLIC CONSULTATION**

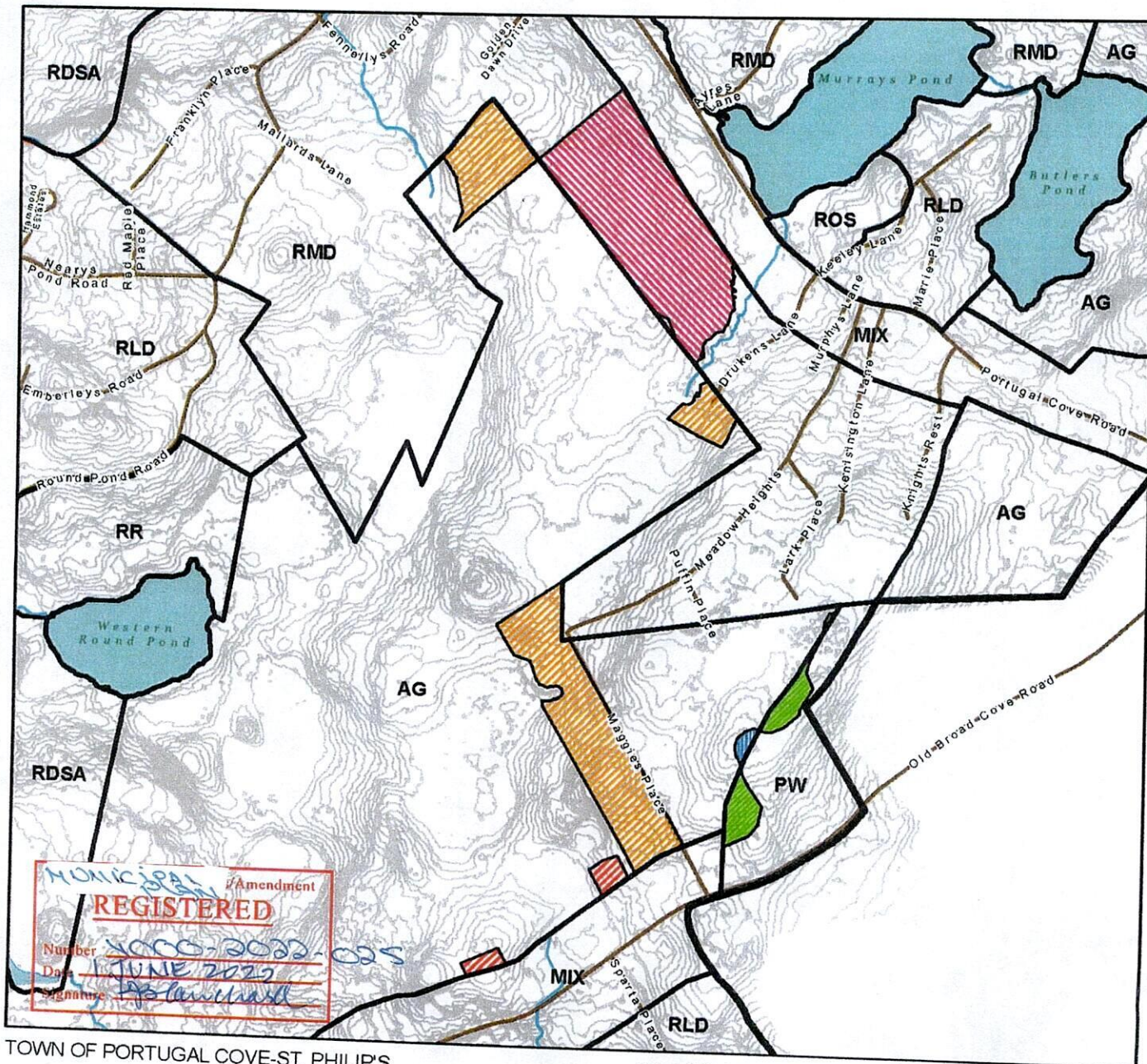
During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to the proposed Municipal Plan Amendment. The Town Council of Portugal Cove-St. Philip's published a notice in *The Telegram* newspaper on January 30, 2021, advertising the proposed amendments seeking comments or representations from the public. The Town Council placed the proposed amendments on display on the Town's website from January 30 to February 23, 2021, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendments. 18 letters or objections were received by the Town during the public consultation period. As a result of the submissions received from the public consultation, Council revised the amendment documents.

