



**PUBLIC CONSULTATION
MUNICIPAL PLAN AMENDMENT No. 21, 2024
DEVELOPMENT REGULATIONS AMENDMENT No. 35, 2024**

The general public is invited to view a draft copy of the Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 21, 2024 and Development Regulations Amendment No. 35, 2024. The purpose of Municipal Plan Amendment No. 21, 2024 is to re-designate a portion of property at No. 1484 Thorburn Road from **Traditional Community** to **Residential** to allow potential future development of three townhouse buildings. Development Regulations Amendment No. 35, 2024 will re-zone the same area of land from **Traditional Community (TC)** to **Residential Medium Density (RMD)**.

The Municipal Plan and Development Regulations amendments also propose to introduce policies and regulations regarding the development of Planned Unit Developments in the Residential Medium Density land use zone.

Council encourages residents to view the Portugal Cove-St. Philip's Municipal Plan Amendment No. 21, 2024 and Development Regulations Amendment No. 35, 2024, which shall be on display from **April 13 to April 29, 2024**, during normal business hours at the Town Office, Portugal Cove-St. Philip's and on the Town's website at **www.pcsp.ca**. The public can provide any comments or concerns on the proposed amendments to the Town Office in writing before Council considers proceeding with adoption.

The deadline for written comments shall be 4:00 pm., **Monday, April 29, 2024**.

For further details on these amendments, 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: 709-895-8000 ext. 4 Fax: 709-895-3780

E-mail: planning@pcsp.ca

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

MUNICIPAL PLAN AMENDMENT NO. 21, 2024

(Traditional Community to Residential Medium Density - Thorburn Road)



FEBRUARY 2024

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

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

MUNICIPAL PLAN AMENDMENT No. 21, 2024

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 Amendment No. 21, 2024 to the Town of Portugal Cove-St. Philip's Municipal Plan on the _____ day of _____, 2024.
- b) gave notice of the adoption of the Amendment No. 21, 2024 to the Town of Portugal Cove-St. Philip's Municipal Plan by advertisement in The Telegram newspaper on _____ and _____, 2024. The advertisement was also posted on the Town's website, and social media platforms;
- c) set the _____ day of _____, 2024, 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 Town Council of Portugal Cove-St. Philip's approves the Amendment No. 21, 2024 to the Town of Portugal Cove-St. Philip's Municipal Plan as adopted.

SIGNED AND SEALED this _____ day of _____, 2024.

Mayor: _____

Clerk: _____

<p>Municipal Plan/Amendment <u>REGISTERED</u></p> <p>Number _____</p> <p>Date _____</p> <p>Signature _____</p>

(Council Seal)

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

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

MUNICIPAL PLAN AMENDMENT No. 21, 2024

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. 21, 2024.

Adopted by the Town Council of Portugal Cove-St. Philip's on the day of, 2024.

Signed and sealed this _____ day of _____ 2024.

Mayor: _____

Town Clerk: _____

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 21, 2024, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.



Anna Myers

MCIP: Anna Myers
Member of Canadian Institute of Planners (MCIP)

**TOWN OF PORTUGAL COVE-ST. PHILIP'S
MUNICIPAL PLAN AMENDMENT No. 21, 2024**

BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Municipal Plan, 2014-2024. There is an associated Development Regulations Amendment No. 35, 2024.

The Town Council of Portugal Cove-St. Philip's is in receipt of a request to redesignate an area of land to accommodate potential future development of three fully serviced residential townhouse buildings containing approximately 30 rental units on one parcel at No. 1484 Thorburn Road. The property is currently designated Traditional Community (TC) and Residential (RES). The TC land use zone does not list townhouse as a permitted or discretionary use. It was requested that the TC portion of the property be redesignated to RES to allow for development of the proposed townhouses.

The purpose of this amendment is to redesignate a portion of No. 1484 Thorburn Road from **Traditional Community** to **Residential** and to complete text amendments to the Residential designation to allow for the development of Planned Unit Developments to allow the development of multiple buildings on one parcel.

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..... and advertising the proposed amendment seeking comments or representations from the public. A copy of the Public Notice was posted on the Town's website. Residents were invited to view the documents and maps at the Town Hall during normal business hours, and to provide any comments or concerns in writing to Council by,

At a future date, individuals and groups shall also have another opportunity for submissions at a Public Hearing chaired by an independent Commissioner.

