



Conception Bay South

Planning and Development Committee Meeting Minutes

Meeting #: Planning & Development Committee 22-03
Date: February 7, 2022
Time: 4:30 pm
Location: Zoom

Members Present **Councillor Hillier, Chair**
 Councillor Connors
 Councillor Barrett

Councillors Present **Mayor Bent**
 Deputy Mayor Gosse
 Councillor Tilley
 Councillor Moores

Staff Present **Corrie Davis, Director of Planning and Development**
 Brian Crawley, Chief Administrative Officer

1. 10 Muncarter Place

The Committee discussed concerns from the owners of the noted property about drainage flows that are affecting the property. The Committee requested that staff contact the property owner and owners of an adjacent property to discuss the concerns and review approved development plans for the properties.

Councillor Moores joined the meeting at approximately 4:40pm during the discussion of the preceding item.

2. Municipal Boundary

Prior to the discussion of this item Deputy Mayor Gosse requested that the Committee determine if she is in a conflict of interest given a quarry operated by a company owned by family members is in one of the areas to be discussed. The Committee concurred that the Deputy Mayor has a potential conflict of Interest. The Deputy Mayor therefore left the meeting at approximately 4:48pm and returned at 4:58pm for the discussion of this item.

The Committee discussed the Town's boundary in the areas of Fowlers Road East, Foxtrap Access Road, Incinerator Road and the unincorporated area south of the west end and requested that the Town initiate a conversation with the Department of Municipal and Provincial Affairs about changing the Town's municipal boundary to include those areas.

Councillor Tilley joined the meeting at approximately 4:56pm during the discussion of the preceding item.

Mayor Bent left the meeting at approximately 4:58pm after the conclusion of discussion on the preceding item.

3. Development Applications

3.a 105 Greeleytown Road

The Committee discussed an application to keep 12 chickens at the noted property. The Committee considered a submission that was received in response to public notification of the application. After a discussion, the Committee concurred to recommend approval of the application but that the number of chickens on the property be limited to nine.

Recommendation:

Be it so resolved that, in accordance with Council's discretionary authority at sections 4.11 and 10.7 of the Town's Development Regulations, Application No. 1161 received on December 7, 2021 for a hobby farm at 105 Greeleytown Road be approved for a maximum of nine chickens at the property.

3.b 93 Red Bridge Road

Prior to discussion of the item, Councillor Connors declared a conflict of interest with this matter given that he has a family member that lives in the vicinity of the noted

property. Councillor Connors left the meeting at 5:10pm and returned at 5:13pm for discussion of this item.

The Committee discussed an application to retain an existing fence along the side boundary un the front yard of the noted property. The Committee determined that there is a variety of front yard fences in the general vicinity and therefore concurred to recommend approval of the fence on condition that it be no higher than 1.2m.

Recommendation:

Be it so resolved that in accordance with Section 15(d) of the Town's Fence Regulations, Application No. 1199 received on January 21, 2022 for a fence along the side property boundary in the front yard at 93 Red Bridge Road, be approved with a maximum height of 1.2m.

3.c 160 Swansea Street

Prior to discussion of the item, Councillor Hillier requested that the Committee determine if he is in a conflict of interest given that he lives in the vicinity of the noted property. The Committee concurred that Councillor Hillier may be in a conflict of interest. Councillor Hillier therefore left the meeting at 5:17pm and returned at 5:20pm for discussion of this item.

The Committee discussed an application for an extension to an existing accessory building at the noted property. The Committee acknowledged that the existing accessory building does not meet the minimum side yard set back requirement and is considered a legal non conformity in accordance with Part XII of the *Urban and Rural Planning Act, 2000* and that the extension was previously approved by Town staff. The Committee therefore concurred to recommend that the application be approved.

Recommendation:

Be it so resolved that, in accordance with Section 108(3)(a) and (f) of the *Urban and Rural Planning Act, 2000*, Application No. 1218 received on January 16, 2022 to add a 3m x 3.6m extension to the existing accessory building at 160 Swansea Street, be approved.

3.d 392 Conception Bay Highway

The Committee discussed an application to re-develop the existing dwelling at 392 Conception Bay Highway for commercial purposes. The Committee determined that the existing building line setback of the property can continue as a legal non conformity with respect to standards. The Committee noted that public notice of the application must be published as the proposed use is discretionary within the R-3 zone. The Committee also noted that approval will be required from the provincial government's Department of Transportation and Infrastructure to change the access to Route 60 at the property from residential to commercial.

4. Notices Published

The Committee was advised that notice of a variance request to reduce the minimum rear yard requirement at 19 Sandstone Street to accommodate a proposed dwelling was published in the February 3, 2022 edition of *The Shoreline*. Deadline for submissions is February 10, 2022.

The Chief Administrative Officer left the meeting at approximately 5:32 after the discussion of the preceding item.

5. Non-Compliance

5.a 55-57 Cluneys Road

The Committee discussed the noted property and that nine chickens and four pigs remain at the property and no animal hobby farm use has been approved at the property. The Committee also discussed manure storage on the property.

The Committee requested that staff inquire to determine when the animals might be removed from the property. The Committee also concurred that staff initiate enforcement processes to bring the property into compliance with the Town's regulations.