The Town Council of Portugal Cove-St. Philip's published a notice in *The Telegram* newspaper on June 26, 2021, advertising the proposed revised amendments seeking comments or representations from the public. The Town Council placed the proposed amendments on display on the Town's website from June 26 to July 16, 2021, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendments. Seven letters or objections were received by the Town during the second public consultation period.

## **MUNICIPAL PLAN AMENDMENT No. 11, 2021**

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

- A) Re-Designating** land from "**Agriculture**" to "**Residential**";
- B) Re-Designating** land from "**Agriculture**" to "**Mixed Use**";
- C) Re-Designating** land from "**Residential**" to "**Mixed Use**";
- D) Re-Designating** land from "**Agriculture**" to "**Protected Watershed**"; and
- E) Re-Designating** land from "**Protected Watershed**" to "**Agriculture**" 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 2014-2024

FUTURE LAND USE MAP

MUNICIPAL PLAN  
AMENDMENT NO. 11, 2021

-  Area to be changed from: "Agriculture" to "Residential"
-  Area to be changed from: "Residential" to "Mixed Use"
-  Area to be changed from: "Protected Watershed" to "Agriculture"
-  Area to be changed from: "Agriculture" to "Protected Watershed"
-  Area to be changed from: "Agriculture" to "Mixed Use"

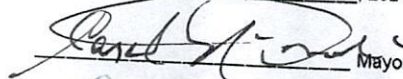
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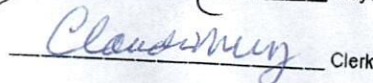


ENVIRONMENT

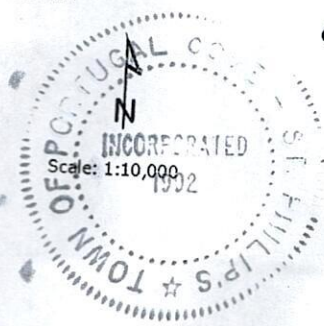
Dated at Portugal Cove-St. Philip's, Newfoundland and Labrador

This 1 day of April, 2022.

 Mayor

 Clerk

Seal



I certify that the attached Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 11, 2021 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

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



**DEVELOPMENT REGULATIONS AMENDMENT No. 16, 2021**

**"Agriculture (AG)" to "Residential Medium Density (RMD)"**

**"Agriculture (AG)" to "Mixed Use (MIX)"**

**"Residential Medium Density (RMD)" to "Mixed Use (MIX)"**

**"Protected Watershed (PW)" to "Agriculture (AG)"**

**"Agriculture (AG)" to "Protected Watershed (PW)"**

**Old Broad Cove Road East**

**JUNE 2021**

**PLAN-TECH**



**ENVIRONMENT**

**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO APPROVE**  
**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 16, 2021**


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. 16, 2021, on the 8<sup>th</sup> day of February, 2022.
- b) Gave notice of the adoption of the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 16, 2021, by advertisement inserted on the 12<sup>th</sup> day and the 19<sup>th</sup> day of February, 2022 in *The Telegram* newspaper.
- a) The Department of Municipal and Provincial Affairs has temporarily waived the requirement to hold physical public hearings. The Town Council of Portugal Cove-St. Philip's advertised the proposed Amendments and set the 15<sup>th</sup> day of March, 2022, as the deadline for receiving submissions to consider objections and representations to the Portugal Cove-St. Philip's Development Regulations Amendment No. 16, 2021.

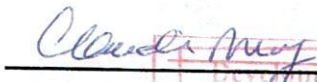
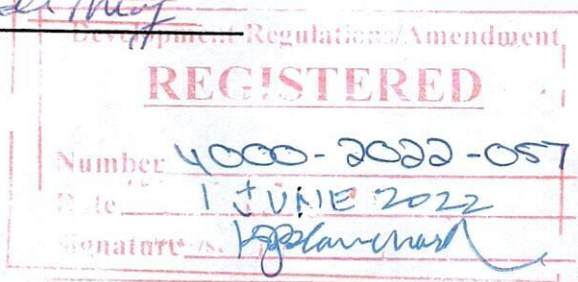
Now under section 23 of the *Urban and Rural Planning Act*, the Town Council of Portugal Cove-St. Philip's approves the Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 16, 2021, as adopted (or as amended).