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

The proposed Municipal Plan Amendment No. 21, 2024 consists of text changes and a map change to the Future Land Use Map. The St. John's Urban Region Regional Plan has the area designated as Urban Development. The Urban Development designation accommodates a range of urban uses including residential. No amendment to the St. John's Urban Region Regional Plan is required.

MUNICIPAL PLAN AMENDMENT No. 21, 2024

● **TEXT AMENDMENT:**

CHANGES TO TEXT OF MUNICIPAL PLAN

FROM

Open Space Dedications

Policy SD-7 For each application to subdivide land into four (4) lots or more, Council shall require the developer to provide land to the Town for open space equal to 10% of the gross area of the land to be developed. Alternatively, in lieu of land dedication, Council may decide to accept a sum of money equal to 10 percent of the equivalent value of the land to be dedicated as part of the development site.

TO

Open Space Dedications

Policy SD-7 For each application to subdivide land into four (4) lots or more (or a planned unit development is proposed that will result in three (3) total buildings or more), Council shall require the developer to provide land to the Town for open space equal to 10% of the gross area of the land to be developed. Alternatively, in lieu of land dedication, Council may decide to accept a sum of money equal to 10 percent of the equivalent value of the land to be dedicated as part of the development site.

FROM

Access to Public Streets and Roads

Policy GLU-9 Council shall require that all future building lots have appropriate lot frontage to abut and have vehicular access from a public street or road.

TO

Access to Public Streets and Roads

Policy GLU-9 All development shall front onto a publicly maintained road (Provincial or Municipal) with the exception of a development within a Planned Unit Development where there may be an internal road plan (which shall be set out in the Development Regulations); however, the Planned Unit Development shall front onto a publicly maintained road.

ADD TO SECTION 3.4.1

Planned Unit Developments

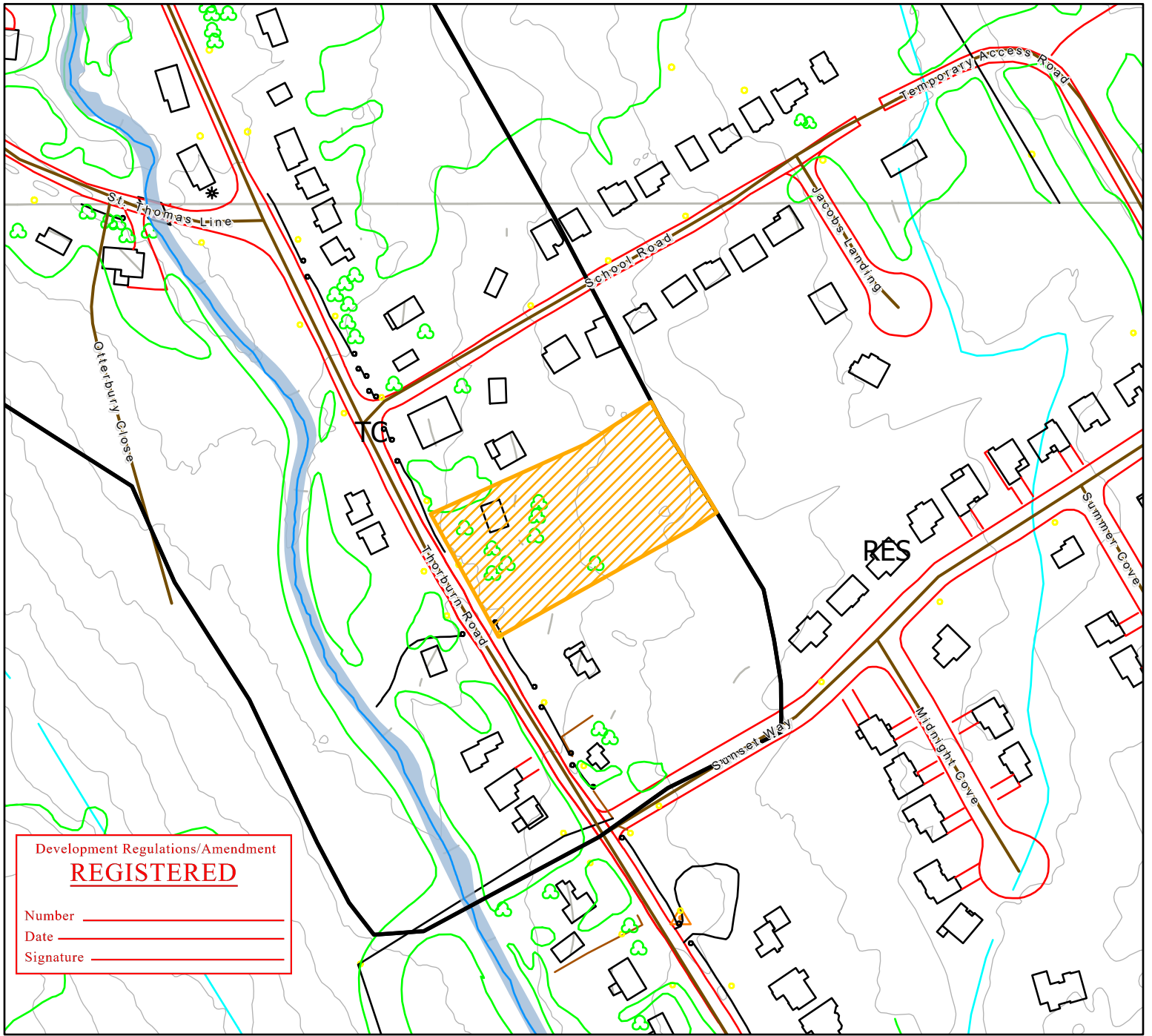
Policy RES-23 When evaluating proposals for new planned unit developments in Residential designated areas, Council may require connectivity, road standards, or walkability standards higher than what is generally required.