6. Planning Matters

6.a 118 Red Bridge Road

Prior to the discussion of the item Deputy Mayor Gosse and Councillor Connors requested the Committee determine if they were in a potential conflict of interest with this property.

Deputy Mayor Gosse noted that a quarry operated by a company owned by family members is at the end of Red Bridge Road. The Committee concurred that the Deputy Mayor does not have a potential conflict of Interest with this matter.

Councillor Connors noted he has a family member that lives on Red Bridge Road north of the property under discussion. The Committee concurred that Councillor Connors does not have a potential conflict of interest with this matter.

The Committee discussed the noted property and a verbal request made to various members of Council by owner's representative that the Town either buy the property or re-zone the property to accommodate some form of future development. The Committee determined that there is no application or formal proposal before the Town at present. The Committee agreed that the Town would consider a formal proposal if presented to the Town.

Councillor Moores left the meeting at approximately 5:58 during the discussion of the preceding item.

6.b 375 Fowlers Road

The Committee considered a request that pet sitting service uses be added as a permitted or discretionary use to the Local Commercial (C-3) zone. The Committee determined that a pet sitting service is consistent with the range and types of uses that could be accommodated within the C-3 zone. However, the Committee noted that the proposed location is significantly challenged for development as the Town's main water transmission main that supplies water to the entire town that runs through the property where the proponent is proposing development a building for a pet sitting service.

The Committee concurred that prior to considering the request for a zoning amendment, the proponent should consult with the Town staff to determine if the proposed development could be feasible at the property.

Deputy Mayor Gosse left the meeting at approximately 6:28 during the discussion of the preceding item.

6.c 851-855 Conception Bay Highway

The Committee considered a request that the noted property be re-zoned to allow commercial uses. The Committee considered the size and shape of the property and determined that, unless consolidated with adjacent properties (all of which are developed), the potential for commercial development of the property is very constrained. The Committee noted that the allowable building footprint on the site is less than 500 square feet, and provision of traffic access and parking associated with a commercial use would be difficult. The Committee also noted that a small dwelling had been approved for the property in the past and that is likely the most feasible development opportunity.

The Committee therefore determined that in the absence of additional information, it would be premature to consider re-zoning the property for commercial uses at this time.

Councillor Tilley left the meeting at approximately 6:38 after the discussion of the preceding item.

6.d Tiny Homes

The Committee discussed the concept of tiny homes as an affordable housing option. The Committee noted that the Town's zoning regulations do not have minimum floor area requirements for dwellings. The Committee noted that current minimum lot sizes established by the Town's zoning would likely be an economic impediment to affordability for tiny homes.

The Committee requested that staff review how tiny homes and lot sizes or communal land ownership (such as through a condominium corporation) could be regulated in the new municipal plan once implemented.

7. Information Items

7.a 119 Conception Bay Highway

The Committee discussed an application for an extension to the existing commercial building at the noted property. The Committee noted that staff requested additional information from the applicant to clarify ownership of the property and that information has not yet been submitted to the Town.

The Committee determined that clarification of land ownership is required before a determination on the application can be made.

7.b Foxtrap Rd Interchange Quarry (EA 2083)

The Town was notified on February 1, 2022 that the Applicant has withdrawn the proposal from consideration under the Provincial Environmental Assessment legislation.

7.c Mineral Lands Referral #71112960

The Committee reviewed a quarry application referral received on January 25, 2022 from the Mineral Lands Division of the Department of Industry, Energy and Technology for a quarry permit and determined that the location is outside the municipality and there are no obvious concerns that need to be communicated to the government.

7.d Minerals Road

The Committee discussed a Crown Land lease application received to operate a commercial agriculture operation (vegetable crops) at Minerals Road, south of the talc mine. The Committee noted that agriculture uses are permitted in the Rural zone and staff continue to process the application in accordance with the Town's Delegation of Planning Authority Policy.

8. Additional Items

8.a 28 Maureen Crescent

Councillor Barrett requested that staff review concerns about drainage on the noted property.

9. Department Update

The Committee was advised of recent and upcoming activities and initiatives of the Department.

10. Planning and Development Committee Report

The Committee concurred to recommend that decisions and recommendations made at the Planning and Development Committee meeting on February 7, 2022 be accepted by Council.

Recommendation:

Be it so resolved that the decisions and recommendations made at the Planning and Development Committee meeting on February 7, 2022 be accepted as presented.

- 10 Muncarter Place
- Municipal Boundary
- 105 Greeleytown Road
- 93 Red Bridge Road
- 160 Swansea Street
- 392 Conception Bay Highway
- 19 Sandstone Street
- 118 Red Bridge Road
- 375 Fowlers Road
- 851-855 Conception Bay Highway
- Tiny Homes
- 119 Conception Bay Highway
- Foxtrap Road Interchange Quarry (EA 2083)
- Minerals Land Referral #71112960
- Minerals Road
- 28 Maureen Crescent

- Department Update

There being no further business, the meeting was adjourned at 7:05pm.

Councillor Hillier, Chair

Corrie Davis, Director of Planning
and Development