SIGNED AND SEALED this 7 day of April, 2022.

Mayor:

 (Council Seal)

Clerk:



**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**TOWN OF PORTUGAL COVE-ST. PHILIP'S**  
**DEVELOPMENT REGULATIONS AMENDMENT No. 16, 2021**

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. 16, 2021.

Adopted by the Town Council of Portugal Cove-St. Philip's on the 8<sup>th</sup> day of February, 2022.

Signed and sealed this 7 day of April, 2022.

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. 16, 2021, has been prepared in accordance with the requirements of the *Urban and Rural Planning Act, 2000*.



## TOWN OF PORTUGAL COVE-ST. PHILIP'S

### DEVELOPMENT REGULATIONS AMENDMENT No. 16, 2021

#### BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations. This Amendment proposes to re-zone five (5) areas on the Development Regulations Map:

1. Over time, non-conforming residential development has occurred on the west side of Maggie's Place and Druken's Lane. Also, a small area of private land north of Murray's Garden Centre has been identified for future residential development with connection to Portugal Cove Road. This Amendment proposes to re-zone these three areas from **Agriculture** to **Residential Medium Density**.
2. Two small areas of land off Old Broad Cove Road, containing existing non-conforming development, will be re-zone from **Agriculture** to **Mixed Use** to allow existing development to conform.
3. An area of land associated with Murray's Garden Centre, located on the west side of Portugal Cove Road, is zoned as Residential Medium Density. To allow more flexibility with future land uses, this land is proposed to be re-zone from **Residential Medium Density** to **Mixed Use**.
4. In consultation with the City of St. John's, and containing new mapping information for the Windsor Lake watershed boundary, a small area of land will be re-zoned from **Agriculture** to **Protected Watershed**.
5. In keeping with proposed change #4 above, two small areas will be re-zoned from **Protected Watershed** to **Agriculture**.

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

The proposed Development Regulations Amendment No. 16, 2021 consists of map changes to the 2014-2024 Development Regulations 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. 16, 2021, into conformity with the Regional Plan.