Policy RES-24 Where an application for a planned unit development is required, a detailed site plan shall be provided by the proponent containing the following:

- (a) Goals, objectives and land use policies for the development area;
- (b) Identification of developable area of site, indicating accommodation of site conditions such as poor drainage, steep slopes, flooding potential and rocky ground;
- (c) Proposed siting of new building(s), or additions, including building square footage area size, building height, setback distances to property lines, and setbacks between buildings (if applicable);
- (d) Building lot area coverage;
- (e) Total number of proposed buildings and interior floor plans;
- (f) Layout drawing of proposed parking area(s), total number and size of parking spaces and maneuvering aisles, access and egress locations to parking area, provisions for bicycle parking (where applicable), landscape screening for parking areas and storm water drainage management;
- (g) Identification of outdoor amenity and open space and recreation areas;
- (h) Identification of unenclosed storage areas and area size;
- (i) Overview of landscaping treatment and approach for the site development;
- (j) Phasing of the development (if applicable);
- (k) Street and servicing layout, including on-site road pattern and traffic and relation to surrounding community in conformance with Town standards;
- (l) Indicate any issues related to the long-term maintenance of streets and other services;
- (m) Connections to existing municipal water and sewer infrastructure;
- (n) Any special conditions, prerequisite considerations or significant environmental elements identified by the Town or the federal and/or provincial governments, and;
- (o) Compatibility with surrounding development and location of required buffers (if applicable).

- **MAP AMENDMENT:**

The Generalized Future Land Use Map of the Town of Portugal Cove-St. Philip's Municipal Plan, 2014-2024 is amended as shown on the following map.



Development Regulations/Amendment
REGISTERED
 Number _____
 Date _____
 Signature _____

TOWN OF PORTUGAL COVE-ST. PHILIP'S

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

MUNICIPAL PLAN 2014-2024


This ____ day of _____, 2024.

GENERALIZED FUTURE LAND USE MAP

 Mayor

MUNICIPAL PLAN
 AMENDMENT NO. 21, 2024

 Clerk

 Area to be rezoned from "Traditional Community" to "Residential"

Seal



Anna Myers



Scale: 1:2,500

I certify that the attached Town of Portugal Cove-St. Philip's Municipal Plan Amendment No. 21, 2024 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, 2014-2024**

DEVELOPMENT REGULATIONS AMENDMENT NO. 35, 2024

**Traditional Community to Residential Medium Density –
Thorburn Road**

(Amendment to text and maps)



APRIL 2024

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO APPROVE

**TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS, 2014-2024**

DEVELOPMENT REGULATIONS AMENDMENT No. 35, 2024

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 Amendment No. 35, 2024 to the Town of Portugal Cove-St. Philip's Development Regulations on the _____ day of _____, 2024.
- b) gave notice of the adoption of the Amendment No. 35, 2024 to the Town of Portugal Cove-St. Philip's Development Regulations by advertisement in The Telegram newspaper on _____ and _____, 2024. The advertisement was also posted on the Town's website and social media platforms;
- c) set the _____ day of _____, 2024, for the holding of a public hearing at the Portugal Cove-St. Philip's Town Hall to consider objections and submissions.

Now under the authority of Section 23 of the *Urban and Rural Planning Act, 2000*, the Town Council of Portugal Cove-St. Philip's approves the Amendment No. 35, 2024 to the Town of Portugal Cove-St. Philip's Development Regulations as adopted.

SIGNED AND SEALED this _____ day of _____, 2024.

Mayor _____

Clerk _____

Development Regulations/Amendment

REGISTERED

Number _____

Date _____

Signature _____

(Council Seal)

URBAN AND RURAL PLANNING ACT, 2000

RESOLUTION TO ADOPT

**TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS AMENDMENT No. 35, 2024
DEVELOPMENT REGULATIONS, 2014-2024**

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. 35, 2024.

Adopted by the Town Council of Portugal Cove-St. Philip's on the ____ day of _____, 2024.

Signed and sealed this _____ day of _____ 2024.

Mayor _____

Town Clerk _____

(Council Seal)

CANADIAN INSTITUTE OF PLANNERS CERTIFICATION

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 35, 2024, has been prepared in accordance with the requirements of the Urban and Rural Planning Act.



MCIP: Anna Myers
Member of Canadian Institute of Planners (MCIP)

TOWN OF PORTUGAL COVE-ST. PHILIP'S
DEVELOPMENT REGULATIONS AMENDMENT No. 35, 2024

BACKGROUND

The Town of Portugal Cove-St. Philip's proposes to amend its Development Regulations, 2014-2024. There is an associated Municipal Plan Amendment No. 21, 2024.

The Town Council of Portugal Cove-St. Philip's is in receipt of a request to rezone an area of land to accommodate potential future development of three fully serviced residential townhouse buildings containing approximately 30 rental units on one parcel at No. 1484 Thorburn Road. The property is currently zoned Traditional Community (TC) and Residential Medium Density (RMD). The TC land use zone does not list townhouse as a permitted or discretionary use. Townhouse is listed as a discretionary use in the RMD land use zone. It was requested that the TC portion of the property be rezoned to RMD to allow for development of the proposed townhouse buildings.

The purpose of this amendment is to rezone a portion of No. 1484 Thorburn Road from **Traditional Community (TC)** to **Residential Medium Density (RMD)** on the Development Regulations Map and to make text amendments to the Development Regulations to introduce development conditions related to planned unit developments in the RMD land use zone.

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 2024, and the edition of the Northeast Avalon Times advertising the proposed amendment seeking comments or representations from the public. A copy of the Public Notice was posted on the Town's website and social media. Residents were invited to view the documents and maps on the Town's website or at the Town Office during normal business hours, and to provide any comments or concerns in writing to Council by the deadline.

At a future date, individuals and groups have another opportunity for submissions in the Public Hearing process chaired by an independent Commissioner.

ST. JOHN'S URBAN REGION REGIONAL PLAN, 1976

The proposed Development Regulations Amendment No. 35, 2024 consists of text changes and a map change to the Development Regulations Map. The St. John's Urban Region Regional Plan has the area designated as Urban Development. The Urban Development designation accommodates a range of urban uses including residential. No amendment to the St. John's Urban Region Regional Plan is required.

DEVELOPMENT REGULATIONS AMENDMENT No. 35, 2024

- **TEXT AMENDMENT:**

CHANGES TO TEXT OF DEVELOPMENT REGULATIONS

FROM:

41. BUFFER STRIPS

- (2) Where any new residential subdivision is permitted to abut the rear or side property boundaries of an existing residential lot, a natural vegetation buffer or other structural barrier such as privacy fence will be required by Council and shall be constructed and maintained by the owner or occupier to the satisfaction of Council.