## **PUBLIC CONSULTATION**

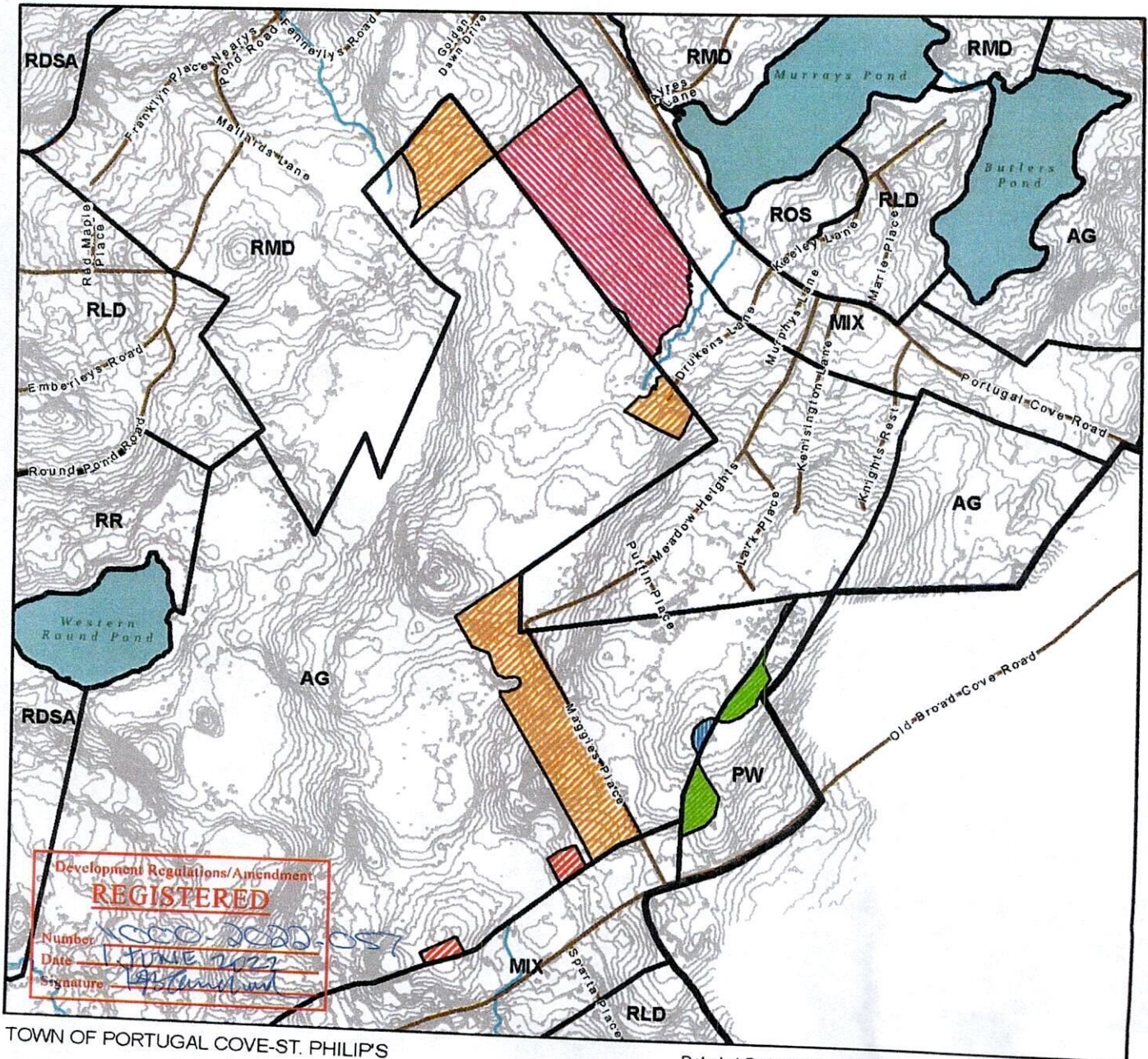
During the preparation of this amendment, Council undertook the following initiative so that individuals and groups could provide input to the proposed Development Regulations Amendment. The Town Council of Portugal Cove-St. Philip's published a notice in *The Telegram* newspaper on January 30, 2021, advertising the proposed amendments seeking comments or representations from the public. The Town Council placed the proposed amendments on display on the Town's website from January 30 to February 23, 2021, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendments. 18 letters or objections were received by the Town during the public consultation period. As a result of the submissions received from the public consultation, Council revised the amendment documents.

The Town Council of Portugal Cove-St. Philip's published a notice in *The Telegram* newspaper on June 26, 2021, advertising the proposed revised amendments seeking comments or representations from the public. The Town Council placed the proposed amendments on display on the Town's website from June 26 to July 16, 2021, for residents to view and to provide any comments or concerns in writing to the Council concerning the proposed amendments. Seven letters or objections were received by the Town during the second public consultation period.

## **DEVELOPMENT REGULATIONS AMENDMENT No. 16, 2021**

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

- A) **Changing** land from "Agriculture (AG)" to "Residential Medium Density (RMD)".
- B) **Changing** land from "Agriculture (AG)" to "Mixed Use (MIX)".
- C) **Changing** land from "Residential Medium Density (RMD)" to "Mixed Use (MIX)".
- D) **Changing** land from "Agriculture (AG)" to "Protected Watershed (PW)"; and
- E) **Changing** land from "Protected Watershed (PW)" to "Agriculture (AG)" 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

LAND USE ZONING MAP

DEVELOPMENT REGULATIONS  
AMENDMENT NO. 16, 2021

-  Area to be changed from: "Agriculture" to "Residential Medium Density"
-  Area to be changed from: "Residential Medium Density" to "Mixed Use"
-  Area to be changed from: "Protected Watershed" to "Agriculture"
-  Area to be changed from: "Agriculture" to "Protected Watershed"
-  Area to be changed from: "Agriculture" to "Mixed Use"

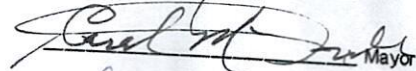
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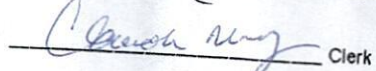