TO:

41. BUFFER STRIPS

- (2) Where any new residential subdivision or planned unit development is permitted to abut the rear or side property boundaries of an existing residential lot, a natural vegetation buffer or other structural barrier such as privacy fence will be required by Council and shall be constructed and maintained by the owner or occupier to the satisfaction of Council.

FROM:

62. MULTIPLE USES ON ONE LOT

Where a single lot contains more than one permitted use, each specific use shall conform to the provisions of these Development Regulations that are applicable to that use.

TO:

62. MULTIPLE USES ON ONE LOT

Where a single lot contains more than one permitted use, each specific use shall conform to the provisions of these Development Regulations that are applicable to that use, with the exception of planned unit developments.

FROM:

88. LAND FOR PUBLIC OPEN SPACE

- (3) Where a parcel of land is proposed to be subdivided into four (4) lots or more, the developer shall dedicate to Council, at no cost to Council, a useable area of land equivalent to not more than 10% of the gross area of the subdivision or 25.0 m² (269 square feet) for every dwelling unit permitted in the subdivision, whichever is the greater, for public open space, provided that:
- (a) where land is subdivided for any purpose other than residential use, Council shall determine the percentage of land to be dedicated;
 - (b) if, in the opinion of Council, no public open space is required, the land may be used for such other public use as Council may determine;

- (c) the location and suitability of any land dedicated under the provisions of this Regulation shall be subject to the approval of Council but in any case, Council shall not accept land which, in its opinion, is incapable of development for any purpose;
- (d) Council may accept from the developer in lieu of such area or areas of land the payment of a sum of money equal to the value of the land which would otherwise be required to be dedicated;
- (e) financial contributions received by Council in accordance with Regulation 88(1)(d) shall be reserved by Council for the purpose of the acquisition or development of land for public open space or other public purpose.

TO:**88. LAND FOR PUBLIC OPEN SPACE**

- (3) Where a parcel of land is proposed to be subdivided into four (4) lots or more (or a planned unit development is proposed that will result in three (3) total primary buildings or more), the developer shall dedicate to Council, at no cost to Council, a useable area of land equivalent to not more than 10% of the gross area of the subdivision or 25.0 m² (269 square feet) for every dwelling unit permitted in the subdivision, whichever is the greater, for public open space, provided that:
 - (a) where land is subdivided for any purpose other than residential use, Council shall determine the percentage of land to be dedicated;
 - (b) if, in the opinion of Council, no public open space is required, the land may be used for such other public use as Council may determine;
 - (c) the location and suitability of any land dedicated under the provisions of this Regulation shall be subject to the approval of Council but in any case, Council shall not accept land which, in its opinion, is incapable of development for any purpose;
 - (d) Council may accept from the developer in lieu of such area or areas of land the payment of a sum of money equal to the value of the land which would otherwise be required to be dedicated; and
 - (e) financial contributions received by Council in accordance with Regulation 88 (1)(d) shall be reserved by Council for the purpose of the acquisition or development of land for public open space or other public purpose.

CHANGES TO TEXT OF SCHEDULE A: DEFINITIONS**ADD:**

PLANNED UNIT DEVELOPMENT: means an integrated planned development which may involve a single use class or mix of use classes that responds to a unique market opportunity and involves special development standards not otherwise permitted in the zone. The most common example of a Planned Unit Development is a vacant land condominium/bare strata development consisting of a contiguous area to be planned, developed, operated, and maintained as a single entity and containing one or more structures with common areas that belong to them, such as a box store complex, resort, multi-unit residential. A Planned Unit Development may be approved by Council as a development and/or subdivision on public or private services.

CHANGES TO SCHEDULE C: GENERAL PROVISIONS

FROM:

(3) PRINCIPAL BUILDINGS PER LOT

Within single and double dwelling residential zones, only one principal building may be permitted on a lot or property. Other use zones may allow more than one principal use building on a property but such siting shall be regulated by site layout and requirements for setback to property lines, parking, landscaping and buffers, environmental limitations, and other separation distance provisions.

TO:

(3) PRINCIPAL BUILDINGS PER LOT

Within single and double dwelling residential zones, only one principal building may be permitted on a lot or property, other than in planned unit developments. Other use zones may allow more than one principal use building on a property but such siting shall be regulated by site layout and requirements for setback to property lines, parking, landscaping and buffers, environmental limitations, and other separation distance provisions.

CHANGES TO TEXT OF SCHEDULE C: RESIDENTIAL MEDIUM DENSITY

ADD:

(12) Planned Unit Developments

A cluster of townhouse buildings on a single parcel of land under singular ownership may be constructed within the Residential Medium Density (RMD) zone as a planned unit development subject to the following:

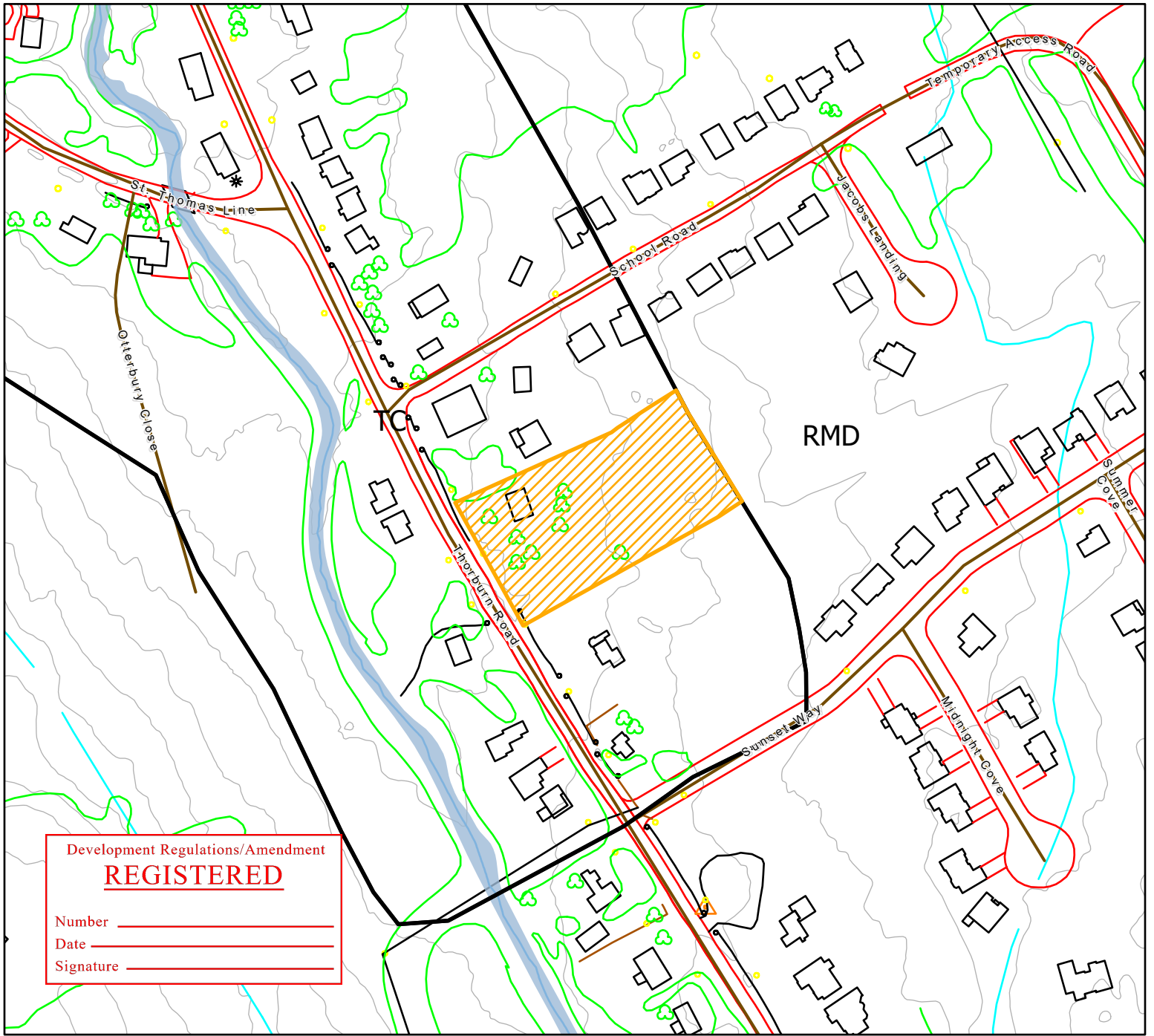
- (a) Required to submit a Planned Unit Development application containing the following:
 - a. Goals, objectives and land use policies for the development area;
 - b. Identification of developable area of site, indicating accommodation of site conditions such as poor drainage, steep slopes, flooding potential and rocky ground;
 - c. Proposed siting of new buildings, or additions, including building square footage area size, building height, and setback distances to property lines;
 - d. Building lot area coverage;
 - e. Total number of proposed buildings and interior floor plans;
 - f. Layout drawing of proposed parking area(s), total number and size of parking spaces and maneuvering aisles, access and egress locations to parking area, provisions for bicycle parking (where applicable), landscape screening for parking areas and storm water drainage management;
 - g. Identification of outdoor amenity and open space and recreation areas, and pedestrian walkways;
 - h. Identification of unenclosed storage areas and area size;
 - i. Overview of landscaping treatment and approach for the site development;
 - j. Phasing of the development (if applicable);
 - k. Street and servicing layout, including on-site road pattern and traffic and relation to surrounding community in conformance with Town standards; and
 - l. Indicate any issues related to the long-term maintenance of streets and other services.