ENVIRONMENT

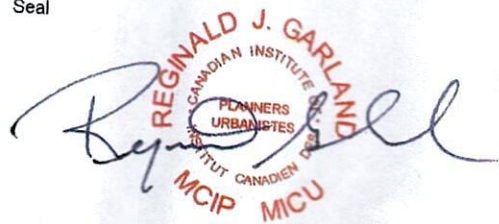
Dated at Portugal Cove-St. Philip's, Newfoundland and Labrador

This 7 day of April, 2022

 Mayor

 Clerk

Seal

  
REGINALD J. GARLAND  
CANADIAN INSTITUTE  
PLANNERS  
URBANISTS  
INSTITUT CANADIEN  
MCIP MCU

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 16, 2021 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.

**ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976**

**AMENDMENT No. 5, 2020**

**Old Broad Cove Road East  
Portugal Cove-St. Philip's**

June 2021

**URBAN AND RURAL PLANNING ACT, 2000**

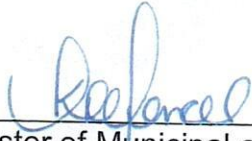
**RESOLUTION TO APPROVE**

**ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 5, 2020**

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

- a) adopted the St. John's Urban Region Regional Plan Amendment No. 5, 2020 on the 19<sup>th</sup> day of January, 2022;
- b) gave notice of the adoption of the St. John's Urban Region Regional Plan Amendment No. 5, 2020 by advertisement inserted on the 12<sup>th</sup> day and the 19<sup>th</sup> day of February, 2022 in The Telegram newspaper; and
- c) set the 15<sup>th</sup> day of March, 2022 for the holding of a public hearing to consider objections and submissions. A physical hearing was not held due to COVID-19 public health restrictions. The Commissioner accept written representations from the public in accordance with the Department of Municipal and Provincial Affairs COVID protocol respecting public hearings.
- d) The Commissioner considered written submissions and provided a written report.

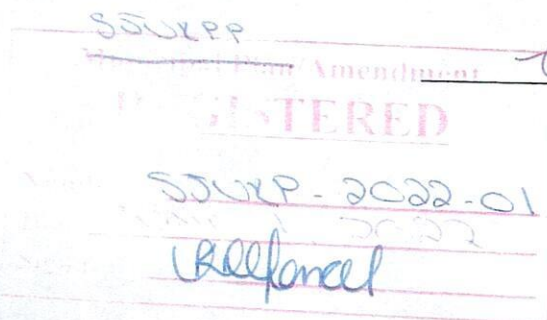
Now under the authority of Section 23 of the *Urban and Rural Planning Act 2000*, the Minister of Municipal and Provincial Affairs hereby approves the St. John's Urban Region Regional Plan Amendment No. 1, 2022, as adopted on the 19<sup>th</sup> day of January, 2022.

  
Minister of Municipal and Provincial Affairs

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

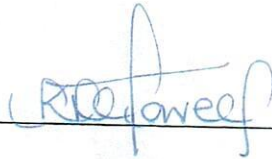
this 1 day of June, 2022.

  
Witness



**URBAN AND RURAL PLANNING ACT, 2000**  
**RESOLUTION TO ADOPT**  
**ST. JOHN'S URBAN REGION REGIONAL PLAN AMENDMENT No. 5, 2020**

Under the authority of Section 16 of the *Urban and Rural Planning Act, 2000*, the Minister of Municipal and Provincial Affairs hereby adopts St. John's Urban Region Regional Plan, 1976 Amendment No. 5, 2020.



Minister of Municipal and Provincial Affairs

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

this 19 day of January, 2022.

**CANADIAN INSTITUTE OF PLANNERS CERTIFICATION**

I certify that the attached St. John's Urban Region Regional Plan, 1976 Amendment No. 5, 2020 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, 2020

### BACKGROUND

The Town Council of Portugal Cove-St. Philip's 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.

This Regional Plan amendment will be processed simultaneously with the amendments to the Portugal Cove-St. Philip's Municipal Plan and Development Regulations proposed by the Town.

The Town has requested amendments to the Regional Plan map to change the designations of various parcels of land north of Old Broad Cove Road in the vicinity of Maggie's Place and west of Portugal Cove Road at the end of Druken's Lane and north of Murray's Garden Centre. The subject area is adjacent to the St. John's city boundary.

The proposed amendments to the Regional Plan map are:

- Redesignate land on Maggie's Place, north of Old Broad Cove Road, at the end of Druken's Lane and on the south side of Portugal Cove Road, adjacent to Murray's Garden Centre, from 'Rural' to 'Urban Development';
- Redesignate land north of Old Broad Cove Road from 'Rural' to 'Watershed Protection';
- Redesignate land north of Old Broad Cove Road from 'Watershed Protection' to 'Rural'.

This amendment accommodates Portugal Cove-St. Philip's Municipal Plan Amendment No. 11, 2020 and Development Regulations Amendment No. 16, 2020. In general terms, the amendments to the Portugal Cove-St. Philip's Municipal Plan and Development Regulations propose to redesignate and rezone land:

- on Maggie's Place and at the end of Druken's Lane from 'Agriculture' to 'Residential' (Residential Medium Density zone);
- on Old Broad Cove Road from 'Agriculture' to 'Mixed Use';
- adjacent to Murray's Garden Centre from 'Residential' (Residential Medium Density zone) to 'Mixed Use';

- north of Old Broad Cove Road from 'Agriculture' to 'Protected Watershed' and from 'Protected Watershed' to 'Agriculture'.

## **ST. JOHN'S URBAN REGION REGIONAL PLAN**

According to SJURRP Policy E. Urban Development (c) The Local Centres, Portugal Cove-St. Philip's is identified as a local centre and that land within such centres shall be used in accordance with the policies of the relevant municipal plan. This policy outlines guidelines for Municipal Plans including:

- a focus on low density development;
- encouraging infilling and consolidation of areas once municipal services are in place; and
- improvements to the local street system.

### **E. URBAN DEVELOPMENT**

#### **(c) The Local Centres**

*Policy:*

*The detailed development of the local centres designated on the Regional Plan Map shall be according to the policies in Local Area or Municipal Plans that might be prepared from time to time. Such plans shall conform to the following guidelines:*

- i) The local centres shall be able to develop to the fullest extent possible within the areas shown on the Regional Plan Map, consistent with the constraints set out in Objective No. 11...*
- iv) Two prime aims in the local centres will be to encourage the infilling and consolidation of presently semi-development areas once essential public services to existing development are installed and to develop improved local road systems so that better circulation of traffic may be facilitated.*

Two of the proposed amendments impact the Windsor Lake water supply area. According to SJURRP Policy F. Non-Urban Development (e) Watershed Protection Areas, the purpose of the 'Watershed Protection' designation is to protect existing and future sources of domestic water. This policy also imposes restrictions on agricultural activities within the Protected Watershed designation.

### **F. NON-URBAN DEVELOPMENT**

#### **(e) Watershed Protection Areas**

*Policy:*

*The Policy in Watershed Protection Areas is to tolerate and allow the maintenance, continuation and limited extension of existing uses, provided they cause no*

*detrimental effect to water quality and to encourage the use of natural resources including scenic and recreational potential in a controlled manner and to prohibit new permanent structures other than:*

- i) those required by a public utility and a Federal and/or Provincial Government Institution and/or Department, where they meet the standards of Provincial environment and health authorities;*
- ii) those deemed to be necessary for large-scale open space recreational uses permitted at the discretion and control of provincial environmental authorities and local municipal councils; and*
- iii) residential infilling in municipal boundaries within watershed under the control of the City of St. John's under the City of St. John's Act, subject to the concurrence of the City of St. John's.*

*Tilling of soil and livestock uses will be allowed but provincial environmental authorities will carefully control the use of fertilizers and pesticides. No new permanent building or any buildings for the use of livestock will be allowed...*

The lands designated and zoned Agriculture in the Portugal Cove-St. Philips Municipal Plan and Development Regulations are not within the provincial designated Agricultural Development Area.

Maggies Place is serviced with municipal water. As a result, a provincial Groundwater Assessment Report will not be required.

If any of the proposed development in the other areas subject to this amendment are greater than four lots and not connected to municipal water services, a Level I Groundwater Assessment Report must be submitted to, and approved by, the Groundwater Section of the Department of Environment and Climate Change. Based on the outcomes, the Groundwater Section may request a Level II assessment. For proposed subdivisions greater than 14 lots, a Level I and Level II assessment is required. A Level II Groundwater Assessment is required where there are known water quality issues.