- (b) A Planned Unit Development shall front on to a publicly maintained road, be serviced with municipal water and sewer services, and comply with use requirements of the Zone within which it is located;
- (c) Roads and services provided in a Planned Unit Development, whether they are publicly or privately owned, may be treated as if they were public roads, public services and public utilities for the purpose of approvals by the Authority and other agencies;
- (d) A Planned Unit Development shall comply with the requirements of Part IV – Subdivision of Land of these Development Regulations;
- (e) A Planned Unit Development shall comply with the requirements of the Municipal Plan or any scheme adopted under it, and have a suitable relationship to nearby land uses in respect to appearance, traffic requirements, and demands on municipal services. Council may require a developer, at the cost of the developer, to construct or upgrade nearby intersections, roads, sidewalks, parks, and/or trails to better integrate the Planned Unit Development within the neighborhood.
- (f) A Planned Unit Development shall be reviewed by Council according to its regular development approval process;
- (g) Where a planned unit development is permitted to abut the rear or side property boundaries of an existing residential lot, a natural vegetation buffer or other structural barrier such as a privacy fence will be required by Council and shall be constructed and maintained by the owner of the planned unit development to the satisfaction of Council;
- (h) The planned unit development shall be subject to Development Regulation 67 (Stormwater Management), and;
- (i) More than one (1) townhouse building may be constructed on a single parcel of land in accordance with the provincial *Condominium Act, 2009*, as amended, and, notwithstanding the development standards for the Residential Medium Density zone, shall comply with the following standards:

RMD Fully-Serviced Lots in Planned Unit Developments (municipal water & municipal sewer)	
STANDARDS	Multiple Dwellings
	Townhouse
Min. Lot Area (m²)	350*
Min. Floor Area (m²)	65*
Min. Frontage (m)**	30
Min. Front Yard (m)	6
Max. Front Yard (m)***	32
Min. Side Yard (m)	5
Min. Distance from Other Buildings (m)	2.4
Min. Rear Yard (m)	9
Max. Lot Coverage (%)	33
Max. Height (m)	10
* per unit	
** total for all buildings	
*** only one building must comply with this standard	

- **MAP AMENDMENT:**

The Development Regulations Map of the Town of Portugal Cove-St. Philip's Development Regulations, 2014-2024 is amended as shown on the following map.



Development Regulations/Amendment
REGISTERED
 Number _____
 Date _____
 Signature _____

TOWN OF PORTUGAL COVE-ST. PHILIP'S

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

MUNICIPAL PLAN 2014-2024


This ____ day of _____, 2024.

DEVELOPMENT REGULATIONS MAP

 Mayor

DEVELOPMENT REGULATIONS
 AMENDMENT NO. 35, 2024

 Clerk

 Area to be rezoned from "Traditional Community" to "Residential Medium Density"

Seal



amyers



Scale: 1:2,500

I certify that the attached Town of Portugal Cove-St. Philip's Development Regulations Amendment No. 35, 2024 has been prepared in accordance with the requirements of the Urban and Rural Planning Act, 2000.