The Groundwater Supply Assessment and Reporting Guidelines for Subdivisions Serviced by Individual Private Wells outlines the requirements for Level I and Level II groundwater assessments. In general terms, a Level I Groundwater Assessment consists of a description of the hydrogeology, site characterization, and description of sustainable groundwater quality and quantity for the area. A Level II Groundwater Assessment must include the information in a Level I Groundwater Assessment and additional information as outlined in the provincial Guidelines. A completed report must be submitted, reviewed and approved by this Department prior to any permitting by Service NL for waste disposal or septic systems within the proposed subdivision.

## PUBLIC CONSULTATION

The Town of Portugal Cove-St. Philips conducting public consultations on the matter by advertising the proposed amendments in the Telegram on June 26, 2022 as well as posting the proposed amendments on the Town's website. The Town received written submissions regarding the proposed amendments which outlined the following concerns:

- land accessible via Maggie's Place and Old Broad Cove Road is not included in the proposed amendment;
- rezoning to Residential Medium Density is inappropriate and will result in overpopulation, degradation of the natural environment and place a strain on municipal services;
- notification was not sent to all property owners in the area;
- impacts of new development on surface run-off and the water table in the vicinity of Druken's Lane.

A petition from the landowners and community members regarding lots 224A-F on Old Broad Cove Road was also submitted. This petition requests that these properties be rezoned to accommodate residential development.

The Town also advised the 14 other municipalities within the St. John's Urban Region about the proposed amendments and requested comments. Paradise, Holyrood, Bay Bulls and Mount Pearl responded to indicate that they had no concerns with respect to the proposed amendments.

Given that this amendment impacts the Windsor Lake water supply which is protected under the *City of St. John's Act*, the City was provided a copy of this proposed amendment and requested to provide comment. The City's consent is required in order for this amendment to proceed. The City reviewed the proposed amendment and confirmed that the areas part of this amendment, and the corresponding amendments to the Portugal Cove-St. Philip's Municipal Plan and Development Regulations, are in line with the City's accepted determination of the watershed boundaries. The City indicated that it has no concerns regarding the proposed amendments as they related to the watershed and a safe supply of drinking water.

## **St. John's Region Regional Plan, 1976**

### **Amendment No. 5, 2020**

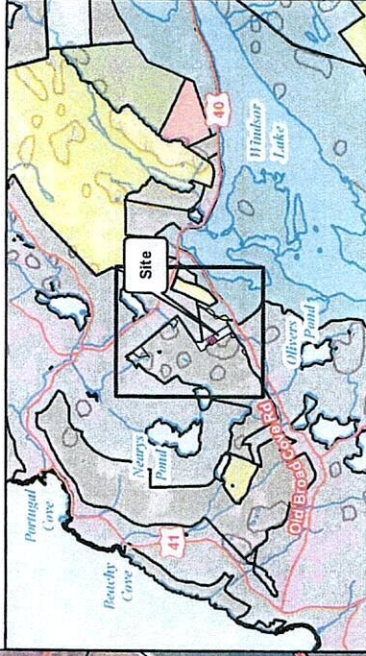
St. John's Urban Region Regional Plan Amendment No. 5, 2020 re-designates:

- Land on Maggies Place; north of Old Broad Cove Road; at the end of Druken's Lane; and adjacent to Murray's Garden Centre from 'Rural' to 'Urban Development'; and
- Land located north of Old Broad Cove Road from 'Rural' to 'Watershed Protection' and from 'Watershed Protection' to 'Rural';

as illustrated on the attached map.

# St. John's Urban Region Regional Plan Amendment No. 5, 2020 Portugal Cove-St. Philip's

- From 'Rural' to 'Urban Development'
- From 'Rural' to 'Watershed Protection'
- From 'Watershed Protection' to 'Rural'
- Urban Development
- Agriculture
- Rural
- Watershed Protection
- Municipal Boundary
- Road Network



Signed this 30 day of MAY, 2022.

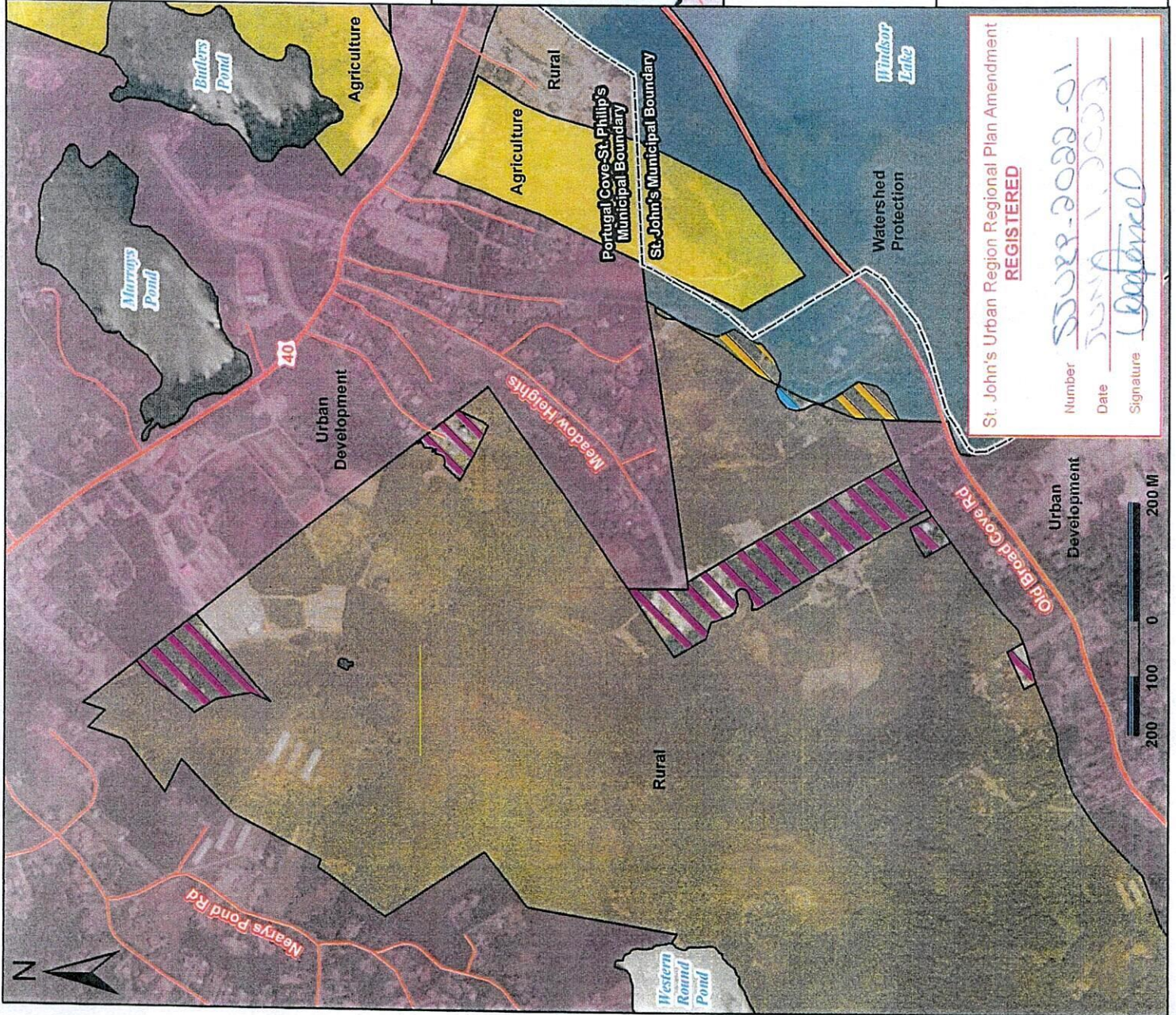
*Referenced*

Minister of Municipal and Provincial Affairs

## CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached St. John's Urban Region Regional Plan Amendment No. 5, 2020 has been prepared in accordance with requirements of the *Urban and Rural Planning Act, 2020*.

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



St. John's Urban Region Regional Plan Amendment  
**REGISTERED**

Number: 2022-2022-01  
Date: May 1, 2022  
Signature: *Referenced*